More gagging on the way

By Tim Crook

I do not imagine any member of the Chartered Institute of Journalists has any desire to protect journalism that gratuitously and unfairly destroys the reputation of anyone with factually incorrect allegations sometimes deliberately and recklessly told.

However, libel and other media law controls in the UK have been and continue to be a curse on our profession. The Government’s reform proposals for libel, privacy, harassment and malicious falsehood will make the situation worse. They have to be interpreted in the context of a hostile media law environment for journalists and their publishers, made worse by the Leveson Inquiry, recent legislation, and the all-party Royal Charter plan poised to be forced on a newspaper industry without its consent.

The gross inequality in financial punishment through the exorbitant costs of media law insurance, and defending actions with the burden of proof, are added underlying factors for injustice and self-censorship, largely recognized as ‘the chilling effect.’

Humiliation

The UK has been humiliated over its anti-media libel and privacy laws. In 1996 £1.5 million in damages awarded in a libel case and in 2011 nearly £1 million in costs for a privacy case with an actual damages award of only £3,500 were ruled as breaches of Article 10 Freedom of Expression.

Instead of introducing sensible caps on damages with exceptions for proven economic harm, and making both sides bear their own costs the Government is pressing ahead with a costs shifting scheme leaving media defendants to pick up the cost even when they win their cases.

The all-party Royal Charter foists an untried arbitration system that does not replace libel litigation and leaves the media fully funding both sides of any action.

In my view these provisions multiply the jeopardy in media law disputes. They will set up one legal regime for mainstream print and online publishers, another for broadcasters, and another for ‘micro-publishers’.

This will in future years cause more humiliating rulings at Strasbourg. The English legal system will emerge as the most notorious country in the world for privatised legal gagging and bankrupting of freedom of the press and media.

Pickles slams councils’ abuse of power to stifle free speach

The CIoJ has welcomed moves by Eric Pickles to strengthen the ability of local newspapers to hold local government to public account.

But it warns that legislation may be needed to achieve this.

The Communities Secretary is to publish new guidance to allow planning appeal hearings to be reported, including on film and Twitter.

The rights will extend to bloggers and reporters from hyperlocal websites, as well as journalists from traditional local papers.

Banned

Pickles has warned councils not to suppress freedom of speech after a series of incidents in which journalists and residents have been banned from filming or tweeting from meetings open to the public and press, sometimes by heavy-handed policing.

He said: “A small number of councils... want to suppress independent reporting.

“An independent local press and robust public scrutiny is essential for a healthy local democracy... Councils who call the police to suppress freedom of speech are abusing state powers.”

CIoJ President Charlie Harris, who spent more than 35 years as a local newspaper reporter and editor, said that Pickles’s robust statements were extremely heartening, especially coming from a minister with a strong background in local government.

“Over many years covering local government, I saw a culture of secrecy pervading town halls.

“This became a lot worse after the creation of cabinet-style councils, with Blair’s government allowing cabinets/executives to meet in secret, slamming the doors on local residents and newspapers.

“For many councillors and council officers, the default position now is to Hacked Off – the unacceptable face of lobbying

The Institute has written to the Committee on Standards in Public Life highlighting the dangers posed by “secretive and unaccountable” lobbying groups such as Hacked Off. The CIoJ believes that the way Hacked Off has operated behind the scenes is an illustration of “why things need to change”.

In its submission to the Committee, the Institute draws attention to the willingness of senior politicians to grant privileged access to Hacked Off as “hypocrisy which needs to be addressed urgently”.

The CIoJ describes Hacked Off as “the unacceptable face of lobbying”. Student Journalist Video Competition SEE BACK PAGE
Editor’s Comment

While arguments over Press regulation rumble on, the threats to journalistic freedom in the UK continue to grow. As the Chartered Institute of Journalists has warned, the new legislation to regulate private investigators will not just impact on ‘private eyes’ but will also have far-reaching implications for investigative reporting. Whether this was the Government’s intention from the start, or just an example of the law of unintended consequences, remains to be seen. But either way it does not reflect well on the Coalition’s attitude to Press freedom.

Most alarmingly, we have seen the stretching of Britain’s anti-terrorism laws to allow the harassment of journalists and their associates, as well as police raids on newspaper offices and the confiscation of files. It is impossible to escape the conclusion that the authorities are keen to suppress any media stories that might be embarrassing or inconvenient to them. These bully-boy tactics began under New Labour, when the police were permitted under the new anti-terrorism regulations to detain photo-journalists and confiscate their equipment, but seem to be continuing in a different and even more worrying guise under the Coalition.

Ministers have tried to brush off these incidents as being of little or no consequence, and have re-stated their adherence to the principle of Press freedom, but it is impossible not to form the impression that there is a pattern to these various developments. The present Government likes to pretend that it is on the side of the citizen. Perhaps Messrs Cameron and Clegg genuinely believe that they are advancing the cause of freedom. But the reality is one of a steadily encroaching State and diminishing individual and civil liberties. A free Press is the guarantor of a free society. Governments should be judged not by the quantity of the legislation that they pass and the regulations they impose but on the quality of their commitment to defending liberty and their willingness to ‘own up’ when they have overstepped the mark.

In the words of the great 18th century journalist John Wilkes:

“The liberty of the press is the birthright of Britons, and is justly esteemed the firmest bulwark of the liberties of this country. It has been the terror of all bad ministers; for their dark and dangerous designs, or their weakness, inability and duplicity, have thus been detected and shown to the public... Can we then be surprised, that so various and infinite arts have been employed at one time entirely to set aside, at another to take off the force, and blunt the edge, of this most sacred weapon, given for the defence of truth and liberty?”

Andy Smith

Past President in the Directors’ Box

CIoJ Past President Sangita Shah has been appointed to the Board of Directors of Swindon Town Football Club. She will be looking at financial and legal issues and will be seeking new corporate sponsorship for the club. Speaking to The Journal, Sangita Shah said she was ‘thrilled’ with her new role but also found it ‘somewhat daunting’. The club, nicknamed ‘The Robins’, was founded in 1879.
Press regulation: a game no-one can win

By Amanda Brodie

It is tempting to think of the Prime Minister having spent his holidays contemplating the issue of Press regulation. If so, perhaps he reflected that the hare he set running when he instigated the Leveson inquiry has not only left the race track but is out of the stadium completely.

