

**TRANSLATION OF SHORTHAND NOTES
TAKEN AT
EXTRAORDINARY MEETING OF THE BOARD OF GOVERNORS
SUNDAY 6 JULY 2003**

Gavyn Davies (GDa); Richard Ryder (RR); Ruth Deech (RD); Dermot Gleeson (DG), Sarah Hogg (SH); Merfyn Jones (MJ); Fabian Monds (FM); Pauline Neville-Jones (PNJ); Angela Sarkis (AS); Robert Smith (RSm), Ranjit Sondhi (RSo)

GDa: Major decisions Hopefully we can issue a statement at the end of the meeting Without one it could be taken as signal of us falling out with management.

Opinion polls running show 3:1 in favour of the BBC. Don't know what will come out of FAC tomorrow. Alastair Campbell does not think it is a clear cut victory for him. Hope what we will achieve tonight is not caving in to either government or management.

Tonight don't think we should discuss again overall war coverage and nature of bias. - Don't want to reopen debate because we have stated in public our conclusions Evidence from public and Cardiff University is in our favour. Second, need to look at whether Today Programme upheld Producers' Guidelines. Think we need to look at what of our regulations we might tighten Eg, journalists writing in newspapers. Do we want to admit fault at not telling Number 10 in advance of the story.

Finally, do we want to comment on PM's comments about it being an attack on his personal integrity Hope we can make it clear we have never thought that and use that as an olive branch

DG. Don't want it taken for granted that we will make statement about all areas you have outlined.

RD Clear that we are considering whether it right to broadcast an allegation as an allegation One source does not bother me as Producers' Guidelines make clear "reluctant". Evidence shows due consideration. Not clear about consultation - ie, contacting Number 10. Not worried about FAC as their report is not about whether it was right for us to broadcast these allegations. So think we were right to do what we did. As Governors we have a duty to keep them accountable Thought PNJ's email helpful But don't agree with her suggestion that we reopen analysis of war coverage. Would welcome something like "we are looking at our Producers' Guidelines in light of this" Intelligence Services now dealing in a more open way, in light of terrorism etc.

GDav. What we are doing tonight is determining whether Producers' Guidelines were upheld

FM There is territory in terms of management activity since the broadcast that needs looking at

RSo: Wonder whether we should stick to broad grounds.

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GDav: Absolutely not Letter to us is private. He wants to move to a narrow issue He has not withdrawn his allegations about the BBC.

RSo: Deal with through the PCC?

GDa No Dealing with it this way.

MJ: Management process following broadcast Careful language was not necessarily applied by Andrew Gilligan throughout.

AS I think we were naïve in putting a broadcast out like this without powerful reaction Should therefore have been much clearer in our consultations. Would support theory [?] of Andrew Gilligan writing in articles.

SH: Not seen PNJ's email. Support RD Don't want to give any general statement about Producers' Guidelines. If there is something specific to look at, fine, but not general.

GDa: Think we do need to look at records of contacts.

PNJ. Agree we should put something out It should be a statement and not a response to Alastair Campbell. Need to bear in mind FAC. Think it will box Government's ear over dodgy dossier and be somewhat critical of September dossier Think it may also be critical of BBC reporting thereof But not sure how. So a bit of flak on our part. There are one or two errors in Richard Sambrook's reply Not mortal, but pity about them Think observing of guidelines are pretty defensible apart from contact with the Government Went to MOD Should have gone to Number 10

RR: But it is the culture of the programme.....

PNJ: But the fact is that it was single source. You can justify all that but need to be very careful.

[Gavyn ran through PNJ's email for SH's benefit]

PNJ: I said in my email to Governors that there was an argument for not coming in immediately behind management. Although we had no reason to doubt coverage. But had nonetheless asked Director-General to undertake a review with outside experts. Thought that would enable us to answer charges that we never admit we are wrong; avoid accusations of whitewash And allow us to question management if it finds anything. Since then seen Cardiff University. Think we could do a third party review because confident we will come out well.

GDa Think most Governors do not want to reopen judgement You are saying verify rather than reopen. Think we could ask one of the external case studies on war coverage Could do this at September Board meeting for example But don't want that statement being made now.

If there was a convincing argument that we should back down then happy to hear it. But have read no such thing. I feel we have to protect our journalists unless we think proper procedures have not been carried out.

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GDa: One thing most people feel a bit concerned about, contacting Number 10.

