Free press threatened in Hong Kong

By Andy Smith, Editor, The Journal

It is increasingly clear that the ruling Communist Party of China is determined to extinguish the rule of law and liberty in Hong Kong. In doing so, the Beijing regime is violating the terms of the Sino-British Joint Declaration of 1984 and the “Basic Law”, introduced in 1997, which guaranteed “one country, two systems” and explicitly permitted the freedom of the press in Hong Kong.

A draconian new Security Law, rubber-stamped by the Communist Party congress in May this year, means a clampdown on the press and free speech in the former British colony, banning what it calls “treason, secession, sedition and subversion”. To enforce the new law, the powers of the Chinese secret police will be extended from mainland China to Hong Kong.

Hong Kong’s regional government – which is appointed rather than democratically elected – has said it will “co-operate” with Beijing in implementing the new law. The chief executive of Hong Kong, Carrie Lamb, says the crackdown is “necessary” to allow the authorities to deal with civil unrest.

Britain, as the former colonial power in Hong Kong, has a responsibility and duty to stand up for the rights and liberties of Hong Kong’s people. This includes, of course, protecting the freedom of the press which is the essential underpinning of a free society.

Global response

The UK Government must lead a united global response to the Chinese Communist regime’s attempt to extinguish freedom and democracy in the territory. We must call on the United Nations to sanction China and demand that Beijing adheres to the terms of its agreement with Britain.

The new Chinese repression comes after months of street protests by people in Hong Kong against attempts to impose Communist rule. It also follows a series of arrests of journalists, elected politicians and activists in the territory, including veteran civil-rights campaigner Martin Lee, “Father of Democracy in Hong Kong” and one of the authors of the Basic Law.

Lee has been in police detention since April 18 when he was arrested “on suspicion of organising, publicizing or taking part in unauthorized assemblies.”

Tom Tugendhat MP, Chairman of the House of Commons Foreign Affairs Committee and of the China Research Group, has accused Beijing of “bullying” the people of Hong Kong. He is urging the British Government to do all in its power to protect the rights and liberties of Hong Kongers.

Journalists silenced

The Basic Law states: “Hong Kong residents shall have freedom of speech, of the press and of publication; freedom of association, of assembly, of procession and of demonstration; and the right and freedom to form and join trade unions, and to strike.” It stipulates: “The freedom and privacy of communication of Hong Kong residents shall be protected by law.”

The Communist Party of China is seeking to take all this away.

As members of the Chartered Institute of Journalists, we cannot stand idly by while members of the press and civil-rights groups in Hong Kong are silenced. The Communist Party regime in Beijing has never respected press freedom in mainland China and now it is poised to impose the same authoritarian repression on the people of Hong Kong – in direct contravention of international law.

When responsibility for Hong Kong was given to Communist China 23 years ago, following more than 150 years of British rule, the “one country, two systems” principle was established as the foundation of the relationship. While Hong Kong is technically part of China, Hong Kong has until now had a high degree of autonomy. This unusual system is enshrined in a document called the Basic Law which came into effect as soon as British rule ended.

The Sino-British agreement is valid for 50 years, meaning that it should still run until 2047. The Basic Law sets out the structure for governance of the territory, and explicitly protects rights such as freedom of assembly, freedom of speech and freedom of the press, none of which exist in mainland China. The latest move by Beijing effectively cancels the treaty with Britain and imposes Communist Party rule on the citizens of Hong Kong.
Editor’s Comment

Week after week, every Thursday evening, in cities, towns and villages across the land, public-spirited citizens have emerged from their homes to stand on their doorsteps, garden paths, or balconies, to “Clap for Carers”. This weekly nationwide round of applause, instigated in the early phase of the Covid-19 crisis, is a well-deserved tribute to all the doctors, nurses, and other health service and care staff who have been putting their lives on the line to fight the coronavirus. Without wishing to sound a discordant note, it is somewhat galling that those most determined to be seen (and photographed) joining in this regular show of public solidarity are the very politicians whose failures have led to Britain achieving the dubious distinction of the highest coronavirus death-toll in Europe.

It is worth noting that Taiwan, on the far side of the world – an island nation like our own – sits at the opposite end of the Covid-19 league table from the UK, having had only seven deaths from coronavirus – yes, SEVEN! – as against our 40,000+ (in some estimates, more than 60,000). And this in spite of being immediately adjacent to the People’s Republic of China, from which the devastating virus originated, and having been contaminated much earlier than Britain.

We will have to wait for the inevitable public inquiry in order to fully understand the political and bureaucratic decisions that shaped the British Government’s fatally ham-fisted response to Covid-19. There is already talk of legal challenges under the Human Rights Act over an alleged policy of ‘dumping’ elderly coronavirus patients on to care homes and a likely inquest into the deaths that could have been avoided.

No, it is the investigative reporters on the daily and weekly newspapers, the BBC and independent documentary-makers, and the 24-hour news channels that are holding the Government to account. It was a joint effort by journalists on the Guardian and Daily Mirror which exposed the multiple breaches of the lockdown by Downing Street supremo Dominic Cummings; an investigation by Sky News which revealed the scale of the crisis in care homes and how this was caused by the Government’s desire to “protect the NHS”; Channel Four Dispatches which systematically demolished ministers’ claims that their Covid policy had been “led by the science”; BBC Newsnight that exposed attempts by NHS senior management to bully and silence whistle-blowers who attempted to raise concerns about lack of PPE for hospital staff; and the Sunday Times insight team that tracked down the “hidden costs”, in lives and livelihoods, of the Government’s delays and dithering.

Applaud the journalists

So, will there ever be a nationwide round of applause for British journalists? It is doubtful. But why should we not recognise the crucial role of the Press in unearthing the facts about Covid-19’s attack on Britain? It is only thanks to members of our profession that the public are gradually becoming aware of the catalogue of blunders and miscalculations by those in authority that have led to the rapid spread of the virus and the failure to prevent tens of thousands of deaths that could have been avoided.

In this current crisis – and at all times – it is Britain’s independent media that holds the Government to account, exposes abuses of power and shines a much-needed light on evidence of wrongdoing and violations of citizens’ rights. It is perhaps no surprise that, as campaign groups such as Liberty and Big Brother Watch have pointed out, the Government has cynically used its coronavirus emergency powers as a pretext to expand State surveillance – raising the spectre of yet more official ‘snooping’ on journalists and civil-rights campaigners.

So, the next time you join your neighbours to “Clap for Carers”, you might gently suggest to them over the garden fence that it would also be appropriate to applaud the guardians of our freedom – the journalists of Britain.

Andy Smith

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Is this the end of the world as we know it?

By Janice Shillum Bhend

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ell yes, the answer to the above question is already sadly true for many journalists. Over the last decade or so our jobs and our prospects have changed more than we could ever have imagined. A kind of fourth industrial revolution has taken place which has substituted algorithms for our hard-won skills and professional integrity, alongside publishers’ relentless pursuit of profit it’s meant far fewer work opportunities for most of us, especially freelances.

And now that depletion of our lives is being exacerbated by COVID-19 that insidious and cunning little virus that strikes to the heart of humanity by cutting off its oxygen supply, literally taking our breath away, like artificial intelligence has stolen our livelihoods, only much worse because the Coronavirus has taken the future of hundreds of thousands of people across the world with its insatiable hunger for reproduction.

Sadly, as I write, there is not yet a plan for lockdown let up and freelance journalists everywhere will still only just be ‘getting by’, if at all — many of you having slipped through the safety net of Government aid and fallen foul of companies also struggling to survive — it’s inevitable in any crisis that the creative industries suffer first. Here perhaps I should insert a reminder that our wonderful charities are here to help you through this difficult time when needed.

Nurturing creativity

But should creativity be expendable? Most certainly not, it’s a vital human resource that needs constant nurturing — witness the diverse methods we have devised to keep us sane and productive during the past few manic months. Painting, baking, crafting, fund raising, music making and yes, writing too; there’s nothing like getting lost in the Georgian streets of your latest historical novel, or producing a think piece for thejournalist, to give us a few hours’ respite from the ghastly reality in which we currently find ourselves.

It’s given me an opportunity to ponder on what journalism is all over again. The last time was when I was devising a fast-track post-graduate course in magazine journalism for the NCTJ and Harlow College, where I taught for seven years. I’ve been a journalist all my working life, as a lecturer I had to take something I’d done mostly by osmosis and practice, it’s not something that can easily be taught.

You can warn against pitfalls, pass on the basics of subbing, interviewing techniques, explain the structure of news stories versus features, warn of the importance of meeting briefs and word counts and all the other stuff. But a working journalist requires much more than that. An instinct for the zeitgeist, a love of people, a need to know and an amalgamation of skills that are ever changing, ever growing, mutable and transferable that should stand us in good stead during the current crisis when the qualities of adaptability and versatility are so vital.

Life long dream

In the course of my career in women’s, specialist and regional magazines, I learned about so many things: Desk Top Publishing, photography, travel, marketing, publishing, advertising, printing, TV and radio broadcasting, compering fashion shows, giving presentations, running seminars and workshops; and interviewed many fascinating people. I even launched my own national glossy magazine, YES! for larger women as the fulfillment of a lifelong dream and ran it for almost five years before my second incarnation as a journalism lecturer — necessary when I needed to earn some actual cash — where I learned a whole lot of new skills like teaching, lesson planning and tutoring.

Even before I began my career in journalism on Woman’s Own in the 60s I loved magazines for their sheer creativity. They manage to combine my love of writing and the English language, with my appreciation of the visual arts, the thrill I got from coming up with a constant flow of fresh ideas time after time plus I discovered a need to help and inform people.

Journalism is not an exact science with right and wrong answers. There are many answers to many questions, many different ways to approach one subject. Every one of us will have had to tailor a career that is right for us, recognising our own strengths and weaknesses and learning to capitalise on the former and overcome the latter.

The point I guess I am making with all of this is that, like evolution itself, we must keep on adapting to survive. The CJoI recently put in a submission to the House of Lords’ Communications and Digital Committee in response to their investigation into the Future of Journalism and the impact of new technologies.

In our submission we wrote: “The CJoI is committed to promoting and advancing qualitative and responsible professional journalism because it performs a vital constitutional role in a democratic society by providing accurate public record of news, current affairs, culture and entertainment, while also holding those who exercise power to account. A fully functioning free press promotes liberty, supports democracy, and protects freedom of speech and expression.”

That’s all that needs to be said, really, that we are as much key workers as nurses, doctors or bus drivers in today’s surprising world. I admire the journalists who have kept on searching for truth and reporting the failures at this incredibly difficult time when we are all searching in the dark for solutions. Though personally I would be grateful for less Covid – and more light relief!

We need to develop a model that makes print journalism viable once more; internet journalism valid and believable, and journalism itself something that is respected and desirable, where a decent living can be earned before we become an extinct species. Then “the world as we know it” will inevitably be different, but it will have changed for the better.

Janice Shillum Bhend is the Immediate Past President of the Chartered Institute of Journalists.

IRA man charged with killing Lyra McKee

A Derry man has been charged with the murder of Northern Irish journalist Lyra McKee.

Paul McIntyre is accused of belonging to the New IRA and of shooting and killing Ms McKee in the Creggan area of Londonderry on April 18, 2019. He has been refused bail due to the risk of re-offending and interfering with witnesses.

McIntyre is also charged with membership of the IRA, possessing and throwing petrol bombs, riotous assembly, of hijacking and setting fire to a truck, and possessing a handgun and ammunition with intent to endanger life.
Twenty questions on oversight of Snooper’s Charter

By Professor Tim Crook

The Investigatory Powers Commissioner’s Office has acknowledged the campaigning by the Institute to provide more transparency and information on the oversight of the 2016 Investigatory Powers Act—otherwise known as the Snooper’s Charter.