Regulating the Press has turned out to be as easy as swimming in treacle, and a lot less pleasant. But then we could have told the Government that, if only they had engaged in a meaningful way with working journalists, instead of listening to a lot of politicians and celebrities with a grudge to bear. And giving pressure groups like Hacked Off unprecedented access to top-level decision-making, instead of engaging with institutions like the CIoJ, which has spent more than a century and a quarter representing journalists.

Your management team at the Institute has been working very hard over the last couple of years to both monitor the debate and to get our voice heard through press releases, responses to consultations and by setting up meetings, such as the one we attended this year with the Department of Culture, Media and Sport. A lot of work in that respect has gone on behind the scenes, perhaps more than most CIoJ members realise.

**Challenging**

What amazes me however, is how hard we have to fight to maintain what should be a given – a free Press that is free in every sense of the word. Instead we have to keep challenging legislation which either directly or indirectly, impacts on this freedom.

But while the Government grapples with the question of how to regulate the Press, they have not stopped to ask themselves whether they should be doing it at all. Journalists are often accused of blowing things out of proportion, yet that is exactly what has happened over the phone-hacking saga.

**Stand-off**

The current stand-off is likely to prevail, because politicians have belatedly realised they have backed themselves into a corner. None of them wants to go down in history as the party which destroyed our free Press. And that is what the royal charter fiasco is really all about – a face-saving way of backing out of a battle they can’t win.

I wonder what would happen if the entire Press industry simply refused to have anything to do with regulation of any kind? If we stood together for once, and simply refused, Ghandi-style, to cooperate at all?

What is slowly beginning to dawn on the Government is that no form of regulation will work if it does not have the backing of the industry and profession it proposes to regulate. And this may well be the ace card we have yet to play.

A new Royal Charter for journalists – but what about the old one?

The CIoJ is challenging the Government for failing to take into account the Institute’s own charter in creating a new Press regulation body.

The Institute was incorporated by Royal Charter in 1890 and is the oldest professional body for journalists in the world. It has a duty under that charter to uphold ethical and professional standards in the journalistic profession.

Charlie Harris, President of the CIoJ, says: “How can any proposal for a Royal Charter which ignores an existing charter make any sense or give the public any confidence that this is a credible way forward? To that end, we have submitted our own challenge to both the Department of Culture Media and Sport and the Privy Council.”

Among the points made by the CIoJ are that any voluntary scheme which relies on statutory coercion cannot be regarded as voluntary; that the idea of exemplary damages is unlikely to survive contact with any European Court and that there is nothing in either draft which would prevent the behaviour which led to Lord Justice Leveson’s inquiry in the first place.

**Cross-party support**

Currently two charters have been submitted to the Privy Council – one with cross-party support (the Government Charter) and another one from the Press Board of Finance (the Pressbof Charter).

Harris adds: “The constitution of the new regulatory body has largely been framed as being between publisher and independent members and yet it is journalists who are best placed to recognise corporate wrong doing, or ethical failings and yet they are not offered a seat at the table.

“The Pressbof proposal reconstitutes the Press Complaints Council with some tweaks which was the reason the inquiry was set up, but both charter proposals rely on statutory underpinning which the CIoJ believes flies in the face of an independent press.

“The public deserve not to be sold down the river by disgruntled MPs and image-pleading celebrities over Press regulation proposals. It is time these individuals come clean and admit that when the police do their job, there are perfectly acceptable laws that already exist to keep law-breakers, including those in journalism, in check.”

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David Cameron - losing ticket?

ITN veteran honoured

Lawrence McGinty, ITN’s veteran Science & Medical Editor, has been named Multi-media Journalist of the Year at the Medical Journalists’ Association’s 2013 summer Awards.

The judges described McGinty’s delivery as “always impeccable and content consistently exemplary”.

Although McGinty was not there to receive his award, comedian Helen Lederer, who hosted the ceremony, read a message from him saying: “There is no greater compliment than to be judged favourably by your peers and that makes this award all the more pleasing. “At a time when there is more and more coverage of medical matters, the MJA has a vital role to try to keep up the standard of reporting and these awards are a key part of that. I’m proud to be associated with that effort.”

He also thanked the producers who worked with him on the award entries, Gaby Nash and Chris Gibson.
International project pairs media students with European peers

Staff and students from the University of Lincoln’s School of Media have returned from a pioneering trip where they worked alongside their European peers as part of a new EU-funded programme.

The two-week placement took place at Finland’s Tampere University of Applied Sciences School of Art, Music and Media. It was the first phase of the new Media Culture 2020 scheme, which brings together students and teaching staff from Higher Education institutions across Europe, and is led by Lincoln lecturer Richard Vickers.

Throughout the visit, which was the first of its kind, 10 final year undergraduates from the University of Lincoln worked with students from partner institutions from the Netherlands, Spain, Latvia and Finland. Collaborating in multi-national teams spanning different specialisms, they shared their expertise in media production for 21st-century platforms, such as social media and smartphone applications.

Grand scale

James Field, Senior Lecturer at the University of Lincoln’s School of Media, accompanied the students throughout the project. He explains: “Media Culture 2020 gave me a fascinating insight into collaborative education on a grand scale. Working with students across Europe both online and in the workshop in Finland presented challenges, but was extremely rewarding when the students revealed their ideas and research, each featuring a consensus of similarities that exist in media culture across the continent.”

Media Culture 2020 is an Erasmus Intensive Programme, designed to break down barriers so that students from different countries and areas of study can benefit from open learning environments. The project aims to demonstrate the potential of united and interactive 21st century media culture in Europe.

Richard Vickers, Principal Lecturer at the University of Lincoln’s School of Media, established the project and is leading the scheme alongside CaiMelakoski from the Tampere University of Applied Sciences.

Innovative project

Speaking about its success, he said: “This was a fantastic event, and a great opportunity for our undergraduates to work with students and lecturers from across Europe on a truly innovative project. Team Lincoln made a great impression on colleagues from our European partner institutions and made many new friends.”

Gemma Pass, a University of Lincoln student on the scheme, said: “When we set off for Finland, I didn’t realise quite how fantastic an opportunity it was. Now I know what an influence the project has had on me, and could have on my future. Media Culture 2020 gave me the chance to experience different cultures, and it is something that I will never forget.”

Ofcom ‘betrayed viewers’, says CIoJ

Plans to reduce regional news output on ITV represent “a total betrayal of viewers” by Ofcom – according to the CIoJ’s Broadcasting Division, which recommends that a new body that is “properly fit for purpose” should take over the media regulator’s role.