SH: I am not absolutely convinced we should have talked to Number 10. Evidence is some lack of clarity about whether we did or not

RR: Fully support need for a statement after this meeting. Would want to make some comments more generally of Producers' Guidelines. In particular, newspaper articles and the recruitment of journalists to create news rather than report it.

GDa: Come back to that in September.

PNJ: Think we should say something about newspaper articles.

JOINED BY MANAGEMENT

Greg Dyke (GDy); Richard Sambrook (RSa); Caroline Thomson (CT); Mark Damazer (MD); Stephen Whittle (SW)

GDa: You will be pleased to know that mood amongst Governors is supportive. No need to reopen question of whether our reporting was biased. Want to talk to you specifically about whether Producers' Guidelines were upheld. Whether sufficient warning was given to Number 10. Whether we should look at rules regarding journalists and newspaper articles.

PNJ: Would also like to touch on opportunities to Government to deny and coverage of it

Producers' Guidelines

RSa: Guidelines relate to three areas

Anonymity. Nothing that demonstrates non-compliance

Single sourcing. Reluctance but not banned. Have made clear in open letter to Alastair Campbell context for our decisions

Fairness. Whether we gave sufficient warning and prominence of their denials

On warning in advance. There was a separate story about cluster bombs. Team did ask Adam Ingram's office about extending that to WMD. Not clear from notes taken how much detail was given. Normal practice in these circumstances is Department would confer with other Government departments and then confirm they are happy. Programme was clear about what it said. But inadequate notes.

PNJ: Common problem – inadequate notes

SW: On single source. Robust editorial process did happen before broadcast. I do not know who the source is. Editor of the programme and Head of Radio news are convinced that source is credible and reliable

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RSm: It is important to me that someone other than Andrew Gilligan knew who source was.

SW: Absolutely. Programme editor.

GDa: And since then Richard [Sambrook] and Greg became aware of source.

DG: Source?

RSa: Don't know for sure but Newsnight piece looks like same source.

SW: Anonymity We agree to this when someone on fringes of the law or requires protection in relation to allegations Guidelines are more relevant to people who put voices or body

GDa: Does not seem to be in Guidelines that apply to anonymity in this case.

MD: Very hard to have a guideline that applies to off-the-record sourcing because of the need to weigh up information

GDy: Also have to put information provided by source into a wider context. In this circumstance already knew that information had been adapted.

PNJ: Dangerous line of argument to say that because Government did something previously. Seems to be reasonable action by journalists

SH Think "context" is a woolly reason. Less convincing than argument about credibility. I am therefore comfortable

DG: Context outlined by Greg created obligation not justification.

MD: In judging sources one considers if person is credible, sufficiently well known, proven and plausible. If you add dodgy dossier and the issues that have gone on before. Pattern is much wider than dodgy dossier

GDa: On single source Board is happy.

Consultations/Warnings

SW: More difficult because don't have as full a note as we would have liked to have had.

[Outlines sequence of events -- see SW speaking note/crib sheet]

Difficulty is Andrew Gilligan knew nothing about cluster bomb story so why would he have done this

RSm: Why are we contacting MOD?

SW: Because we already have MOD on air re cluster bombs. They were recording this story as a "chatter in the air" and not the sort of scoop it was. If you look at running

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order of the programme it was not a lead item. Therefore were not as careful with notes.

Programmes thinks MOD came back to confirm Adam Ingram would talk about both [Ref to Night editor at 10.30pm – see SW speaking notes/crib sheet].

Our weakness in this area is we don't have solid and reliable notes on the allegations we put to them.

GDa: What time did allegations get broadcast?

SW: About 6.05am. 7.40am we broadcast Number 10 response.

CT: Think difficulty is not having gone to Downing Street and didn't attempt to include a denial.

RR: Let's be realistic. Culture of Today Programme is to create news. Rod Liddle admits that. Tabloid and Sunday newspapers have long time not contacted people seeking denial they don't do it.

Still support Government's [sic] position. But it is a cultural thing that does need looking at more generally at a later date.

DG: Advance notification?

SW: It [Producers' Guidelines] says those named should have opportunity to respond

DG: So not something about 'advance'? So not an explicit reference to contributions not included.

AS: I think we were naive about potential power of this story. Obligation on our part to warn Number 10. Need to make sure we are not letting the public down.

RR: These people are recruited etc. They are not naive people. I support Today Programme in this incident. But in future we should look at whether that is the Today Programme we want.

PNJ: Don't think they didn't know how big this was. It should have been alerted to Number 10.