The legalisation gives 47 public bodies access to communications and phone data when investigating crime. This includes Britain’s intelligence agencies such as MI5, MI6 and GCHQ as well as police forces throughout the UK, and the National Crime Agency.

The IPCO revealed in its report for 2018: “In December 2018, Professor Tim Crook contacted us to request additional information relating to the use of investigatory powers to obtain data relating to journalists.”

The IPCO added that, in relation to communications data requests concerning journalists, “we recognise that the statistics we produce in this area could be clearer and we will, therefore, work with the relevant public authorities on improving these for future reports.”

Sir Brian Leveson has taken over from Lord Justice Fulford as the Investigatory Powers Commissioner.

ClJ’s recommendations

The Institute has followed up with 20 questions and recommendations for improving the release and reporting of information on warrants issued for interception and access to journalists’ communications data and any collection of data that risks identifying the sources of journalists.

The questions and briefing were sent by Institute President, Professor Tim Crook on 10th and 11th March 2020 and raise questions under six queries or headings.

Query 1. Clarification on difference between communications data requests and applications for warrants to obtain journalistic confidential material.

The report for 2018 states under 3.10: “In 2018, six applications were made for warrants under the IPA where the purpose was to obtain material which the intercepting agency believed would relate to journalistic confidential material. In all cases, the JCs were satisfied that the case for obtaining confidential material met the relevant threshold under the IPA.”

This contrasts with “3.12 As shown at Annex D, 203 communications data requests were made in relation to an individual of journalistic profession. On the basis of our inspections, we are satisfied that in the majority of these cases, the application related to the protection of a witness or victim, for example in the case of harassment of an individual who falls into one of these professions. However, we recognise that the statistics we produce in this area could be clearer and we will, therefore, work with the relevant public authorities on improving these for future reports.”

Unfortunately, we do not fully understand what this means. We are not able to appreciate how a data request of a journalist professional’s communications data could relate to the harassment of an individual who is also a member of the journalist profession. Would it be possible to explain further?

a. Would it be possible to have clarification on whether all the data requests were approved by the Judicial Commissioners and if this is not the case receive a breakdown on how many of the data requests were approved and how many were refused?
b. Where data requests were refused, what were the reasons for the refusal?
c. Would it be possible to identify which of the 47 public bodies made the data requests and quantify the number of data requests for each public body?
d. It is stated that the 203 data requests related “to the protection of a witness or victim, for example in the case of harassment of an individual who falls into one of these professions.” Unfortunately, we do not fully understand what this means. We are not able to appreciate how a data request of a journalist professional’s communications data could relate to the harassment of an individual who is also a member of the journalist profession. Would it be possible to explain further?

e. Would it be possible to explain how the public bodies making the data requests and the Judicial Commissioners adjudicating on the requests decide and confirm who is an “individual of journalistic profession”?

f. Would it be possible to explain how each Judicial Commissioner balances the Article 10.1 rights of the individual journalists and their employing publishers, and the qualifying rights under Article 10.2?

Query 2. More information on approvals and refusals by the Judicial Commissioners.

a. Under 3.10 of the six applications made for warrants under the IPA where the purpose was to obtain material which the intercepting agency believed would relate to journalistic confidential material, would it be possible to identify the intercepting agency in each case?

b. Were there any warrants applied for during 2018 where the intercepting agency believed there was an intention to identify or a risk of identifying a journalistic source? In other words, of the six warrants applied for did any relate to an intention to identify a journalistic source, or risk doing so?

c. Under 3.10 it was stated: “In all cases, the JCs were satisfied that the case for obtaining confidential material met
the relevant threshold under the IPA.” Would it be possible to explain more fully what that relevant threshold is?

d. On July 3, 2019, we were informed by your very good selves that the Investigatory Powers Act 2016 cannot be used to identify a journalistic source “save when there is an immediate threat to life.” Would you be kind enough to confirm that the six applications made in 2018 under the IPA only related to investigations where there was an immediate threat to life?

e. In the letter we received from you on July 3, 2019, we were given the impression that IPA 2016 cannot be used to acquire data which is intended or is likely to identify journalistic sources save in situations when there is an immediate threat to life and that in all other cases the investigating government body has to use PACE 1984 or 2000 Terrorism Act Production Order court processes. Would it possible to confirm that this is still the case.

f. Is there a different approach and threshold for applications for warrants where the purpose was to obtain material which the intercepting agency believed would relate to journalistic confidential material, and applications for warrants where the purpose was to obtain material which the intercepting agency believed would identify or risked identifying a journalistic source?

Query 4. Extending double-lock scrutiny from journalist sources to journalistic confidential material.

a. We appreciate the notice of the application of double-lock scrutiny of confidential data applications relating to journalistic sources introduced between February 27 and March 18, 2019. Would it be possible for the IPCO and Judicial Commissioner Lord Justice Leveson to consider applying a double-lock scrutiny for warrants relating to journalistic confidential material?

Query 5. Improving open justice and accountability of judicial commissioner investigation and decision making.

a. While the Institute appreciates the important role that the independent judiciary is engaging in the Investigatory Powers Act process, we would ask the IPCO and Judicial Commissioners to reflect on how they can close the gap in open justice and judicial accountability between a process that is secret and not fully reported until more than a year after the event, and the process of an independent judge sitting in court and presiding over a production order application with the relevant parties represented and the judge always having the opportunity to formulate and deliver a judgement of public record contemporaneous to the decision made?

b. Is there a role for a Special Advocate where the interests and rights of a professional journalist and/or source need to be represented and argued for?

c. It is traditional in the due process of law for a judge to preside over a production order court processes. Would it be possible to confirm that this is still the case.

Query 6. Identifying journalists whose communications data has been accessed.

We have asked for identification wherever possible of the government/public body seeking communications data of journalists under IPA 2016, and applying for warrants when seeking confidential journalistic material or risking the identification of a journalist’s source or risk.

a. Would it be possible to consider identifying the journalists affected and their respective publications?

b. If this is not possible, would it be possible to explain in each case why this information has to remain secret?

c. It is traditional in the due process of law for a judge to preside over a production order court processes. Would it be possible to confirm that this is still the case.

Award for mental health writer

One of the UK’s best-known journalists has been given a special award for her campaigning on mental health issues. The Daily Telegraph’s Bryony Gordon has been honoured with the Journalists’ Charity Special Award at the National Press Awards.

Over the last decade, Bryony Gordon has worked tirelessly to champion a new culture of openness after revealing her own personal journey with depression and addiction. Through her columns, podcasts, books and voluntary work, Gordon has helped to raise awareness, challenge stereotypes and show that mental illness knows no boundaries.

James Brindle, chief executive of the Journalists’ Charity, said: “Throughout our history the Charity has helped journalists facing hardship and a wide range of personal difficulties. We now support more individuals than ever who are really struggling with their mental health which we know does not discriminate, whatever your age or background. Bryony Gordon is a tireless campaigner in this area and we are delighted to recognise her outstanding efforts.”

The Journalists’ Charity was formed in 1864 by journalist and novelist Charles Dickens as the Newspaper Press Fund. The Chartered Institute of Journalists has long been connected with the Fund and we will be publishing a special feature on its history in the next issue of The Journal.
Green light for CIoJ Welfare Fund

The Charity Commission has agreed to the formation of the Chartered Institute of Journalists’ Welfare Fund. The agreement sees the culmination of more than three years’ work to amalgamate the Institute’s Benevolent, Orphan and Pension Funds.

Change was proposed because some members and trustees felt that better support could be provided to families at times of need if the funds were merged. The existing charities were set up in 1943, 1891 and 1939 respectively, well before the creation of the modern welfare state and at a time when society was very different.

It was felt that a merged Welfare Fund would not only allow for a more efficient application process but also enable one committee to consider providing support to families which may have multiple needs, rather than requiring them to make two or three separate applications to different committees.

At the Institute’s Bournemouth Conference in 2016, members agreed that the membership should be consulted for their thoughts on the merger proposal. The idea was contentious, however, with a number of conference participants expressing the view feeling that the old-established funds worked perfectly well in their separated form. During the year following the conference, several articles were published in The Journal to familiarise members with the issues, and at the following conference, held in London, there was a full debate. At times it was fractious, and a number of members expressed strong views on both sides of the argument. However, when the vote was taken, the majority agreed that the merger should go ahead.

In the meantime, the Charity Commission declared that they would not take a view on the proposals until a formally agreed trust deed had been produced and signed. The Institute’s lawyers drafted a Trust Deed which mirrored the Objects of the existing documents but satisfied the requirements of the latest Charity Acts; the existing documents were naturally dated.

At the 2018 AGM, held at Southwark Library, members formally agreed the new Trust Deed together with a set of Rules (revised S.Os. 29 and 30 and consequent cancellation of S.Os. 31, 32 and 34). During 2019, Council took the decision that the inaugural trustees should be appointed from the trustee of the existing funds. Nominations were put to a ballot at the conference held later that year, at the Reform Club, London. The conference elected Norman Bartlett, Liz Justice and Paul Leighton.

With trustees appointed, the application to the Charity Commission was complete. On March 9, 2020, the Commission gave its approval to the merger and the creation of the CIoJ Welfare Fund under the charity registration number 5154295.

One of the key requirements of charity law is to maintain a separation between the Fund’s management and its operational activities. Accordingly, the Institute’s Council will now focus on setting up the management committee that will carry out the work of the Welfare Fund. This will become fully functional when all the necessary administration has been completed, hopefully in the next few months.

CIoJ condemns arrest of CNN news crew

The Chartered Institute of Journalists has condemned what it describes as “the outrageous arrest” of a CNN news crew covering the protests in Minneapolis, USA following the death of George Floyd.

Institute President Professor Tim Crook said: “The public humiliation of a professional news team is one of the most blatant and outrageous attacks on freedom of the media that we have seen in a long time.”

He added “The Chartered Institute stands in solidarity with those CNN journalists who are professionally arrested and completely agree with CNN when they complain such behaviour means that ‘free and fair gathering of the news is arrested, too.’”

Prof. Crook said that it was clear to anyone watching live on air that their correspondent Omar Jimenez and his CNN colleagues were not interfering with law enforcement.

He said: “This violates all of the basic standards that law enforcement authorities are obliged to adhere to when journalists are covering protest. It sends out a dreadful message to the rest of the world.”

Crook is a longstanding expert and author of books on international media law. He observed: “This has shocked our members who are professional journalists all over the world. It is an outrageous breach of the media workers’ First Amendment media rights and a dreadful assault on freedom of expression.”

Following the arrest, CNN lawyers and executives immediately worked to secure their release.

The crew was released about one hour later.

In 2014, the then US President Barack Obama reaffirmed his support for journalists covering protests however violent.

He said at the time: “Our constitutional rights to speak freely, to assemble, and to report in the press must be vigilantly safeguarded, especially in moments like these.”

How are you coping with the COVID-19 crisis?

Many journalists have seen work dry up overnight and have been left struggling with bills. If you find yourself in this situation then the Institute’s Benevolent Fund and Oak Hill and TP O’Connor Fund may help by providing essential financial assistance.

The Oak Hill and TP O’Connor Fund may also provide assistance to your colleagues who may not be members of the CIoJ. So please pass on this information if you know of anyone who is struggling.

Anyone who needs support may contact the Institute by emailing charities@cioj.org.
Breakthrough in CIoJ campaign to open up security archives

There has been a breakthrough in the Chartered Institute of Journalists’ campaign to end absolute exclusion of access to security body historical archives.