Ofcom has approved dramatic reductions in the length of regional lunchtime and late evening bulletins, and has agreed that the early-evening round-up of the day’s news can now include ten minutes of events from outside the region.

Paul Leighton, Chairman of the Institute’s Broadcasting Division, and current CIoJ Vice-President, describes the planned cuts as “taking coverage of news in the regions to a new low”.

Leighton, says: “Viewers at weekends will see the 10 minute regional slots reduced to a paltry five minutes and lunchtime output more than halved.

“As a regulator, Ofcom was put in place to protect the interests of the consumer – the viewer – not to pander to an industry which made £464m pre-tax profits last year and still has the gall to plead poverty.”

The CIoJ has welcomed ITV’s plan to revert to greater localisation by operating 14 regions rather than the eight to which it was reduced in 2009. “But with such a major reduction in the length of bulletins, the exercise looks suspiciously cosmetic.

“If Ofcom won’t do its job as a regulator, perhaps it’s time the job was given to an organisation that will!”

As part of the visit, participants took part in team building, project planning and research opportunities, as well as cultural events hosted by the different countries in attendance. They also received industry talks and visited the TV2 studios and ROVIO, the entertainment media company behind Angry Birds.

The second phase of Media Culture 2020 will involve a workshop hosted by Liepaja University in Latvia later this year. For more information, and to view blogs and images from the event, visit http://mediaculture2020.blogspot.fi.

‘Private eye’ laws may harm journalism

Government proposals to regulate ‘private eyes’ may have serious spin-off implications for investigative journalism, Amanda Brodie, who chairs the CIoJ’s Professional Practices Board, says that although journalists are supposed to be excluded from the new regulations if they are undertaking “legitimate investigations in the public interest”, the Institute would ask “who defines what is in the public interest and what is or is not a legitimate investigation?”

She explains: “Whilst there may be no overt intention to muzzle journalists, our concern is that this legislation may be used in the future to interfere with the free flow of information which should be part of any democratic society.”

This would not be the first time legislation of this kind has had unforeseen fall-out for journalists. The Protection from Harassment Act 1997 was created to deal with stalkers but ended up being used against press photographers.

Brodie adds: “There needs to be very careful wording of any new legislation, especially where it relates to the exemption clauses concerning journalism.

“We welcome the Government’s stated intention to conduct a public consultation on the full range of data protection proposals and the CIoJ will be giving our views on their impact on journalism and how any changes might be approached.”
Wanted: More balanced media coverage of Arab-Israeli conflict

By Steve Nimmons

Narratives of the Arab-Israeli conflict are rife with bias and questionable characterisation.

Suppressed reports and airbrushed pictures taint the coverage. Israel is invariably presented as an aggressor, an apartheid state. A state imposing subjugation and humiliation on a people displaced for its very creation. Crass caricatures are adopted with glee by sections of the British press, complicit in championing a false victim.

Ahistorical and faux-factual accounts twist and deplete the moral discrepancy between authoritarian Islamist movements and Western liberal democracy. Israel’s position as a democracy and as the West’s strategic ally in the Middle East is negated. Worse, the evils visited upon the victim are trivialised and blamed on the victim.

This perversity is not confined to the Middle East. For three decades in the sodden fields of South Armagh and grey industrial streets of Belfast the same elements in the media provided succour to Sinn Fein and the Provisional IRA. There were those ready to portray criminals as revolutionaries, romantic idealists and poets. Monsters that went about their business of murder and the grotesque oppression of their own communities learned to obfuscate their parasitic reality with media management and terrorist chic.

The Good Friday and St Andrew’s agreements gave way to profligate public enquiries. Suspected principal actors in historical outrages avoided scrutiny and moral retribution; the British state was ascribed effective unilateral blame and capitulated to demands for public apology and reparations. It was an archetypal display of ‘cause and effect’ fallacy, laying the blame for conflict at the feet of the British and absolving republican perpetrators of their crimes. The media demanded transparency and full disclosure, a principle not universally applied within their own operations.

Fallacy

The cause and effect fallacy is well-worn in the Arab-Israeli conflict. The barrier to lasting peace is the Zionist agenda, the State of Israel, Israeli influence on American foreign policy and other falsehoods. The battle for hegemony raging across Syria and Iraq attests to a different reality, and yet ‘War on Terror’ narratives falsely claim Zionist influence is driving American and British foreign policy. Theories wilder than the next gain legitimacy, grounded by the gravitational pull of mainstream acceptance of ‘Israel the aggressor’.

There is too little challenge to the expansionist policies clearly at play within the Islamist world. A return to type is the vilification of Israel, the conflation of the Arab Israeli conflict with every woe from South London to South Sudan. The solution is simplified to the establishment and peaceful co-existence of a Palestinian state, the opportunity for which has been hitherto squandered despite bold moves by Peres, Rabin and Barak.

Accusations

The Middle East is complex; stories on the region attract intense scrutiny. The BBC has faced numerous accusations of anti-Israel bias and in 2004 the then BBC Director of News Richard Sambrook commissioned the Balen Report to investigate. Some nine years later, the report remains unpublished despite Freedom of Information request and judicial review. The internalisation of the enquiry is a discordant counterpoint to the calls for openness over Bloody Sunday or the murders of Rosemary Nelson, Billy Wright or Pat Finucane.

Certainty and clarity are scarce in the Middle East, yet certainty and clarity are essential in reporting the Middle East. The Balen report must be published. An honest debate on its findings is long overdue. If the BBC has acted with partiality this must be acknowledged and appropriate controls applied to prevent repetition.

Accolades for RT

International TV channel RT (formerly Russia Today) has taken top prize in the Best 24-Hour News Programme category at a major European television festival.

The award-winning entry was RT’s comprehensive, round the clock coverage of the February 2013 Chelyabinsk meteorite crash.

“It’s extremely gratifying to be recognized by your peers, and I am very proud of all that our network has achieved at its relatively young age,” says Margarita Simonyan, RT’s editor-in-chief. “This award, first and foremost, is a credit to our correspondents, whose tireless efforts made it possible for viewers all around the world to learn the details of this historic event.”

RT’s newscast covering the February 15 event kicked off when an RT documentary crew working near the blast zone responded with first the reports of a large explosion began providing real-time details and first local reactions to the meteor crash. RT continuously broadcast live from location, and its video feeds were picked up by several international networks including Sky News and CNN.