This follows a full First Tier Tribunal Information Right appeal launched and advocated by the CIoJ President, Professor Tim Crook, attended by general secretary Dom Cooper on January 21, 2020.

Professor Crook wants access to MI5 Security Service files on BBC writers and producers responsible for political radio drama during the 1920s and 1930s. The work of Reginald Berkeley, E.A. ‘Archie’ Harding, D.G. Bridson, Olive Shapley and Joan Littlewood is the subject of a long-term research project which led to the award of Crook’s PhD in Media Arts by Royal Holloway, University of London and is going to be published in a book commissioned by Palgrave MacMillan.

Audio Drama and Modernism: The missing link between descriptive phonograph sketches and microphone plays on the radio is expected to be published later this year.

A key part of the investigation is on whether ‘Colleging’, the euphemism used by the BBC for political monitoring by the Security Service of its staff, had any effect on the careers and censorship of the certain writers and producers.

The extent of BBC, Security Service and Metropolitan Police Special Branch monitoring of the broadcasting activities of Joan Littlewood and her husband Ewan MacColl became apparent with the release to the National Archives first of MacColl’s file KV 2/2175 (1932-1951). The public release in 2006 disclosed that a watch had been initiated on his activities, and steps taken to ascertain his exact status (i.e. whether directly employed by the BBC or not).

In January 1939 the Lancashire police reported Miller’s performance at a rally: “my officer has been making enquiries regarding a youth named Jimmy MILLER who was the MC for the dancing... and showed exceptional ability as a singer and musical organiser.”

Berkeley was a Liberal Party politician and it seems incongruous that his political activism as a writer would attract Security Service attention, but historical research necessitates establishing the exculpatory as much as seeking access to archive documentation that has been retained.

Vetting

The statutory exclusions present in the UK Freedom of Information Act and reluctance of state security bodies to disclose such information, even in an historical context have been longstanding.

MI5 security vetting of its employees began informally from 1934 and by official agreement from 1937. This was first exposed by the Observer newspaper in 1985 in a report disclosing that staff and contributors being monitored as potential subversives had a triangular red tag known as ‘the Christmas tree’ stamped on their files.

A retired Brigadier Ronnie Stonham operated the system part-time behind the door of Room 105 in old Broadcasting House.

Examination of BBC personnel files accessible to researchers at BBC Written Archives reveals that Harding, Littlewood and her husband Jimmy Miller/Ewan MacColl had ‘Christmas tree’ stamps, but they are not apparently present in the surviving files and papers relating to Bridson, and Shapley, or indeed Berkeley.

The process of referring BBC staff and contributors to MI5 if political security issues were triggered by their ideological beliefs and political activism was known as ‘Colleging’ because ‘College’ was a BBC institutional code for MI5.
The notorious red ‘Christmas Tree’ symbol on BBC staff files that would indicate the employee was being security vetted by MI5. Image: BBC Written Archives.

Freedom of Information requests for MI5/Security Service files were placed with the Home Office on the basis that under the Security Service Act 1989, it is the government Department operating for the Secretary of State for the Home Office to which the Security Service is statutorily accountable in government.

The strategy is also founded on the fact that the Security Service, like other named security bodies, is not justifiable in FOI applications and appeal process. The requests to the Home Office have been rejected, appealed by internal review, rejected after appeal to the Information Commissioner and were considered on an appeal to the First Tier Tribunal for Information Rights with a full hearing on 21st January 2020.

The key motivation and impetus for the appeal is a ruling from the Grand Chamber of the European Court of Human Rights at Strasbourg, in Magyar Helsinki v Hungary 2016, that declared a standing right to public interest information under Article 10 Freedom of Expression for historical research purposes.

Common law

The February 17, 2020 ruling by Judge Hazel Oliver represents a significant breakthrough in advancing the cause of Article 10 freedom of expression human rights and English common law right to historical state information.

The judge concluded: “In any event, the appellant does have the remedy of judicial review if he requests information directly from the Security Service. This is potentially more expensive than this type of appeal, but nevertheless an available and effective remedy. The appellant can also complain to the Information Commissioner if a public authority relies on section 23 FOIA, and raise human rights arguments about the application of that exemption. He may also be able to complain using human rights arguments about a refusal by the Security Service to engage with a FOIA request.”

Judge Oliver followed the reasoning of Judge Alexander Marks in the parallel FOI case that the Security Service prior to 1989 was not part of the Home Office and as the Home Office did not hold the information requested, the freedom of expression right to the historical state information could not be considered.

However, she went further in explicitly recognizing that a historical researcher under the Magyar ruling did have a legal route via judicial review and, more particularly, directly putting in requests to the Security Service and then challenging the denial of Article 10 FOI rights in an appeal to the Information Commissioner.

This case is now at the stage of an application for permission to appeal before the Upper Chamber. And Professor Crook has made a direct request to the Director-General of the Security Service for access to the BBC artists’ files, should they exist, under the Freedom of Information Act.

So far, there has been no reply whatsoever and an appeal process to the Information Commissioner and then to the First Tier Tribunal Information Rights is now being planned.

The Institute is playing a leading role in the campaign to have journalist and historical researcher rights to state information properly recognised and the next steps will be covered in detail in future editions of The Journal.

Britain’s free press under threat, says RSF

Indictive responses by governmental bodies to public interest reporting on stories related to the Covid-19 pandemic - including the latest slur of “campaigning newspapers” - and restrictions on journalists’ participation in government press briefings are fuelling a growing climate of hostility and public distrust in media in the UK. Reporters Without Borders (RSF) calls for an immediate reversal of this worrying trend before the country’s press freedom climate is further eroded.

“False allegations”, “falsehoods and errors”, “inaccurate article”, “don’t believe everything you read in the papers” - press freedom has come under serious threat from UK officials in recent weeks as the lockdown continues.

On May 22, The Guardian and The Daily Mirror newspapers broke stories reporting that the Prime Minister’s senior adviser, Dominic Cummings, had driven 260 miles from London to Durham with his family whilst his wife was experiencing Covid-19 symptoms in March, when the government had issued guidance that everyone must stay at home. The story dominated national headlines as public anger erupted over Cummings’ apparent contravention of the lockdown rules.

Downing Street issued an unusual statement in response: “We will not waste our time answering a stream of false allegations about Mr Cummings from campaigning newspapers”. On May 26 - the day after Cummings held an unprecedented press conference at Downing Street to give his version of events - the hashtag “#ScumMedia” was trending on Twitter in the UK, with a high volume of accounts aggressively attacking media coverage of the Cummings story, largely focused on Sky News’ reporting.

Number 10’s reaction to the latest reporting on Cummings is indicative of a worrying trend of governmental bodies’ heavy-handed responses to reporting on stories related to the Covid-19 pandemic. It has also become common for officials to echo versions of the refrain “You should not believe everything you read in the newspapers”.

“We are alarmed by the UK government’s dismissal of serious public interest reporting as ‘false’ and coming from ‘campaigning newspapers’. These Trumpian tactics are only serving to fuel hostility and public distrust in media. This worrying trend is certainly not in keeping with the government’s stated commitment to champion global media freedom – and must be immediately reversed before the UK’s press freedom climate is further eroded”, said RSF UK Bureau Director Rebecca Vincent.

On April 19, an oddly detailed point-by-point reaction was posted to the Department of Health and Social Care Media Centre’s blog, disputing a widely-lauded investigation by The Sunday Times, ‘Coronavirus: 38 days when Britain sleepwalked into disaster’. The unnamed government spokesperson said the article contained a “series of falsehoods and errors” and accused The Sunday Times - a paper of record - of “actively misrepresenting” the government’s work in the early stages of the pandemic.

Reporters are also facing restrictions in covering the government’s daily press briefings, during which the Prime Minister or another designated official provides updates to the public on the Covid-19 situation in the country. Reporters are limited to virtual participation, and their microphones are almost always cut immediately after an initial question, with follow-up questions rarely allowed - severely limiting their ability to rigorously question the presiding official.

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Press freedom needs more than words

By Anthony Rowley

In 2003 the Foreign Correspondents Club in Hong Kong made news by keeping its doors open throughout the severe acute respiratory syndrome or SARS epidemic which killed more than 600 people in the former British colony and mainland China. Many of Asia’s press clubs have done likewise through the coronavirus pandemic.

One of those is the Foreign Correspondents Club of Japan in Tokyo (of which I am a former president) which has maintained limited social and professional activities throughout the Covid-19 outbreak. It is sometimes a fine line to walk between protecting media interests and not endangering public health.

If we have learned a clear lesson from the latest viral assault (apart from how vulnerable we are to unseen enemies such as the coronavirus, as well as to more visible threats like attacks on press freedom), it is in just how much technology has changed the logistical nature of media operations.

The FCCJ, for example, like many international organisations, has conducted quite numerous and successful press conferences via Zoom and other remote forums without the need for physical attendance of participants. But it would be wrong to conclude from this that press clubs are becoming redundant.

Political pressure

It is not just the social value of being able to interact with colleagues and the moral support this can provide to journalists when press freedoms come under political pressure that matter. The ‘physical’ and even financial support that press clubs can offer are services that should never be undervalued.

The Chartered Institute of Journalists has itself set a shining example in this regard by extending financial benefits not only to members of the almost-150-year-old British journalists’ institute but even to certain non-member journalist who are facing financial difficulties in these very troubled times.

As CIoj President Tim Crook has commented: “Journalists and journalism are the oxygen of democracy. If local, regional and national news publishers go to the wall, the professional interests of its members and the constitution will be catastrophic.”

Unfortunately, not all Asian leaders subscribe to such sentiments and threats to press freedoms from political as well as financial quarters are common in this region. I know this not only from my own experience as a foreign correspondent but also as former chief judge of the Asian

Development Bank Institute’s Developing Asia Journalism Awards scheme.

Viability

Meanwhile, the often-protracted lockdowns mandated by national and local authorities during the coronavirus pandemic are posing many press clubs in Asia, as elsewhere, with threats to their continued viability. The Foreign Correspondents Club of Thailand for example has been shuttered in line with a government order closing down venues hosting large public gatherings.

“We are facing a growing struggle to meet overheads, including rent and staff costs, in the absence of normal revenues,” FCCT president Gwen Robinson wrote in a notice published on the club website. “In an unprecedented appeal, we are asking for donations, no matter how small or large, to the club fund.”

Not all press clubs have been so ‘public’ about soliciting financial donations but the need for such assistance can be very real and again it is a fine line for journalist administrations of these clubs to have to walk between maintaining the need for independence and freedom of the press and the exigencies of finance.

All this underscores the need for global solidarity among journalists not only in defending press and other media freedoms but also in devising ways of offering financial support for such freedoms when needed. Again, as a long-time member of the CIoj myself (as well as of the Tokyo FCCJ and the Hong Kong FCC) I believe the CIoj has offered a good example in this regard.

Solidarity

There have been some concrete gestures in Asia toward achieving such solidarity. The Asia-Pacific Association of Press Clubs (APAPC) for example was launched at the Foreign Correspondent’s Club of Hong Kong in 2012. The concept was born at the International Association of Press Clubs (IAPC) annual global assembly in Australia in 2011.

An association of Press Clubs within the Asian Pacific region, promoting freedom of press, partnerships among clubs and further opportunities for working media internationally, the APAPC was created at that time to complement existing fellowships within the IAPC such as the European Association.

The secretariat for the APAPC is based in Canberra at the National Press Club of Australia and provides information about member clubs within this single hub. The Asia-Pacific Association of Press Clubs is in turn a member of the IAPC.

Headquartered in Warsaw, the IAPC describes itself as “a collaborative chain of national Press Clubs which supports the professional endeavours of its members and the principle of a free press.” As such, it acts as one interface among press clubs and foreign correspondents’ clubs in various parts of the world.

There are, of course, other organisations such as Reporters Without Borders that seek to uphold press freedoms around the world. But in general, journalists and other media personnel perhaps do not give as much attention as is needed to the welfare of the profession as a whole and that of its very diverse membership.

Covid survivor

Institute member, and member of the Institute’s Charity Committee, Jules Annan, has made a miraculous recovery after contracting Covid-19.

Aannan spent three weeks in Cheltenham General Hospital, with one in High Dependency Unit, isolated from his wife and family while battling the deadly disease. Despite a relapse following his early release from hospital, we are happy to report that Annan is now recovering in the safety of his home.

Since his release from hospital, Annan has become something of a celebrity in the West Country having been interviewed more than five times for local television news and current affairs programmes. He has also started the Covid Survivors group with other sufferers who he met while on the hospital wards.

Annan said; “everyone should know there are some good news stories out there, which are being missed because of the focus on the daily death toll and general destruction caused by this dreadful virus.

“This battle can be won and you should never give up hope.”
2020 World Press Freedom Index: “Entering a decisive decade for journalism”

The 2020 World Press Freedom Index, compiled by Reporters Without Borders (RSF), shows that the coming decade will be decisive for the future of journalism, with the Covid-19 pandemic highlighting and amplifying the many crises that threaten the right to freely reported, independent, diverse and reliable information.

This 2020 edition of the Index, which evaluates the situation for journalists each year in 180 countries and territories, suggests that the next ten years will be pivotal for press freedom because of converging crises affecting the future of journalism: a geopolitical crisis (due to the aggressiveness of authoritarian regimes); a technological crisis (due to a lack of democratic guarantees); a democratic crisis (due to polarisation and repressive policies); a crisis of trust (due to suspicion and even hatred of the media); and an economic crisis (impoverishing quality journalism).

These five areas of crisis – the effects of which the Index’s methodology allows us to evaluate – are now compounded by a global public health crisis.

“We are entering a decisive decade for journalism linked to crises that affect its future,” RSF secretary-general Christophe Deloire said. “The coronavirus pandemic illustrates the negative factors threatening the right to reliable information, with the pandemic itself an exacerbating factor. What will freedom of information, pluralism and reliability look like in 2030? The answer to that question is being determined today.”

Link with coronavirus

There is a clear correlation between suppression of media freedom in response to the coronavirus pandemic, and a country’s ranking in the Index. Both China (177th) and Iran (173rd) censored their major coronavirus outbreaks extensively. In Iraq (down 6 at 162nd), the authorities stripped Reuters of its licence extensively. In Iraq (down 6 at 162nd), the authorities stripped Reuters of its licence extensively. In Iraq (down 6 at 162nd), the authorities stripped Reuters of its licence extensively. In Iraq (down 6 at 162nd), the authorities stripped Reuters of its licence extensively. In Iraq (down 6 at 162nd), the authorities stripped Reuters of its licence extensively.

The list of biggest declines in the 2020 Index is topped by Haiti, where journalists have often been targeted during violent nationwide protests for the past two years. After falling 21 places, it is now ranked 83rd.

The other two biggest falls were in Africa – by Comoros (down 19 at 75th) and Benin (down 17 at 113th), both of which have seen a surge in press freedom violations.

RSF’s global indicator – its measure of the level of media freedom worldwide – improved very slightly in the 2020 Index, by 0.9%. However, it has deteriorated by 12% since this measure was created in 2013.

The proportion of countries that are coloured white on the press freedom map, meaning the press freedom situation is “good,” is unchanged at 8%, but the percentage of countries coloured black, meaning the situation is “very bad,” has increased by two points to 13%.

The Index region by region

Europe continues to be the most favourable continent for media freedom, despite oppressive policies in certain European Union and Balkan countries. It is followed by the Americas – even if the regional heavyweights, the United States and Brazil, are becoming models of hostility towards the media. Africa, which is third, has also suffered major reversals, above all in the forms of prolonged arbitrary detention and online attacks.

It is the Asia-Pacific region that saw the greatest rise in press freedom violations (up 1.7%). Australia (down 5 at 26th) used to be the regional model but is now characterised by its threats to the confidentiality of sources and to investigative journalism.

Two other countries also made significant contributions to the increase in the region’s press freedom violation score. One was Singapore (158th), which fell seven places, in large part thanks to its Orwellian “fake news” law, and joined the countries coloured black on the press freedom map. The other was Hong Kong, which also fell seven places because of its treatment of journalists during pro-democracy demonstrations.

The Eastern Europe/Central Asia region has unsurprisingly kept its second-to-last place in the regional ranking, the position it has held for years, while the Middle East & North Africa continues to be the world’s most dangerous region for journalists. The recent detention of RSF’s correspondent in Algeria (down 5 at 146th) showed how the authorities in some countries have taken advantage of the Covid-19 pandemic to settle scores with independent journalists.

Geopolitical crisis

One of the most salient crises is geopolitical, caused by leaders of dictatorial, authoritarian or populist regimes making every effort to suppress information and impose their visions of a world without pluralism and independent journalism.

Authoritarian regimes have kept their poor rankings. China, which is trying to establish a “new world media order,” maintains its system of information hyper-control, of which the negative effects for the entire world have been seen during the coronavirus public health crisis.

China, Saudi Arabia (up 2 at 170th) and Egypt (down 3 at 166th) are the world’s... Continued on page 11
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biggest jailers of journalists. Russia (149th) is meanwhile deploying increasingly sophisticated resources to control information online, while India (down 2 at 142nd) has imposed the longest electronic curfew in history in Kashmir. In Egypt, accusations of “fake news” are used as grounds for blocking access to websites and webpages and for withdrawing accreditation.

Technological crisis

The absence of appropriate regulation in the era of digitalised and globalised communication has created information chaos. Propaganda, advertising, rumour and journalism are in direct competition.

The growing confusion between commercial, political and editorial content has destabilised democratic guarantees of freedom of opinion and expression. This encourages the adoption of dangerous laws which, on the pretext of restricting the spread of fake news, facilitate tougher crackdowns on independent and critical journalism.

Like Singapore, Benin has established a new law that is supposedly intended to combat disinformation and cyber-crime but is liable to be used to arbitrarily restrict the freedom to inform. The pandemic has amplified the spread of rumours and fake news as quickly as the virus itself.

State troll armies in Russia, India, Philippines (down 2 at 136th) and Vietnam (175th) use the weapon of disinformation on social media.

Democratic crisis

The previous two editions of the World Press Freedom Index reflected a crisis caused by growing hostility and even hatred towards journalists, and this crisis has now worsened. It has resulted in more serious and frequent acts of physical violence, and therefore an unprecedented level of fear in some countries.

Leading politicians and those close to them continue to openly foment hatred of journalists. The democratically elected presidents of two countries, Donald Trump in the United States (up 3 at 45th) and Jair Bolsonaro in Brazil (down 2 at 107th), continue to denigrate the media and encourage hatred of journalists in their respective countries.

The “hate cabinet” surrounding the Brazilian leader orchestrates large-scale online attacks on journalists who expose government secrets. President Bolsonaro has stepped up his attacks on the media since the start of the coronavirus pandemic, blaming them for “hysteria” and panic.

Crisis of trust

Mistrust of media outlets suspected of broadcasting or publishing news contaminated by unreliable information continues to grow. According to the Edelman Trust Barometer, which studies the public’s trust in institutions, 57% of the people polled in its latest international survey thought the media they used were contaminated with untrustworthy information.

Undermined by this crisis of trust, journalists become the targets of the public’s anger during big street protests taking place in many parts of the world, including Iraq, Lebanon (down 1 at 102nd), Chile (down 5 at 51st), Bolivia (down 1 at 114th) and Ecuador (down 1 at 98th), as well as in France (down 2 at 32nd), where journalists are also the victims of police violence.

In another increasingly visible phenomenon, nationalist or far-right activist groups have openly targeted journalists in Spain (29th), Austria (down 2 at 18th), Italy (down 2 at 41st) and Greece (65th), while the Taliban in Afghanistan (down 1 at 112nd) and some Buddhist fundamentalists in Myanmar (down 1 and 139th) have no qualms about using violence to impose their world vision on the media.

Economic crisis

The digital transformation has brought the media to their knees in many countries. Falling sales, the collapse in advertising revenue and the increase in production and distribution costs linked above all to increases in the price of raw materials have forced news organisations to restructure and lay off journalists. In the United States, for example, half of the media jobs have been lost over the past ten years.

These economic problems have social consequences and an impact on the editorial freedom of media around the world. Newspapers that are in a much weaker economic situation are naturally less able to resist pressure.

The economic crisis has also accentuated the phenomena of ownership concentration and, even more, conflicts of interest, which threaten journalistic pluralism and independence. The acquisition of Central European Media Enterprises (CME) by the Czech Republic’s wealthiest billionaire has alarmed several Eastern European countries where CME controls influential TV channels. The consequences of concentration are being felt in Argentina (down 7 at 64th) and in Asia.

In Japan (up 1 at 66th), newsrooms are still heavily influenced by their bosses in the “keiretsu,” the media-owning conglomerates that put business interests first. In Taiwan (down 1 at 43rd) and Tonga (down 5 at 50th), the now all-important profit motive has encouraged the media to become very polarised and sensationalist, helping to discredit them even more and accentuating the public trust crisis.

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“The vigorous questioning Dominic Cummings faced in person at his Downing Street press conference was a stark contrast to what is being permitted at the daily government press briefings - and also shows that physical attendance can be managed safely. Number 10 should reinstate in-person press conferences without further delay and allow journalists to do their jobs unfettered”, said Vincent. openDemocracy has reported that its correspondent, James Cusick, a parliamentary lobby pass holder who has worked as a political journalist for decades, was told by Downing Street he would not be permitted to ask questions at government press briefings as openDemocracy was a “campaigning” organisation. Cusick’s recent reporting for openDemocracy exposed serious flaws in the government’s Covid-19 testing regime. Foreign correspondents are not permitted to take part in the daily government press briefings at all, and report facing increasing difficulties in getting access to - or information from - public officials.

The UK is ranked 39th out of 180 countries in RSF’s 2020 World Press Freedom Index.
CIOJ accuses Greater London Authority of “turning Purdah into Pravda”

The Chartered Institute of Journalists is urging the Secretary of State for Communities and Local Government to take action to stop councils using Purdah rules to shut out the media and public from important meetings during election campaigns.

This follows the handing down of a 24-page Tribunal judgement on April 21, 2020, highlighting that the Mayor of London’s office and Greater London Authority (GLA) did not seek legal advice before deciding to hold a summit on knife crime and a follow-up meeting of the police and crime scrutiny committee in private.

They only sought to find out if their decisions relating to the meetings on April 10-11, 2018, were lawful when challenged by news organisations such as Sky, ITV, the BBC and LBC, and one of their own assembly members.

The Mayor’s summit hosted by Sadiq Khan included participation by the Home Secretary, who was then Amber Rudd, and the Metropolitan Police Commissioner Dame Cressida Dick.

Consternation
There was consternation about the decision to exclude the media and public on the grounds of local Borough elections because these high-profile meetings tackling the terrible rising toll of knife murders of young people were being organised by a regional government body that was not up for election.

While journalists had to kick their heels outside, the Mayor of London’s own public relations machinery was happily taking photographs inside which they tweeted immediately afterwards; hence the CIOJ’s Professor Tim Crook’s quip during the Information Tribunal hearing that “Purdah had become Pravda.”