On the day of the crash, rt.com topped Google News for online search enquiries related to events in Chelyabinsk.

Record-breaking

RT’s footage of the event attracted a record-breaking 30 million views in less than a week and helped propel RT to the history-making billion views on YouTube – a first for a TV news channel. Mashable, a technology – and social media-focused news blog, dubbed RT’s “stunning and terrifying” video “the clear winner” among the meteor event footage.

Pravdas

Continued from page 1

hinder the public’s right to know and journalists’ right to report by narrowly defining ‘reporter’ and restricting reporting to the notebook and pen.

“This is a far more important issue than freedom of the press. It is about the right to the public to know what their elected representatives, and paid public officials, are up to in their name.”

“The Institute wholeheartedly applauds Mr Pickles’s efforts to remind councils of their duty to the public, but knowing the willingness of local authorities to brazenly ignore official guidelines, we feel that legislation is necessary to force them to fulfill that duty.”

Online copyright breaches

Google has received requests to remove more than 100 million links since January 2013 for web pages deemed to be in breach of copyright laws.
A right to abortions for war-rape victims – what’s stopping the media getting involved?

By Ramez Krishnan

Media coverage of women raped in conflict doesn’t make for easy reading, yet the shock, disgust and injustice a reader feels has helped put conflict rape issues firmly in the media spotlight over the last decade. Rape has now been classed as a weapon of war and international law has made is possible to prosecute its perpetrators. However, policy for treating war rape victims is still inadequate for one reason – rape makes babies, and as a weapon of war, this makes it fundamentally different to bullets, mines, gas, and the like.

Many women and girls who are impregnated by conflict rape seek to abort their child, or face the reality of raising a child conceived under duress and shunned by the community. Humanitarian aid agencies, who are the best staffed and best equipped healthcare providers in conflict zones, are however restricted from providing abortions as part of their treatment by the policies of the governments who fund them, in breach of international law.

The questions that follow then, is whether it is justified for international aid agencies to offer an abortion to a woman or girl raped in conflict as part of their restorative medical treatment? And following that, what is the role of the media in supporting legal rights of these women, and what form should the coverage take to ensure its effectiveness?

The crux of the issue is as follows. Post-rape healthcare is provided by international humanitarian agencies – such as the Red Cross, UN Agencies and the EU. Governments can dictate what they want their money to be used for. USAID policy on healthcare organisations it funds in conflict zones prohibits them from performing abortions, and DFID policy restricts abortions to very narrow circumstances. Therefore, even though large humanitarian organisations are funded by multiple governments, if the US is one of the funders, their money is essentially a veto on offering rape-pregnancy terminations in a conflict zone outside of US territory, and organisations funded by DFID in reality don’t provide abortions because the policy falls short of expressly stating abortions are permitted.

The Global Justice Center, and the international lawyers are scathingly critical of DFID and USAID policies which fall short of proactively ensuring abortions are made available to women and girls raped in conflict.

The role of the media in raising awareness of this issue is vital to the policy change process. Print and online media in a democracy reflects public sentiment, and public sentiment is what policymakers look to for policy. Yet the coverage of this type of issue is usually restricted to articles by well-informed journalists or guest writers, writing in publications with an interest in development, women or humanitarian aid.

The mainstream media and policymakers love to label and compartmentalise issues within clearly defined frameworks that are comfortably familiar and give the reader something to grab on to – “pro-life or pro-choice” and “feminist rights for women” are two well-known banners that this issue fits under. This is challenging for two reasons. Firstly, abortions for war-rape victims is confused with the domestic abortion debate in the West. This difficult and evocative subject in the US is impacting US foreign policy. Instead of complying with its international legal obligations, the US has incorrectly labelled this as an abortion issue, erred on the side of pro-life, and implemented a policy to the detriment of the women who rely on US funded humanitarian aid in conflict zones for treatment after being raped. It’s a foreign policy issue that is based on non-compliance with international law. Policymakers fell into this trap by restricting abortions to war-rape victims, and the media risk dragging the war-rape abortions issue, kicking and screaming, into the domestic debate.

Activists

Secondly, abortion is labelled as a gender issue – advocated by women, for women. This categorisation alienates those who aren’t interested in the women’s rights lobby – perhaps their impression of women’s rights is that it is the domain of a small, group of highly active – female – campaigners. It also perpetrates the myth that giving women more rights is an issue that only benefits women. Both genders benefit from the empowerment of women, so protecting women ensures the collective health and development of the whole of humanity.

At a recent protest in Texas, the two sides of the abortion debate clashed – pro-choice wearing orange, and pro-life wearing blue. This fragmenting of the issue into two warring sides has impeded a mature, open and tolerant discussion on the topic in the media, and led to debates on abortion as a choice/life duopoly. Ultimately, a woman or girl facing childbirth because of a conflict rape in the Congo doesn’t really care about colour-coded American democracy, yet the foreign doctor treating her may turn her away unkindly because of it.

The media needs to create that space where abortion can be discussed separately from the battle-scarred domestic abortion discourse, and show that issues relating to the rights of women concern us all, as members of the human race. The way to do this is to be clear about where the dividing lines are, and stick to the issue of government policies in breach of international law. However, for mainstream media, international law doesn’t sell newspapers. Violent conflict rape in a far and distant land, doesn’t sell newspapers either, or perhaps not quite as well as gossip and scandal.

The media can help the public learn to become concerned with human issues relating to humans around the world - change public taste, driven by the inherent sense of injustice felt when we see our own policymakers here failing to protect those whom they purport to aid, and breaching international law in doing so. When presented with the issue in this way, a reader is driven to feelings of passionate injustice, tempered by reason.

Far easier said than done, but for issues of this type, the first step is to embrace these issues as what they are - issues that relate to the entire human race, whether war rape happens in the West or the East, humanitarian law is indiscriminate. Therefore a reader in the West should be fundamentally concerned with war rape in Africa, or wherever, because we’re all humans and we all are protected by the same humanitarian law. The language and approach we use to talk about humanitarian issues should therefore be in a language that speaks of them as issues which affect us as human beings, equal in the eyes of the law, and relevant to every human being.