Many aspects of this lamentable affair came to light as a result of the Institute’s request under the Freedom of Information Act 2000.

The Chartered Institute of Journalists launched a Freedom of Information appeal to find out what that legal advice was in order to prevent other local authorities doing the same thing when elections take place at any level involving serving councillors.

Liberal Democrat Assembly member Caroline Pigeon provided a statement of support which was handed to the Tribunal during a public hearing where the GLA were represented by counsel Christopher Knight.

Caroline Pigeon explained: “I was firmly opposed to the London Assembly Police and Crime Committee being forced to meet in secret last year to discuss knife crime. It was quite frankly embarrassing that a meeting of such importance to Londoners had to be held behind closed doors.”

She added: “The interpretation of the Purdah rules is stopping meaningful scrutiny being undertaken for long periods of time, with the rules kicking in almost every year...”

The interpretation of the Purdah rules is stopping meaningful scrutiny being undertaken for long periods of time, with the rules kicking in almost every year. Some restrictions should apply specifically to Assembly Members who are candidates standing for election to another body, but I fail to see why it is necessary to totally suspend key activities or to force meetings to be held in private.

“Far from upholding confidence in the political system the interpretation of the rules simply brings elected politicians into ridicule. The basic principle that open government is good government must be upheld.”

Unlawful
Judge Holmes said in his ruling, released on April 21, that Professor Tim Crook had submitted that the holding of these meetings in private was unlawful and a “disgraceful breach” of Article 10 Freedom of Expression. “He referred to the number of young persons who had been the victims of knife crime and drew analogies with the Grenfell Fire enquiry. He disputed the propriety of the GLA calling informal meetings to circumvent their obligations of transparency and accountability. As he put it, “Purdah had become Pravda”.

“It was not enough that the participants could send tweets from the meetings or could be questioned about what happened after the event. The GLA account after the event was more Pravda, and was spin doctoring.”

Judge Holmes decided that the high threshold of preserving legal professional privilege meant the FOI appeal could not succeed. This was because the legal advice was sought after GLA feared the news media would take them to judicial review.

The Judge appreciated this was something that the Institute, as a charity and trade
union for journalists, did not have the financial resources to pursue.

The CIoJ has been at the forefront of challenging this disturbing trend of public authorities deciding to hold significant decision-making and consultative meetings behind closed doors simply because elections are taking place.

The appeal, heard on November 26 last year, elucidated the fact that these decisions are being taken without even seeking legal advice beforehand. Judge Holmes explained: “The advice, however, was not the source or origin of the decision, nor did the legal opinion persuade the GLA to do anything. The GLA took the decision before, and without obtaining, any legal advice, and then took legal advice when that decision was questioned, initially by a Member, and then by representatives of the media.”

The CIoJ presented a robust and significant challenge on behalf of journalists’ rights and freedom of expression, and this was acknowledged by the ruling: “(a) Factors in favour of disclosure: The need for transparency and openness in public affairs; The unusual and controversial nature of the decision to exclude the press and the public from the meetings; The considerable and legitimate public interest in the subject matter of the meetings The qualified Article 10 rights of the press to information held by public authorities.”

The Tribunal concluded that the exemption on legally privileged advice should remain because of: “The fact that the advice was given after the decisions to hold the meetings in private had been taken, and was not the reason for the decisions being taken; The timing of the request so close to the decision, which was at the time when the decision could have been the subject of legal proceedings in which the public authority would be prejudiced by having to disclose its legal advice.”

The problem here for media freedom is that powerful and well-resourced news media publishers threatened judicial review but did not follow it up.

CIoJ President, Professor Tim Crook said: “We have sought to fight for the interests of professional journalists, challenge and shine a light on these by challenging grotesque abuses of open government and we exposed exposing a practice that needs to be stopped.”

“Our stories aim to hold power to account”

Liberty, the London-based civil rights group, has established a dedicated team of investigative journalists - Liberty Investigates - to research and publish in-depth stories exposing hidden human rights abuse in the UK.

Launching the new team, Liberty’s chief executive, Martha Spurrier, said: “Investigative journalism has long been a vital tool in shining a light on injustice and fighting for a fairer society. But the profession has been in decline. That’s where Liberty comes in. Liberty has defended everyone’s rights and freedoms since 1934, and ‘Liberty Investigates’ is the natural next step.”

She added that Liberty Investigates is “committed to accurate, high-impact journalism in the public interest. As well as bearing witness to wrong-doing, our stories aim to hold power to account and spark positive change.”

The Liberty Investigates team comprises Katharine Quarmby, Mirren Gidda and Eleanor Rose.

Quarmby is an author, journalist and filmmaker specialising in social affairs, politics and science reporting with an investigative edge. Most recently she has worked as a senior editor at the Bureau of Investigative Journalism, at different times overseeing its production, digital and engagement work. She has worked as an engagement consultant and report writer for Membership Puzzle Journalism Project, New York University. She has worked as a producer on flagship programmes for the BBC, including Panorama and Newsnight, and has written for many international and national publications including The Economist, The Guardian, Newsweek Europe, and The Atlantic.

Quarmby sits on the management committee of the Society of Authors. Her books, TV and journalism have won and been shortlisted for many awards, including the One World Trust for news journalism, the Paul Foot investigative journalism award, Amnesty International and the Ability Media International Literature award.

Gidda is an award-nominated journalist who began her career as an intern at Time Magazine before taking up a place on the BBC’s Journalism Training Scheme where she trained in television and radio reporting.

From there she joined Newsweek Magazine where she reported on conflict and human rights abuses from countries worldwide, securing six cover stories. She then moved into documentary journalism, presenting an episode of Channel 4’s award-winning investigative series ‘Unreported World’, before studying for her MA in Terrorism, Security and Society.

Rose previously worked for the Organized Crime and Corruption Reporting Project (OCCRP) and worked on the Panama Papers global investigation. She lived in Bosnia for three years where she was correspondent for the Balkan Investigative Reporting Network and also reported from Kosovo, North Macedonia, Ukraine, Georgia, and Lebanon for a range of outlets including Bellingcat, Politico Europe and Reader’s Digest International Editions. Later, as part of the Evening Standard’s special investigation into modern slavery in London, Rose revealed how traffickers prey on homeless people and other vulnerable groups.

For more information, go to http://www.libertyinvestigates.org.uk
Chartered Institute of Journalists' submission to the House of Lords' Communications and Digital Committee Investigation into the Future of Journalism

The Chartered Institute of Journalists and its sister organisation, the Institute of Journalists (Trade Union), welcomes the opportunity to respond to the House of Lords Communications and Digital Committee consultation on the Future of Journalism.

The Institute represents staff and freelance journalists in every sector of the industry including local and regional newspapers, periodicals, television and radio broadcasting. The Institute recognises that there are many complex issues involved in considering the future of journalism and the impact that new technology has had.

How should journalism be defined and what is its value to society? What is the difference between ‘citizen journalism’ and other forms of journalism?

The Chartered Institute of Journalists is committed to promoting and advancing qualitative and responsible professional journalism. This performs a vital constitutional role in a democratic society by providing an accurate public record of news, current affairs, culture and entertainment, while also holding those who exercise power to account. A fully functioning free press promotes liberty, supports democracy, and protects freedom of speech and expression.

The term ‘citizen journalism’ usually refers to non-professional journalists who use media platforms to express themselves. It can also be a term used by publishers who take, and use, copy from unpaid sources. At face value, it can seem that contributions from this type of support network may be helpful to a struggling news outlet. However, we would highlight the fact that they are untrained and know little about the laws to which journalists must adhere while going about their lawful business. This can, of course, place an extra burden on an already stretched workforce, especially in local media offices.

The Chartered Institute is dedicated to representing and advancing the interests of professional journalists, not untrained and inexperienced amateurs.

How have digital technologies changed the consumption of journalism?

We think the answer to that question is obvious. You will have access to substantial sources of data on the differences in the pattern of journalistic consumption between print newspapers, radio, television, what are described as ‘social media’, the Internet and other online platforms.

The problem for professional journalism is that the journalism industry has not successfully achieved a viable model to sustain and expand the infrastructure of professional journalistic employment in online digital platforms only. Worse, it has generally neglected to invest in and promote the print form that for most media corporations continues to guarantee the most reliable income.

Fundamentally, education and culture have not encouraged and advanced to the younger generations the qualitative value and advantages of the print form in newspapers and magazines, so those audiences have grown older and older and are dying off.

The subscription model run by the Times, The Economist, Financial Times and Telegraph has varying success. The Guardian operates a donation/membership system similar to the pledging that operates for US public radio and television. It requires the insertion of large begging style texts on its online postings/articles. The methodology has also been introduced by the Independent; not necessarily with the same success as the Guardian.

How can public policy improve media literacy, particularly among those who have a low level of digital literacy?

With respect, there are two questions here and they are not necessarily connected.

We believe the idea of media literacy should imply educating and advancing, from the youngest age, the advantages, value and importance of print media. Much as this is done in relation to books. Newspapers and magazines should be present and referred to from primary schooling upwards.

There has been a growing consensus in industry and higher educational research that print is an obsolete anachronism, with an inevitability of termination. This has been a tragic mistake but there is still time to reverse it.

The very fact a cabinet minister was telling the public to “continue buying newspapers” in order to save journalism this week is evidence of something that politicians, opinion formers and the industry itself should have been doing for the last 30 years.

We have a very simple test to distinguish the intrinsic cultural value between the digital and printed form. If your son or daughter had been interviewed in a local, regional, or national newspaper (or national magazine) about a significant achievement and success, which would you rather keep for a later date? An online page that might be deleted sometime in the future (or become unavailable because of a URL address change)? Or a paper copy of the original - something than can’t disappear when somebody disconnects a computer? We would argue the latter and believe that there is still an intrinsic value of the hard copy newspaper, especially at a local level.

The issue of people having a low level of digital literacy is something of a moot point. Obviously older generations, not brought up in the digital age, have a varied level of digital literacy. This is something that investment and support for adult education could address.

The younger generations are immersed in digital communications and consumption culture. Aligned with our arguments above with regards to print media, we would urge for some level of support through schooling which would allow them to distinguish from fake media and a well-researched piece of journalism.

How have digital technologies changed the production of journalism? Do journalists have access to the training necessary to adapt to the digital world?

The pressures and stress on journalists in terms of demands in productivity and the expectation of being flexible in terms of multimedia have been immense. Journalists, particularly in local and regional newspapers, have, for some time, sent stories to web-based publications first, which are then pulled for the printed publication later. They are also expected to supply digital images in many cases. This puts an inordinate pressure on journalists to get their work right first time.

Unfortunately, there has certainly not been any concomitant increase in the reward of pay and conditions. If anything, the value of salaries in most levels of journalism has declined vis-a-vis other professions and so has the problem of precarity.

The quality of training and education in UK journalism at further and higher educational level, and in terms of in-house apprenticeships, is very high indeed. The accreditation and resources of the National Council for the Training of Journalists and Broadcast Journalism Training Council are very high, supportive, and pioneering. The UK now has HE and professional journalism education and training that is world class.

However, we should highlight that training in new technology is less available to the freelance journalist sector.

What qualifications do professional journalists need? How could public policy better support non-degree routes into journalism?

Most journalists are now graduates and the larger proportion have postgraduate degrees. Many of those degrees are now journalism practice and theory specific. There are also professional modules/courses and apprenticeships accredited by the NCTJ, which are sophisticated and comprehensive. Additionally, there are a number of private financial funding methods to support the disadvantaged with access to some of this training. However, public policy could certainly support this effort with grants and loans to support this work further and encourage the non-degree routes into journalism.