In short, to get accurate coverage of this issue in the media, we need to portray the facts in law, devoid of the abortion issue because of the potential to be drawn into a debate that has been simplified to such a degree that there remains no more room for anything other than the two clear sides. This is a humanitarian issue, that should be approachable by everyone, because it is relevant to everyone, not only those who are interested in women’s rights, the law or foreign affairs.
More thoughts on the Falklands

By Roger Bush

More than thirty years after the Falklands War, and with Argentina still grumbling about sovereignty, it is worth re-examining a rather earlier journalistic contribution on the Islands and their future. In 1771, Thomas Cadell of The Strand, London, printed a pamphlet entitled *Thoughts on the Late Transactions respecting Falkland's Islands*. Its author was Dr Samuel Johnson.

Boswell’s *Life of Samuel Johnson* describes how “upon materials furnished him by ministry, and upon general topics expanded in his rich style, he successfully endeavoured to persuade the nation that it was wise and laudable to suffer the question of right to remain undecided, rather than involve our country in another war”. It also appendis a letter from Johnson to Bennet Langton relating how “Not many had been dispersed before Lord North ordered the sale to stop”. While we can’t be sure what it was that led the Prime Minister to this action, some of Johnson’s remarks did little to support the aggressive stance taken by the government during the crisis of 1770. But in the end, Britain and Spain did not go to war over the Falklands, so Johnson’s views prevailed and peace was preserved. While Johnson was himself a Tory and a monarchist, he was in general a supporter of the Whig government and a determined opponent of its mischief-making critics. He favoured The Briton (edited by Tobias Smollet) over John Wilkes’s North Briton.

The opening of the pamphlet is splendidly Johnsonian in style, thumping home a parade of heavyweight abstract nouns: “To proportion the eagerness of contest to its importance seems too hard a task for human wisdom. The pride of wit has kept ages busy in the discussion of useless questions, and the pride of power has destroyed armies to gain or to keep unprofitable possessions”. The fact is that Johnson had no great regard for the value of such a remote and barren territory and detested the idea of “a war at once unjust and unprofitable”. The opening of the pamphlet is splendidly Johnsonian in style, thumping home a parade of heavyweight abstract nouns: “To proportion the eagerness of contest to its importance seems too hard a task for human wisdom. The pride of wit has kept ages busy in the discussion of useless questions, and the pride of power has destroyed armies to gain or to keep unprofitable possessions”.

The background to the 1770 crisis is briefly this: Five years previously, at the instigation of Lord Egmont, First Lord of the Admiralty, Britain had taken formal possession of the Island in the name of his Britannick Majesty through a visit by Captain Byron (1723-1786), the famous round-the-world navigator. The following year a small blockhouse was erected at Port Egmont (later Port Stanley) and a garrison stationed there. As Johnson points out, “This was a colony which could never become independent, for it never could be able to maintain itself. The necessary supplies were annually sent from England, at an expense which the Admiralty began to think would not quickly be repaid.”

Towards the end of 1769, Captain Hunt, observing a Spanish schooner surveying the island, sent its commander a message requiring him to depart. Though the Spaniard made an appearance of obeying, he came back two days later with letters written by the governor of ‘Port Solidad’, a settlement on the east part of the island. In this letter, which was dated Malouina, November 30, the governor complained that Captain Hunt, in ordering the schooner to depart, was assuming “a power to which he could have no pretensions, by sending an imperious message to the Spaniards in the King of Spain’s own dominions”. Captain Hunt again warned them from the island, which he claimed in the name of the King as belonging to the English. After a few more protests and replies, the exchange was discontinued. But a few months later (June, 1770) a Spanish frigate commanded by an officer named Madariaga came to Port Egmont, soon followed by four more frigates. When he too was warned off, Madariaga civilly invited the English captains to take a look at the forces ranged against them, which they found comprised 1600 men, with 27 cannon, 4 mortars and 200 bombs. The frigates each had twenty to thirty guns and were stationed opposite the blockhouse. Though the captains put up a show of resistance, Madariaga landed his forces and easily obliged them to capitulate.

However, what he had offered before the attack he granted after the victory. The English were allowed to leave with whatever they could carry away. And of what they left an inventory was drawn up, for which the Spanish officer promised to be accountable.

Disavowal

News travelled slowly in those days. It was not until August that Mr Harris, our man in Madrid, heard of the armament sent out from Buenos Aires to dislodge the Port Egmont settlement, and it was October before Captain Maltby, one of the English commanders, got back to England with a full account of his expulsion. The reaction was as swift and vigorous as the formation of the Task Force more than two hundred years later. The English position was clear: the King and his government had been insulted and demanded unconditional reparation. Spain asked for a disavowal of the warnings given to their ships by the English captains, while indicating that they were ready to satisfy demands to restore the island to the state in which they found it. With neither side willing to shift position, by the end of the year war looked inevitable. Early in the new year, however, a declaration was received in which the King of Spain repudiated the action of the Governor of Buenos Aires in taking Port Egmont, and promised to restore it and its fort, with all the artillery and stores, according to the inventory. It may well be that Spain, finding little hope of any support from the embattled Louis XV of France, was ready to make this concession to avoid war. At all events, England had gained all that they had demanded. The question of antecedent rights was, perhaps rightly, pushed to one side.

A part of Johnson’s pamphlet is devoted to a dismantling of the contribution made by Junius to the Falklands debate. Junius, now thought to be the pseudonym of Sir Philip Francis, was the most effective voice of the warmongering faction and was regarded by Johnson as a promoter of sedition. As an enemy of the government, Junius, Johnson points out, knew that “a war at once unjust and unsuccessful would certainly have displaced them” and was “therefore, in his zeal for his country, angry that war was not unjustly made and unsuccessfully conducted”. One recalls Johnson’s reported remark about patriotism being ‘the last refuge of a scoundrel’.