What are the main challenges for freelance journalists? How could public policy better support them?
The main challenge for freelance journalists is that the market for paid employment has been shrinking, while payments have become more insecure in terms of promptness and fairness. Too many online platforms, particularly in the counter-culture, non-mainstream and so-called ‘citizen journalism’ arenas, expect professional journalists to write and contribute content for nothing as though mere publication is some kind of reward. This is also a growing problem in mainstream journalism.

Why is the journalism profession not more representative of the population? How could this be addressed?

The answer to this question is, of course, inevitably complex. Role models and visibility of representation is, of course, encouraging. Lack of equality of opportunity is usually a factor in leading to socio-economic discrimination and inequality. The increasing closure and shrinking of local and regional publications reduces the opportunity for a living, professional path of employment in local, community-based and regional publications.

Inevitably, this means that the access points become more and more national, and this will favour entrants from affluent backgrounds with families able to support non-paid work experience and internships, and fund enrolment on prestigious undergraduate and postgraduate programmes of journalism and practice media specialisms.

This could be addressed with the availability of professional career grants that could support applications, and sponsorship, based on merit, and could underwrite participation in industry apprenticeship schemes as well as further and higher education. Tax breaks on profits available for supporting diversity of entrants to professional journalism could also advance more diverse participation in the profession.

Why has trust in journalism declined?

We think some caution should be exercised with accepting this as a given assumption.

Overwork, the decline in the infrastructure of subbing, editing and fact-checking could be contributing factors. The appalling mistakes of a generation of editors who allowed phone-hacking to be a nefarious practice of news and information gathering, has become a hangover of shame and stigma that will still take a long time to be forgotten. This is not helped by the continuing exaggeration of its failings by public figures, lobby groups and politicians with various agendas.

Increasingly, we have seen attacks on journalists from politicians who dislike being questioned too closely – for instance the thinly veiled threats currently being aimed at the BBC funding by government officials which is based on a disagreement in media policy. We have also seen attempts to control access to media briefings. This behaviour by senior figures in the public arena does nothing but damage an already fragile situation.

How could it be improved?

We would urge the House of Lords to immediately call for the cessation of such nefarious practices. The continued practice of opinion leaders who label news they don’t like as ‘fake’ or who accuse journalists of asking inane questions, merely in an attempt to stifle questioning, should cease immediately.

We also link our answer here to our previous suggestion about more education in schools. If children were educated about how to engage with news, this would have the effect of providing a greater understanding of the journalist’s role and faith in those who produce the news.

How can journalists better understand and convey the concerns and priorities of people who do not live in London or other metropolitan hubs?

This can only be achieved by reviving and expanding the local and regional journalism industry. Journalists who work in this arena are closely linked to the communities they serve.

How can innovation and collaboration help news providers of all types to maintain sustainable business models and adapt what they produce to audience demand? What lessons can be learnt from successful innovations, including in other countries?

We believe that so-called successful innovations and models abroad risk becoming more fool’s gold rather than a holy grail of rescue and resuscitation. Media industries and cultures abroad have developed usually in vastly different societies with their own social and political histories. We would caution on succumbing to ethnocentrism, or journalistic survival tourism.

Audience demand can be stimulated and developed as well as discovered. Sustainable business models can be encouraged through legislative incentives and Parliamentary management and the tilling of commercial potential.

All forms of direct subsidy linking journalism to public bodies and government of any level must be avoided. We fear that arguments for public interest commissions with state funded bounties for a perception of ‘worthy applicants’ will always be prone to cronyism, corruption, and unconscious bias in selection and preferential awards.

It has now been accepted that large online digital processing platforms such as Google, Facebook and Twitter have enjoyed the benefits of professionally produced journalistic content without paying for it. They have garnered huge profits from the advertising spectrum that has been somewhat predatory on the older analogue media spheres. There must be a substantial levy imposed, we would argue, from copyright licensing distribution, based on the data that must be available on the way that professional news and journalistic media is linked to and consumed on these platforms. This is where we can learn and follow the countries whose governments have decided to legislate, such as France and Australia.

We believe the UK Parliament could substantially expand the legal obligations for buying advertising on public record events, decision-making and information distribution thereby ensuring more transparency of the public record, which also becomes an invaluable historical resource that invests in community, family memory and identity. For example, all public authorities should be allocated much greater funds for public information advertising and notices with legal obligations to use these in relevant local, regional and national media. The allocation of an obligation to buy a £100 notice for any property transaction would not only advance transparency and public knowledge of property ownership, but also create incentives for investment in local and regional newspaper publications. The same could be said for other important events and decisions taking place in society. This would invite and incentivise more local coverage.

The UK profession of journalism, particularly at the national level has been blighted with a costly indemnity on breaches of privacy through phone-hacking taking place more than 10 years ago. This has cost the industry more than 1 billion pounds in damages and legal costs. It is terrible that this amount of money was not available to employ more entrants to the profession and indeed the vitally needed research and development into the analogue transition to and symbiosis with digital publication. Why should the contemporary generation of journalists who had nothing to do with this scandal continue to pay for the crimes and civil and legal wrongs of their predecessors - most of whom have left the stage?

We recommend a statute of limitations on privacy actions to be equivalent with libel; namely one year, albeit with the High Court to have a discretion to allow, in exceptional circumstances, out of time litigation.

We also recommend the abolition of the Press Recognition Panel and the abolition of the Royal Charter set up to create it. The operation of IMPRESS serves little purpose, does not command any support and participation of serious and significant journalism publishers and does not merit any legitimisation by the State; particularly by a quango receiving public funds that would be better directed toward grant funding to enable people from diverse backgrounds to improve better representation of disadvantaged communities in journalism. If the micro-publishers operating with IMPRESS regulation wish to continue, they can do so with a body operating on a contractual basis such as IPSO.

Are there any other ways in which public policy could better support journalists and news organisations, now and in the future?

Are there examples from other countries from which the Government could learn?

We would certainly recommend legislation that prevents advertisers from applying ‘ad-blocking’ or ‘blocklisting’ in online campaigns and digital media - thereby separating and distancing commercials and sponsorship from news content. This practice is repugnant, discriminatory and based on prejudice. It is a form of indirect censorship. It must be made unlawful.
The Escaping Nun
A local story from a quiet Suffolk village that became a national sensation

This was one of the most exciting and talked about stories of 1909. It began with a brilliantly written report in the Ipswich Evening Star and Daily Herald, the local evening paper for Ipswich and surrounding villages in South Suffolk. This lively and newsworthy journalism would eventually materialise into a top-selling book.

Margaret Mary Moul’s book The Escaping Nun: The Story Of Her Life would become a huge global success for Cassell’s People’s Library series. Thousands of copies were sold in Britain, USA, Canada and Australia and other English-speaking countries. Selling at just a shilling a copy, it would be printed in nine different editions before the year was out.

The Evening Star reported the story on February 24, 1909, under the startling headlines: “Runaway Nun; Escape from East Bergholt Convent; Struggle with Pursuers.”

How did Sister Madge Moul slip away from the Convent and walk the several miles in darkness to Manningtree Station? And, when there, how was she able to obtain a train ticket to Liverpool Street so that she would not go back to the nunery?

When it became clear that Sister Madge had fled, a wagonette was ordered out with two sisters on board in the hope of overtaking her on her three-mile journey to Manningtree station.

The scene at Manningtree “When within about 60 yards from the Station, on the Great Eastern Railway private road, the two nuns in pursuit jumped from their vehicle and seized the fugitive, who screamed and clung to the railings, declaring, amid heart-broken sobs, that she would not go back to the nunery.” [Evening Star]

When it became clear that Sister Madge Moult had fled, a wagonette was ordered out with two sisters on board in the hope of overtaking her on her three-mile journey to Manningtree station.

The station-master lent Margaret 10 shillings, the cost of a single ticket to London.

She was locked into the waiting-room all by herself for her own protection, and station staff stood guard until the 1.20 a.m. up mail train to London arrived to take her to Liverpool Street.

In a later media opportunity to promote Margaret’s autobiography, her mother returned to the station and she was photographed paying back Mr Swan for the generous loan to her daughter of the train fare.

The family turned this extraordinary story into an Edwardian scandal and cause célèbre with Margaret becoming an early news event media celebrity. Her sister Maud Moul was well known on the provincial stage as ‘Vivien Storm’.

All that was missing was a thriving and competitive film and television industry to bid for the rights to her book.

Margaret was known in the convent as ‘Dame Maurus’. Her first-person account was far more dramatic than the earlier third-person media reporting. In her chapter on the pursuit, she took up the story after the waggonette chasing her caught up with her near the station buildings.

She heard a voice called out “Why, there’s Dame Maurus!”

I looked, and saw Henry driving, and Sisters Philippa and Justina, two of the out sisters, or fortresses of the hospice. These sisters are not bound to enclosure, and can go out on messages when commanded by the Abbess. They are not vowed, but make a simple promise of obedience to the Abbess.

Sister Justina had seen me first, and Henry took up the story after the waggonette chasing her caught up with her near the station buildings.

Sister Justina said she had seen me first, and Henry immediately sprang down. I began to run, but I had no strength. It was all spent.

She was dragged to the wagonette, and pointed out that the pathway was private property, and that the young lady’s liberty must be respected. The search party of nuns and the escaped girl, with her dripping and mud-bedraggled nun’s habit, presenting a pathetic figure, were conducted to a waiting-room, where a consultation with the stationmaster (Mr Swan) took place. The nuns tried all they knew to persuade her to go back, but failed, the runaway stoutly refusing to return.” [Evening Star]

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Sister Justina had seen me first, and Henry immediately sprang down. I began to run, but I had no strength. It was all spent.

I dropped my parcels in the road, and tried again to run. I had only taken a few steps when Henry caught me, and held
me in his arms. I entreated him to let me go, which he did. I managed to get to the railing on the opposite side of the road, when Sisters Philippa and Justina came up.

At once they began pulling me, one trying to release my fingers from the fence, and the other bending down, put her arms round my knees, and tried her utmost to get me off my feet. I had the strength of despair. They called to Henry to help them, but he merely looked on.

I began to cry, but never released my hold on the fence. They pulled desperately, and I began to scream “Help! Help! Oh, help me!”

I never thought my cries would be heard, for I had no strength to shout loud.

Sister Philippa told me to stop screaming and making a scandal. “What will you think of this night’s work when you stand before the judgment seat of God?”

I answered. “I shall scream. You are making the scandal, not I. If you let me go, no one will notice me, but if you pull me and I scream, they will know I am running away, and that you are trying to take me back against my will.”

She did not answer, but pulled at me with renewed force.

I screamed and cried at the same time. “Oh, help me! Help me!” and then some porters, one having a lantern, came from the station toward me.

What an amazing story. The book was, no doubt, ghost-written with Margaret, but we don’t know who helped turn it into such a thrilling narrative. It is now out of copyright and could be the basis of a truly magnificent film or television drama series.

A screen-writer would have much fun of Sister Philippa and Justina’s entreaties: “What will you think of this night’s work when you are on your death-bed? You are damning your soul! What will you do when you stand before the judgment seat of God?”

R.I.P. Gerda

“Gerda lit up every room she ever graced.” – CIoJ Past-President John Thorpe

Gerda Jones, who passed away on February 22 this year, was a longstanding member of our Institute and regular attender of CIoJ events over the years. Known by the pen-name ‘Hannah Valize’, she was born Gerda Johanna Valize, at Trebig near Maastricht in the Netherlands.

Her childhood was spent under Nazi occupation, although she did not talk about, probably because it was too painful. She had an elder sister, Annie, a younger sister, Margrite, and brother Albert.

She met and married an Englishman who was stationed in Germany during the Cold War. He passed away in 1990. She had two sons by him, Clifford and Gordon.

I met Gerda at the H-Bar-C club through a mutual interest in country music. She told me in the club that no-one had ever given her a Valentine’s Day present. So I bought a single red rose and placed it on the windscreen wipers of her car. She invited me over for a meal on Valentine’s Day and we had the chance to visit an orangutan sanctuary in Borneo. A river trip took us into the deepest jungle where we got a chance to see some proboscis monkeys both high up and crossing the river. Later, we went out on a boat ride to a tropical paradise island in the Sulu Sea. There we had to pinch each other and say: “Tell me I’m not dreaming!”

We had stopped off in Borneo on our trip to the Australian country music scene in Tamworth, New South Wales. They welcomed us with open arms. We got to meet almost all the major artists and were delighted to be able to speak to Slim Dusty. He had performed at the opening and closing ceremonies of the Olympics in 2000 and was given a State Funeral on his passing.

OBITUARY

We were very impressed in Tenerife, where they hold the largest Mardi Gras carnival outside South America, taking all day to pass by and culminating in “the burial of the sardine”!

When the CIoJ held its conference in Malta we stayed in St Paul’s Bay, where the saint landed. We did stray a little, visiting the casino, where she won enough to pay for our hotel! For another Institute conference trip, we were in Gibraltar, and Gerda was in her element with the macaques at the top of the Rock, and naturally she had them eating out of her hand.

As the years passed, I found that Gerda’s heart glowed ever more golden! As John Thorpe, President of the Institute at the time of the Malta conference, wrote, “Gerda lit up every room she ever graced.” Thank you, John, for being her friend.

Tom Caldwell
The Journal - Summer 2020 edition

BBC pulls current affairs series

My last day of filming was March 23. That evening, Prime Minister Boris Johnson announced that the country was heading into lockdown to tackle the Covid-19 pandemic.

I had just shot, cut and delivered a film for the BBC1 current affairs series ‘Inside Out’ for the South West. On that Monday we had been out filming again at the Grand Hotel, Torbay. I was working with BBC broadcast journalist Simon Read to film material for what was anticipated to be a follow-up piece to be broadcast in September. The film would look back at lockdown and hopefully at how these hotels and holiday businesses, so crucial to the economy in the South West of England, had coped with Covid, survived and reopened. But that film will not be happening, and neither will the other 26 films that Inside Out would have run on BBC1 South West in the September series. With its format of three films per episode, and nine films per series, across 11 of the BBC English regions, Inside Out makes just short of 300 films per series.

On May 27, my editor rang me to tell me that Inside Out had been pulled “for Covid reasons” and that a decision on whether or not the series would return next January would now be taken by the BBC. As a producer/cameraman/film editor, this was a major personal blow. Last financial year I did between 60 and 70 days’ work on Inside Out, a strand that has been running for 18 years.

Personal hardships aside, the BBC’s decision to pull the series is a blow to regional journalism and to the viewers at a time when the BBC’s coverage of Covid-19 has seen its audience share on the rise. According to the Press Gazette, viewing figures for BBC regional news were up 63% year on year.

Lifting the lid

According to a BBC source, since it began in 2002, Inside Out has been the UK’s most popular current affairs strand and over the years it has broken some major stories. Last year I worked on the story about London Capital Finance, and Inside Out has also lifted the lid on stories Sports Direct, the Post Office and Amazon – stories that have all gone on to get major network coverage.

The strand has also boosted careers, notably that of wildlife presenter Chris Packham. One BBC staff colleague said to me that what Inside Out is really good at is taking big national and international stories and helping local audiences understand them. Brexit was a very good case in point. While the Brexit focus in the South West may have been on fishing and farming, in the North West Chris Mason presented a piece about what the UK’s nuclear future looked like, and to highlight the issues the South East was facing I took political reporter Helen Catt on a road trip to Switzerland to buy an exhaust pipe and explore the issues of frictionless trade.

With the other BBC current affairs programme Sunday Politics also currently benched, the question for audiences in the regions is: What journalism is left to fill the information gap and what will happen to all those freelance journalists and filmmakers that have relied on the series for so long? Andrew Johnstone

It may be radio but not as we know it!

By Paul Leighton

Readers of ‘a certain age’ will recall their history masters’ question: “Now, what do we know about the Holy Roman Empire?” To which every schoolboy would chorus: “It wasn’t Holy, it wasn’t Roman, and it wasn’t an Empire!”

Following recent amalgamations, mergers and takeovers, the same might be said of ‘Independent Local Radio’. It isn’t Independent, it isn’t Local and, to misquote Star Trek’s Scotty, “It may be radio, but not as we know it!”

Independent local radio was envisaged by Parliament as a commercially-supported form of Public Service broadcasting. Indeed, when Britain’s first independent station, LBC, began broadcasting in October 1973, its remit was to produce news presented without the slightest editorialising, but not without opinion or comment.” At the height of the station’s success it had 2.4 million listeners, with some ‘big-name’ presenters like Michael Parkinson, Angela Rippon and Brian Hayes, who went on to present the Radio 2 Breakfast Show.

Commercial local radio grew rapidly across the UK, mostly with locally-based owners, often consortiums made up of local “worthies” and wealthy local businessmen. By 1997, commercial radio had captured a 51% share of the radio audience.

But, from very early in the expansion of independent radio, owners sought to have the public service obligation watered down. Eventually, the owners had their way. The 1990 Broadcasting Act removed the stations’ Public Service obligations and, perhaps inadvertently, opened the way for massive ‘consolidation’ of the industry.

Centralised

The Act translated into small local stations being swallowed up by larger ones, and larger ones growing into increasingly centralised groups of stations, increasingly unresponsive to local owners (or audiences) who had been squeezed out. Since then, the commercial radio share has fallen to just over 40%.

Now only two major operators remain. With a few exceptions, commercial stations are owned either by Global Radio, or the Bauer Group. As part of a major restructuring, Bauer is axing ten of their stations. Among the losers will be The Breeze in Bristol, Suffolk First, and Encore. Forty other stations will be re-branded as various strands of the company’s “Hits” format.

Bauer says the new networked stations will have local news opt-outs, but the move inevitably will cause job losses, and local audiences will lose out as ten stations lose their local weekend programming.

Corporate greed

Ted Heath used to talk about “the unacceptable face of capitalism”, by which he referred to what he said was growing corporate greed. Now, the greed of the big boys of commercial radio looks set to kill the stations they operate and the service they’ve provided to local audiences.

But, of course, audiences will notice the difference and move to more genuinely “local” output. Perhaps the local stations operated by the BBC – still genuinely “public service” – will experience an audience boost as the big commercial operators go completely national, and lose their unique ‘localness’.

The successful local press group of Sir Ray Tindle, longstanding member (and honorary Fellow) of our Institute, was built on keeping his local newspapers genuinely ‘local’. Commercial radio operators should have taken a leaf out of his book.

Paul Leighton is Chairman of the CLoJ Broadcasting Division
Defending Auntie

I have two friends (others, I hope) who occupy the two wings of the political spectrum. One is a Labour Party member and active campaigner, the other is traditionally Conservative, a One-Nation man. They both are less than complimentary about the BBC. They both can list occasions where, they suggest, “blatant BBC bias” is on display.

I am a former BBC producer. I worked in News & Current Affairs for close on ten years. I sat in news meetings when Craig Oliver, soon to become David Cameron’s Director of Communications, was a high-flying news producer and later Ten O’Clock News editor. I watched reports by our correspondent Guto Harri who went on to become Boris Johnson’s director of External Affairs when he was Mayor of London. I sat in awe of Paul Mason as he compiled another Newsnight report before he left to, inter alia, campaign for the Labour Party. Mason left the BBC so he was free to express his opinions.

In a recent polemic in the Daily Telegraph, Sherelle Jacobs said the BBC was drably fervent about converting the heathen masses to measured, bourgeois urbanity. She is Assistant Comment Editor of the Telegraph and has written for that bastion of bourgeois urbanity, The Guardian.

We all make mistakes!

Let me put this bluntly: the BBC does not have a political view. Its journalism is driven by impartiality. We used to comment that if we have upset both sides, we were doing what we should. But there is another explanation for mistakes that should discomfort the rampant conspiracy theorists: human error, compounded, sometimes, by incompetence and inexperience.

A young producer, under the pressure of a tight deadline could select the wrong pictures of Boris Johnson or edit out audience laughter when he is asked about the importance of people in power telling the truth. The editing was done to shorten the clip and remove a repetitive phrase for timing reasons. It was not done to protect the Prime Minister’s fragile ego from mockery. It was a mistake. But mistakes do not fit the ebullient narrative of social media commentators.

We shift from right to left and we have the comments of Andy McDonald, Labour’s Shadow Transport Secretary. Mr McDonald said the BBC should have “a look in the mirror” at its part in Labour’s 2019 election failure. Today presenter Justin Webb asked him if he believed the BBC assisted in Labour losing. “I think you played a par,” McDonald said. No evidence, no examples. Simply an opinion, forcefully expressed.

It would perhaps surprise Andy McDonald at the effort the BBC puts into making sure that airtime is equally distributed. The commitment to balance and fairness is deeply ingrained in its journalism. This argument does not play well on social media where shouting loudest, often devoid of evidence, gets coverage and, sometimes, shapes opinions. The frequent targeting of the BBC’s Political Editor, Laura Kuenssberg, by supporters of Jeremy Corbyn during his leadership of the Labour Party has been a disgrace. Kuenssberg works hard and sometimes makes mistakes faced with a multiplicity of demands from BBC News outlets. She tweeted footage of a man walking into a demonstrator’s arm as he pointed at Health Secretary Matt Hancock. It was not an assault but an accident as further footage revealed. Kuenssberg quickly deleted the tweet – but the damage was done. Labour used the original tweet as evidence of bias.

Men in grey suits

I have been a close observer of Chinese politics for over three decades. The state media has cornered the market in flattering, uncritical profiles of grey men in suits (with glistening dyed black hair). The Communist Party machine controls what is read and said in the broadcast and print media. I once attended a dinner in Shanghai and asked my neighbor what his job was. He explained that he, along with his 30,000-strong workforce, controlled the internet in China. Good luck with that.

Passionate opinions are part of our democratic debate. Passionate opinions backed by ‘evidence’ should always be questioned. Who is making the statement and why? That is the BBC’s role. It cannot and does not have a political bias to the right or to the left. Andrew Neil grilled Jeremy Corbyn during the General Election campaign and would have subjected Boris Johnson to the same level of forensic questioning had Johnson given him the opportunity. Neil does not, as in China, deliver his questions in advance and he does not risk being fired by upsetting the people in power.

China’s state-run CCTV recently cancelled the broadcast of American National Basketball games after an NBA player, Daryl Morey, tweeted his support for the protestors in Hong Kong. Would an all-powerful Conservative or, indeed Labour Government, like to have control over the BBC? The question should be kept hanging. The Prime Minister’s questioning of the BBC licence fee is not about financing but a political shot across Auntie’s bows. The licence fee is the BBC’s Achilles heel and our politicians with a grievance know this too well.

We have created over many decades an extraordinary broadcasting institution. It is answerable to all of us and, therefore, must have at its heart the guiding principle of impartiality. It will make mistakes and misjudgments. Perhaps, like democracy, it is the ‘least worst’ state-financed broadcaster we have.

Let’s close with the BBC’s ever beating heart, Lord Reith: “He who prides himself on giving what he thinks the people wants on giving what he thinks the people wants is often creating a fictitious demand for low standards which he will then satisfy.” Long live Auntie!