The whole of this 18th-century episode has resonances for today, when Argentina, the descendant of Spain in claiming the Falklands, is again stirring things up. What has changed is the instantaneous communication, the ability to move more quickly, and the realisation that there is more wealth to be exploited in the South Atlantic than Johnson could have imagined. And the ancestral rights to occupation of the islands are now seen as less important than the wishes of those who have made their lives there for the last two hundred years.
S
et in London during the early 1900s, the
plot involves a hunt to recover the stolen
crown jewels. a tale of high adventure,
takes the unlikely band of Beefeater heroes
on a risky chase through London’s murky
underworld and on to the north of Scotland
in search of the mysterious Colonel Blood.
Leading the chase is John ‘Mac’ McDonald
Ravenmaster at the Tower of London, and
former Gordon Highlander. Mac disturbed
the thieves during their night raid and
almost paid with his life. Now he and his
colleagues, fellow Yeoman Warders Tommy
Battle and Ged Keilty, together with Chelsea
Pensioner Evan Thomas, are on the raiders’
trail.
ClOj member Mark Jackson, a BAFTA
Scotland nominated writer and award-
winning filmmaker, has aimed the book
at the children’s adventure market.
With some acclaim too with critics
writing:
The Revenge of Colonel Blood is published by
Troubador Publishing and is also available
online from Troubador, plus Foyle’s,
Waterstones, WHSmith, Barnes and Noble,
Amazon, and on Kindle.
Greggor McCullogh

A Five-star gem
Wizard’s Hatch is a small luxury
hotel in exclusive Alderley
Edge, owned and managed by ClOj
member Ian Lambert. The hotel has
won raveroviews and travel industry
accolades.
Lambert, an experienced journalist and
publisher, decided to try his hand at the
hotel trade in 2007, transforming part
of his 400 year old property into three
luxury suites. A member of the ClOj
since the 1970s, Ian played an active role
in the North West and recruited many
new members to the institute.
Wizard’s Thatch has played host to
actors, top soap stars, world famous pop
stars, celebrity journalists, premiership
footballers and sports personalities.
Even a government minister has beaten
a path to this 5-star gem, which has
been described as “the most romantic
place to stay in all of England.”
Lambert left the Wilmslow Advertiser
in 1978 to start the first of his free
newspapers, the Buxton Times, which
he sold in 1982 and which is still going
strong today. During the next 30
years he went on to set up newspapers
and magazines across Cheshire,
Staffordshire and Derbyshire.

Win a night at this boutique hotel
To celebrate Ian Lambert’s
successful transformation from
newspaperman to hotelier, The
Journal – in conjunction with
Wizard’s Thatch – is offering one
night’s free B&B at this exclusive
boutique hotel in Cheshire to the
ClOj member providing the best
contribution (words or pictures),
on any relevant subject, for the
next issue of The Journal.
The deadline is October 31. So,
what are you waiting for? There’s
an unforgettable night at a highly
acclaimed luxury hotel up for
grabs!

Spyhunter: The Secret History of
German Intelligence
Written by barrister and intelligence
specialist Michael Shrimpton,
Spyhunter is one of the most fascinating
books I have ever read. It’s riveting to the
end, with plenty of ‘sex, drugs and rock
& roll’ including startling revelations
about prominent politicians chasing
rent boys and girls across London,
sometimes with fatal consequences.
Shrimpton’s role in assisting former
Chilean dictator General Pinochet exit
his unlawful detention in the UK was
known to me at that
time, as we
often met up
socially for
drinks and
a chat. His
prediction
to me in
2002 that the
Euro would
collapse, in
the precise
way that it
did, was so
incredible at
that time that I thought he had ‘lost the
plot’. How wrong I was!
The paedophile life of Chairman
Mao and his use of under-age boys for
sex to blackmail political opponents
is covered, as are the honey traps his
successors use to target prominent
individuals who shape political and
financial opinions in Europe, America
and Australasia.
His theories about Princess Diana’s
death and the private life of Ted Heath
have yet to be proved.
The book covers spy rings through
the centuries, blackmail, false flags,
international leaders’ sexual proclivities
and appetites which made them
vulnerable and compromised security
and the lives of troops and assets.
KGB sex training schools for spies,
gay and straight, to make them lovers
par excellence; sleepers and deep-cover
agents with missions in hibernation
spanning decades, waiting to be
activated – it’s all in Spyhunter.
Whether what Shrimpton says is so
incredible you are stupefied in disbelief,
anger, rage or just on the floor with
uncontrollable laughter, the 700-page
Spyhunter is a fascinating alternative
look at the history of espionage.

Patrick Emek
Turning back the clock

A critical century

In this issue, our regular Turning Back the Clock section fast-forwards to the present day to wish the Critics’ Circle and its members a Happy 100th Birthday. We could have added ‘Son’ to the congratulations because this august centenarian was a child of the Institute, born on April 11, 1913, in the hall of the Institute in Tudor Street, just off Fleet Street, at the behest of Sir Robert Donald, the Institute’s president and editor of the Daily Chronicle.

Mr William Archer – described by the Circle as “the leading drama critic of the day” – chaired the meeting.

It had not been a pain-free birth. As the predecessor of The Journal, our dry-as-dust Notices & Proceedings bulletin, had asked in 1912: “Is a critic a journalist?” Yes, said the 1912 journalists. No, said many of the critics of the day who cold-shouldered a plan to create a Critics’ Circle within the Institute of Journalists “and held themselves aloof from anything that would bring them into touch with journalists.”

One distinguished writer replied to his invite: “I am a critic not a journalist, restricting myself to musical criticism...” When reminded that he also wrote other articles for newspapers, this pompous man replied: “That may be but still I am not a journalist. I am a critic and when I write any articles outside the subject of music I should prefer to be called a publicist rather than a journalist.”

A notable theatrical critic of the day said: “I have not the slightest desire to enter the Critics’ Circle... the gentlemen who write for the dailies have a habit of posing as superior persons. The snobbery of some is too absurd for belief.”

A year later and more harmony was apparent as the drama, musical and variety critics decided to organise themselves “as a self-governing body, which could, as far as it wished, also act in conjunction with or through the Institute, which would place its machinery and accommodation at the disposal of the Circle,” as The Stage of the day described it.

Subscriptions were five shilling a year (which I can say with a totally untutored year history.

Self-critical Mr Russell admitted in a covering letter: “There are a couple of Grauniad moments but it was rushed out in the end and the subbing just did not happen on the final proof for a variety of reasons – one of being that I am not a sub-editor!”

“However it looks quite nice and we are hoping to turn it into a Kindle book on Amazon which would be one way of reaching a wider readership – it was meant for our members in the first instance and as something we could give to people.”

Over the years the Circle has widened its membership to include film criticism, for instance, but it retains its invitation only embargo on membership.

“That we will still be here a hundred years from now is anybody’s guess. We will undoubtedly be practising our trade in very different ways from today, just as how we do it today differs from our founders.

The social media has changed everything. While we do welcome members who write on the Internet, people who write there present us with problems when it comes to deciding whether to issue that prized invitation which we have yet to resolve.