Richard Dove

CIOJ Funds in numbers...

128 - years of support
£65,033 - total support provided in 2018 (£41,465 in 2017)
21 - people in receipt of support in 2018
£3.1m – the value of Institute charitable funds (more than £3.3m in total charitable fund valuations)
20 - families helped in 2018
Battle of Britain Broadcaster, Charles Gardner
By Robert Gardner, Published by Air World Books, an imprint of Pen and Sword Books Ltd.,
Hardback, 220 pages, £25.00.

When was “modern reporting” born? What we all probably understand as on-the-spot war reporting, at least, began with two radio pioneers, Charles Gardner and Richard Dimbleby. New from Air World Books is their story: the tale of how two ferociously dedicated journalists, with a desire to relay reality and truth as great events unfolded, came to change, forever, the tone and direction of British broadcasting.

Dimbleby is, of course, a household name, but it was reporter, Charles Gardner, who first set the pace with his famous account of an early Battle of Britain dogfight over the English Channel: the date, Sunday 14 July, 1940, the words: “The Germans are coming, and they’re in an absolute steep dive... the sky is absolutely patterned now with anti-aircraft fire and the sea is covered with smoke... Oh yes, I can see one, two, three, four, five, six, seven, eight, nine, ten haring back towards France now for all they can go – and here are our Spitfires coming after them.”

Adrenaline, excitement and a natural affiliation to the home-team coursed through his commentary, but for some at the BBC (and a certain element of public opinion), Gardner’s cheering on of the RAF and our pilots’ successful seeing-off of the enemy was “modern reporting” and far removed from the traditional news-gathering role of the journalist. Gardner’s words, and the mouth was, training as an RAF pilot, ardently put his money where his mouth was, when it finally became clear that a country was conquered and every British official, reporter and national had to make haste for the Channel coast.

And there is much information, too, on Dunkirk, and later in the war, “The Forgotten Army”, Burma and Mountbatten, not to mention Gardner’s involvement in the reporting of a certain Royal romance: the young naval officer and the princess who was to become our Queen. Written in a warm, appreciative style, a clear tribute from a son to a father, the new book offers much enjoyment for the general reader and war-history enthusiast alike; and possibly new information on many epoch-making events.

As to criticisms, perhaps the only thing that detracted from this reviewer’s enjoyment was the occasional proof-reading error, a sign that book production needs, more than ever, that dedicated, forgotten army of proof-readers and subs; those professions are not only than ever, that dedicated, forgotten army of proof-readers and subs; those professions are not only

Stuart Millson

Ghostland: In Search of a Haunted Country
By Edward Parnell, Published by William Collins,

Living near Norwich, a city with a rich history, Edward Parnell is a writer who has accumulated many good reviews and several prizes for his writing, including a Winston Churchill Travelling Fellowship. His outlook, shaped by the loneliness of Lincolnshire, The Wash and East of England fenland, is highly attuned to earth-mysteries; to local lore and legend; and to the works of writers of ghost stories such as the great M.R. James and L.P.

Hartley. And, in the superbly-researched and absorbing Ghostland, Parnell takes us on a tour of haunted Britain: a wealth of conventional ghosts and phantoms, of course; but also the more difficult personal hauntings associated with family and loved ones, childhood and the way of life that makes us all.

Described by one reviewer as a “psycho-geography”, the book contains a truly astonishing survey of most that has been written, or placed on film or in television, about the supernatural in Britain. Films such as The Wicker Man are re-appraised, as the author travels to the Scottish coastal locations where this cult, classic horror was staged and produced. We also go back to such 1970s television classics as the dystopian Quatermass series, starring John Mills, in which surviving civilisation clings on in a rural England of stone circles and small colonies of all that is left of scientists and intellectuals. The BBC’s Christmas Ghost Stories (most based upon M.R. James’s works) are also reserved for great praise by the author. The appearance of names such as Alan Garner, whose story of Manchester schoolchildren who find an entrance to another world, Elidor, was also a delight, bringing back memories of my early reading.

Ghostland’s spectral quality, though, is enhanced by the sadness and sense of harrowing loss that the author expresses about the illnesses and loss of his mother and dear brother. At one point, Parnell’s anger erupts on the page; and moving as it is to read his family’s story, my one small criticism of the book is that he allows an expletive to appear in the text. It is understandable, but I have to say as a reviewer (and with regret), that this one moment broke the spell, at least for me.

Having said that, I have no hesitation in recommending Edward Parnell and his wonderful search for the mysteries of the land, the essence of that borderland between the world we can grasp, and the ritual, beliefs and spectral realm that lie just over the hill or beyond the dark waters of the fen.

Stuart Millson

SOCIAL MEDIA
Follow us, and re-post our messages on social media. The Institute has a Facebook, Twitter and LinkedIn presence which will keep you up-to-date with our news.
Uncertainty seems to have been defined by the murders of journalists Daphne Caruana Galicia in Malta, Lyra McKee in Northern Ireland, and Jamal Khashoggi in Istanbul. The Chartered Institute of Journalists has long campaigned against the physical intimidation, assault, torture and murder of journalists everywhere and at all times.

**Protecting journalists’ sources**

The CIoJ has also been prioritising the protection of journalist sources so terribly violated by publishers, judiciary, and government in recent years. We have done all we can to support former Belmarsh Prison officer Robert Norman in his appeal to the European Court of Human Rights at Strasbourg. We contributed a 22,000-word affidavit and hope for a ruling that declares his conviction and jail sentence for providing public interest information about failings in the prison system as a grotesque and appalling breach of his freedom of expression human rights. We hope that it will extend the duty to protect journalist sources to publishers as well as government bodies and the courts.

We have led the way in challenging secret government surveillance and interception of journalists’ confidential material by state agencies. With regular and polite questions and repeated challenges, our scrutiny of the operation of the Investigatory Powers Commissioner’s Office has resulted in improved reporting by the Judicial Commissioners- and been a huge encouragement to their decision to apply a double-lock of Judicial Commissioner evaluation of any application for a warrant that identifies a journalist source. That has been a clear result of our campaigning. And there’s also a written commitment for greater detail and accountability in future reports of the IPCO. We have followed publication of the 2018 report with 20 further serious questions for more accountability, more clarification and future improvement that no other journalistic organisation has done.

We have made significant legal breakthroughs in challenging the absolute exemptions blocking journalists from applying for information held by security bodies such as MI5 or MI6. In a ruling on February 17 this year, Judge Hazel Oliver said that journalistic and historical researchers do have a legal remedy to challenge under Freedom of Information law any refusal by security bodies, and that this can be adjudicated for Article 10 freedom of expression rights. And as a result of one of our several continuing challenges, based on my research projects, it is now clear at First Tier Tribunal Information Rights level that we can also make English common law requests backed by judicial review. A potentially expensive legal process, but an actual remedy for those writers and journalists fortunate to have large budgets and legal resources.

There are still many battles to be fought and won, but this Institute is putting in all the hard work and fighting the good fight with human rights advocacy in Tribunal, Upper Tribunal and courtrooms here and abroad where and when we can.

**Aims and objectives**

What am I hoping for in the next two years? Well, for one thing, we need more constitutional certainties for journalism. We should push for things we have already been campaigning for: a statutory declaration of media freedom; winning hearts and minds on the future of the BBC; restoring, valuing and expanding public service principles in all forms of journalism and professional communication- newspaper, online, broadcasting, government and corporate public/media relations.

We need to inspire and advise on improving the Political economy: The Cairncross Review, government and industrial hand-wringing about continuing newspaper closures and job losses are not delivering the solutions. The bleating and lip-service of a generation of editors who have failed the profession has not helped. It
was on their watch that the phone hacking took place and protection of public official journalist sources abandoned.

One billion pounds has been diverted from professional journalism in legal fees and compensation, mainly to celebrities who some say could have afforded to have had much less. Just think what a billion pounds of investment, research, innovation and development could have achieved for local and regional newspapers over the last 20 years? Or for that matter in so many other levels and dimensions of the profession?

Journalism needs consensus, conciliation, humility and solidarity to face everything that threatens it. Less of the arrogance of those newspapers who think they are so good and worthy that they can regulate themselves.

How can we have “independent regulation” if the likes of the Guardian, Observer, Financial Times, and Evening Standard do not participate? We shouldn’t be teaching new entrants to the profession about the madness and absurdity of two regulators for the newspaper/online industry. There should be one regulator that has the confidence and participation of all the mainstream media institutions, as well as the micro-publishers, the radical, off-beat and unorthodox.

We should continue with our education on the good things that journalism does:

- The value and constitutional role of news journalism, community reporting of record with public service imperatives locally, regionally, nationally and internationally.
- Quality journalism of all genres in all platforms whether print, broadcasting or online- people will read and pay for and advertisers will sponsor and invest in.

Journalism is always evolving in creative and exciting ways. Podcasting has been a social, cultural, and entertaining enlightenment and indeed revolution. Wouldn’t it be wonderful to have a podcasting committee of the Institute advancing the pay, conditions and opportunities in this brilliant and inspiring new industry and medium of sound production and communication?

**Reviving local newspapers**

Another big question and challenge is how we can retrieve the way local newspapers of record operated as a binding community cohesion giving our society a sense of local and regional identity, a feeling of pride and communitarian security. It was the micro-community and local-level reporting of the weekly Wigan Observer from 1951 that enabled me to find out how and when my grandmother Sarah Hannah Rigby died. I was able to read about her funeral, who were the mourners, how she was remembered and indeed find where she was buried.

It was the weekly Wigan Observer that reported my grandfather’s retirement from 40 years of local government – starting as a 14-year-old clerk – progressing to sanitary inspector and then eventually the Urban District clerk of a council serving a Lancastrian mining community.

If we fast forward another 50 years, when my mother died from a terrible illness, at the Inquest held in Westminster Coroner’s Court in Horseferry Road, I gave evidence of identification but also a long and heartfelt tribute to her local authority and health service carers. There were no journalists in court that day and what I had to say was never reported – and indeed my mother’s inquest has no public media record.

What will happen in another 50 years’ time when a family descendant might want to find out about their great grandmother?

Journalism is the first draft of history and becomes the archive and memory of the nation and human society. Without it, we lose the archive, the memory, the heritage, the identity and the necessary relationship between the present and the past that can be so educational and reassuring in times of crisis like the present.

In the next two years we will do our best to research and advise on how to rediscover the necessary investment and revival of local and regional media and their audiences. We will need answers that will no doubt draw upon entrepreneurial, parliamentary and governmental incentives and the sorting out of economic raiding by global online corporations.

**Pay and conditions**

If journalism is truly a profession, those entering it should be experiencing security of employment, an industry with career paths and real professional development opportunities. The journalism workplace should be thriving with a constant striving for equality and diversity. All forms of bullying must be eradicated particularly in high pressure competitive environments.

Parliament and politicians need to problematise less and look to their own constitutional obligations rather than waste time plotting revenge and clipping the wings of the messengers that give them the power of voice and representation in our democracy.

We are all interdependent and mutually relying points of power and responsibility. When politicians and governments bully journalists and intimidate and threaten the media, they diminish and undermine democracy and liberty. It is one of the first steps on a wicked and despicable path that all too often leads to horror and degradation. The endgame is the killing and murdering of journalists such as Lyra, Daphne and Jamal and the many others across the world. Such atrocities strike at the heart of humanity and civilisation.

The Institute, like all its compatriot organisations around the world such as Index on Censorship and the Committee to Protect Journalists, will do its best to sound the warning sirens and advocate for justice and deterrence.