“Under our rules Council is allowed to invite persons engaged professionally, regularly and substantially for at least two years in the writing or broadcasting (television, radio and Internet) or criticism of drama, music, films, dance and the visual arts, and/or who write or broadcast informed and analytical features or programmes on the discipline of the section to which they belong.

“The custom is that names are submitted to Council by individual sections who are expected to have satisfied themselves that the candidates they put forward are suitable for membership. There is no edict, contrary to what some believe, that people must earn their living from criticism, other than the fact that they should be engaged professionally in what they are doing. That holds the door open for someone doing it part-time and in the 21st century criticism that could well be the norm.”

Robin Morgan
In Memoriam

At the start of this year the Institute lost two distinguished members in Lord Rees-Mogg and Christopher Martin-Jenkins within a week of one another. And this was just after the death of Patricia Latham (see the President’s tribute in the Spring issue of The Journal).

Now a second important Midlands figure has gone: Keith Gascoigne, another Past President of the Institute. Past President (1995-6) Roger Bush attended the funeral of William Rees-Mogg in January and has sent the following reflections.

As I was walking back towards Victoria Station after the Requiem Mass in Westminster Cathedral for William Rees-Mogg, a man from the Times remarked to me that it was certainly “the full treatment”. We agreed that the personal tribute paid by Cardinal Murphy O’Connor had helped to lighten the occasion. He had said he might suggest to The Pope that lay cardinals would be a good idea - so long as at least one of them was English. Lord Rees-Mogg had died at the age of 84. More than fifty years earlier he had been one of the younger Presidents of the Institute. As the 100th President, some thirty years later, I had felt it right to represent the Institute at his memorial service.

Unfamiliar as I am with Roman Catholic worship, I was grateful for the printed Order of Service. So, I suspect, were many others in the large attendance at the Mass. It told us when to stand and when to sit or kneel; it also included the Latin sung by the choir, together with a translation. The first reading was ‘from the book of Ecclesiasticus’. Chapter 44, verses 1 to 15 are well known to many from the opening lines: “Let us now praise famous men, and our fathers that begat us….” But that is how they appear in the Authorised (King James) Version. What we were given instead was: “Let us praise illustrious men, our ancestors in their successive generations…” And so the reading went on, knocking all the poetry out of the scripture. “Some wielded authority as kings and were renowned for their strength; others were intelligent advisers and uttered prophetic oracles” replaced “Such as did bear rule in their kingdoms, men renowned for their power, giving counsel by their understanding”. I couldn’t help thinking that the deceased, known to Private Eye readers as Mystic Mogg for his often wayward forecasts, would have taken his blue pencil to what we were hearing. He was, after all, a careful and discriminating user of the language.

Following the reading, the choir sang, in Latin, ‘Psalm 22’, or that’s what was printed in the Order of Service paper, which helpfully provided a translation of what most of us know as Psalm 23: “The Lord is my shepherd and I shall not want; he has set me in a place of pasture”. Once again the King James Version reads much better, even if it was sometimes perhaps a less accurate translation of the Latin being sung. “Thou has anointed my head with oil, my cup runsneth over” became “You have anointed my head with oil; and my chalice which inebriates me, how good is it!”. It is hardly for me, an occasional attender at Quaker meetings, to question the language now adopted by a great Church in a great Cathedral. Nor do I know quite what modern English version of the Bible and Apocrypha is in general use by the Roman Catholic Church. But I do wonder now whether the New English Bible was not the thin end of a wedge driven between the Bible and its admirers. Out of a misplaced desire to make its language “more inclusive”, its editors opted for English as it is spoken rather than English as a modern reader understands it should be written. The language of the KJV is familiar to many and really doesn’t pose too many problems of understanding. And it has certainly not been bettered by any of the later texts or revisions that have been offered.

The recessional hymn which concluded the ceremony was The Battle Hymn of the Republic, sung with gusto by the large congregation. “Glory, glory, hallelujah!” we sang, doing our best to forget that the tune is better known as ‘John Brown’s body’. But to me it brought back memories of another service in another church more than a decade earlier.

In a long career as a journalist, Lord Rees-Mogg was Editor of The Times and, until shortly before his death, was still writing comment for that newspaper. The Daily Courant, an ancestor of The Times, is believed to be the country’s first national daily paper, having started up in 1702. Its successor in 1702 was celebrated with a special exhibition organised by Dennis Griffiths in the St Bride’s Institute, Fleet Street, and a service of thanksgiving in St Bride’s Church. As a member of the London Press Club I had forwarded my name as wishing to attend the service, but traffic delays held me up and, by the time I reached the church, I found the gate blocked by a polite but firm policeman. He had no knowledge of a list from the Press Club, and I could not see any of the St Bride’s Guildsmen, in their snuff-coloured gowns, who might have identified me. I was obliged to give up and retire to a neighbouring coffee bar to await the end of the Service. There I ran into a former colleague from the Office of Fair Trading in Salisbury Court, and so passed a pleasant forty minutes or more before returning to the church.

To my surprise, the Service was still going on. Spotting Nick Witchell of the BBC in the churchyard, I asked him when he thought it would finish. He explained that the Prince of Wales had turned up, hence the police at the gate. Just then we were interrupted by the sound of the concluding hymn.

Chatting amicably

There followed a reception and viewing of the exhibition in the St Bride’s Institute. Here at least I found my name listed and no obstruction to access. And it was nice to see the Prince of Wales chatting amicably with the late Derek Jameson. In his days as editor of Fleet Street tabloids, Derek must often have given the St James’s Palace press office a hard time.

Of course, by this time Fleet Street was no longer the home of newspapers.

The last news organisation with offices in the Street was Reuters/PA, and a few years later they too left for Docklands. Once again the departure was marked by a service at St Bride’s. This time I was in my place early and without hold-ups. Picking up the Order of Service, I saw that the First Reading was to be given by Rupert Murdoch. And what had he been given to read? Yes, Ecclesiasticus 44, verses 1 to 15! It was, I thought rather mischievous of the Rector, Canon David Meara, to have selected this text. But Murdoch declaimed, without a hint of irony: “Let us now praise famous men, and our fathers that begat us…..men renowned for their power” etc. As I remarked to Ray Snoddy afterwards over drinks in the Press Bar, what Rupert should have said was: “Let us now praise famous men – Tomorrow we’ll knock them down again!” In one of his novels J D Beresford has a character refer to “that great world of the City in which the creation and destruction of values is the chief business of life”. Fleet Street was always part of the City and you might say it shared the City’s way of looking at things. Now it is dispersed, but I feel the memory lingers on.

Roger Bush
Dominick Harrod

Dominick Harrod was probably the first financial commentator to gain a high profile in the national media. As economics correspondent of BBC TV, and later as Economics Editor BBC Radio, he was credited with inventing what he wickedly dubbed “Harrod’s Law of Economics: the more you see of me, the more trouble we’re in!” Ironically, in his broadcasts, he seemed always to find some optimistic angle to otherwise dire news on the UK economy.

Dominick was the son of Sir Roy Harrod, an eminent economist, who was the biographer of John Maynard Keynes. His mother was a feisty campaigner who worked with Sir John Betjeman to preserve the historic churches of Norfolk.

After Westminster School, he won a scholarship to Christ Church College, Oxford where he graduated in PPE. Later, he attributed his third-class honours degree on having devoted too much of his time at University to coxing the college rowing club!

Aged 22, he joined the Sunday Telegraph and four years later moved to the Daily Telegraph as Washington correspondent.

Dominick joined the Institute in 1977 along with a number of other BBC reporters at BH who objected to the NUJ seeking to make a national dispute out of what the dissenters regarded as a petty grievance at one local radio station. Among the other defectors was our late General Secretary Chris Underwood, who became chairman of the Broadcasting Division, and industrial correspondent John Hosken. I first got to know Dominick in 1981 when Chris introduced me to him at the old BBC Club in Chandos Place. He was always witty and entertaining company and a great raconteur.

By 1984 Chris had persuaded me to take over as chairman of broadcasting, and I’m pleased to recall that I was among those who persuaded Dominick to stand for office and he served as Institute President from 1994-95.

Despite a relatively privileged background he was one of the least stuffy of men with a witty – and sometimes wicked – sense of humour!

When John Birt took over as Director General he cut a swathe through the BBC newsroom, and Dominick – to the surprise of colleagues – was made redundant. Years of experience – he had interviewed every PM and Chancellor over his 20 years – went with him. But Radio 2, at least, was not prepared to lose his financial insights. After leaving the Corporation he returned regularly to comment on economic affairs and interpret the Chancellor’s economic statements on Jimmy Young’s Budget Specials. JY was a fan!

Dominick spent a year as city editor of the Yorkshire Post, before taking over as programme director of St George’s House, Windsor, which served as a meeting place for influential figures in politics and business.

The Times obituary described Dominick as “kind, mischievous, generous, garrulous and very sociable”. All true, but the writer missed out his personal warmth, which endeared him to friends and colleagues alike.

After the death of his wife Christina in 1996, the Garrick Club became a second home for him, where he spent many happy hours, and entertained a fair few of us!

He is survived by his son Jo.

Dominick Roy Harrod 1941 - 2013 RIP.

Paul Leighton

Keith Gascoigne

Institute stalwart and Past President Keith Gascoigne has died, aged 86.

Keith was based in the Midlands where he was a well-known and respected journalist.

Born in 1926, Keith became a journalist after being demobbed after the Second World War. He first joined the Sheffield Telegraph before moving on to the Birmingham Post and then the Guardian. He worked at the Guardian for three years before returning to the Birmingham Post.

Having worked in journalism for 20 years he left and enjoyed a successful time in public relations: first for IMI before setting up his own company, GMA.

Keith was president of the Institute in 1968-69, and also served as president of the Chartered Institute of Public Relations. Having twice been chairman of the Birmingham Press Club (1964 and 1979), he became a director in 1977.

Keith Gascoigne died on June 1 and is survived by his daughters, Caroline, Charlotte and Clare.

Paul Leighton
CIOJ AGM 2013
London, Saturday 19 October

PCC to brief members about changes to Press regulation

Michael McManus of the Press Complaints Commission will be the guest speaker at the Institute’s Annual General Meeting on October 19, at the Union Jack Club in London, SE1.

Michael is Executive Director of Transition at the PCC, and will explain how he sees Press regulation working through the industry’s proposed Independent Press Standards Organisation (IPSO)

Make sure you are there to see how the proposals will affect you!

This is also a chance to meet the President, Vice-President and Council of the Institute, to hear about the activities and achievements of the Council’s sub-committees, the Professional Practices Board and the various CIOJ charity committees, and to help shape the policies and programme of the CIOJ and the IoJ (TU) for the year ahead.

Further details of the 2013 AGM may be found online at www.cioj.co.uk.

We look forward to seeing you!

Register your attendance by contacting Diane at memberservices@cioj.co.uk or call on 020 7252 1187.

More details online at www.cioj.co.uk:
Including:
- Details of the candidates for election to the Professional Practices Board
- Motions submitted by members;
  - Motion on Guarantee of Media Freedom
  - Motion on UK media publishers to unite on media freedom issues
  - Motion on protection of sources
  - Motion to adjust subscription rates

Venue
The Union Jack Club,
Sandell Street, London, SE1
A 2-minute walk from Waterloo station.

Rooms are available at the club at very competitive rates for CIOJ members and their guests attending the AGM
Tel: 020 7902 6000

E-mail address
Make sure we have your e-mail address.
If you are not receiving regular messages from us via e-mail it is likely we do not have your up-to-date details. Don’t miss out. Update your details today - 020 7252 1187 or memberservices@cioj.co.uk

Journalism students given unique chance to showcase their work

Journalism students are being offered a unique opportunity to showcase their work to mark the 40th anniversary of the UK joining the European Community.

The competition is being run by the CIOJ on behalf of the European Parliament. Students are invited to submit a short video (3-5 minutes) which captures any aspect of the impact that membership of the Common Market – and latterly the European Union – has had on the lives of British citizens.

Dominic Cooper, General Secretary of the CIOJ, says: “We are hoping for a range of ideas which can either stress the positive effects or challenge the EU’s role in UK affairs. The tone can range from hard-hitting to humour or satire, but each entry will be judged on originality.

“This is a great opportunity for students to demonstrate their journalistic skills, and being a finalist will look great on their CV and do wonders for their prospects for future work.”

Entry is open to any university or college student on a journalism course.

The competition will be judged by a team of experienced journalists to select the best entry but all the short-listed entries will be available on the EU website.

The winners work will be showcased at Europe House in London. The winner will get an all-expenses paid trip to visit the European Parliament in Brussels.

For details go to www.cioj.co.uk