MD: Journalist integrity.

PNJ: Think we would have been in a much stronger position.

MD: Not clear that programme was right.

RD: Not our job to decide whether what was reported was true. Contacting number 10 is the issue.

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RSa Current practice is that an invited minister will be asked questions on a number of issues. Government Department then checks with other departments and comes back to confirm this is OK.

SW: We know that MOD contacted FCO.

RSa Alastair Campbell letter to Governors Letter says press officer rang four times.

RSa: Our records show three conversations. Two instigated by them and one by us.

SH: But very cautious about getting into situation where any story that might upset Number 10 requires us to contact them. Think we should also be wise after the event about the importance of the story. Other events have ramped up.

GDy: If they told us it was not true and still broadcast it then we would have been weaker

GDa: Do believe you should have kept a clearer record. Some think we could have put the allegations to Number 10. There is a majority view that we should have put allegations to Number 10 But think we should say that in less strident terms.

RR: It is an opportunity to provide a reply at the same time.

FM: BBC giving impression that we can defend.

GDy Think we should have put it to Number 10 as well as MOD.

SH: Very worried about this

DG: Not sure it is something we should comment on publicly

PNJ Running denials and prominence to Charman of JIC

RSa: We dispute that we claim the claim was inserted against wishes of Chairman of JIC and Intelligence Chiefs. Don't think we put "against our wishes" means Intelligence Chiefs

PNJ: Prominence given to rebuttal from officials

RSa: We had Prime Minister, Baroness Amos, Jack Straw, John Reid. Whenever a minister comes on we have to repeat allegations.

PNJ: Bureaucratic.

MD: 45 minute story. Blair on 30 May said it was absurd that we [government] made intelligence sources make up claims.

In long letter....

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[distracted].

GDa: Don't think we should be talking about accuracy of this story but is it not clear that changes were made to the dossier. Do we know that is not true?

MD: Not sure it is absolutely true. What Alastair Campbell says in response to Labour members, he saw raw JIC assessments before they were inserted into drafts. Closest we get is Guardian.

GDy: We do know that wording of JIC assessment was changed.

CT: Peter Ricketts from FCO, evidence. First draft included 45 minutes on 11 September it was two weeks.

SH: But key point is we do not know when the wording around the 45 minutes claim was changed.

GDa: We note that PNJ does not think intelligence denials were given enough prominence.

PNJ: Agree. I do criticise the balance of our reporting.

RSa: We could do a trawl of JIC denials and analyse them.

MD: We will go back through everything including Radio Five.

PNJ: We could say we are looking at balance of our reporting.

RR/RD: Not sure I agree.

GDy: You [PNJ] need to be careful because of your own background.

GDa: There is not a majority view that we should express doubt about the coverage of denial. There is a view that we might have put it to Number 10. The former would be interpreted as a climb down.

RD: Just takes Number 10 . . .

PNJ: Quality of our reporting.

DG: We have agreed to look at JIC coverage carefully. Do not think we should be saying anything of that nature.

MJ: Are you comfortable that our reporting retained level of reporting the allegation?

RSa: Think Andrew Gillian is very clear about it being a single source. But some of the phrases used by John Humphrys were not what we would have wanted.

RR: This is an area that we need to examine in the future.

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GDa: Repeatedly [?] I think John Humphrys' tone of voice is inappropriate. . . .there is not a complaint on the table.

SW Gilligan put him back on track during the interviews

FM Do we know about Government ministers' opportunity to respond?

RSa: [Lists them... ...]

FM: Think that is a substantial list

PNJ: Think these are points worth making in exchanges with him [Campbell].

RD: Thought Richard Sambrook's letters excellent.

GDy: Richard Sambrook offered him the process. He has not come near me or Gavyn.

GDa. Can we agree that the Producers' Guidelines were adhered to?

SH: I am uneasy about consultation with Number 10. Could say we might have gone to Number 10 sooner.

GDa: I do want to nod in that direction that the records we kept were not accurate.

Journalists and newspapers?

DG: Was it vetted properly? If it was vetted?

RSa The story has changed Originally Kevin Marsh said he had vetted it which would have been normal procedure But since then transpires he did not. Have been on the record saying we will look at it.

SH Thing is BBC work is subject to other paper's editing.

GDy: I am against it, but it is difficult to stop it because the people we employ on freelance contracts I do not think it is relevant for today and should not comment on it today.

GDa: I do think it is relevant Andrew Gilligan made allegation in Mail on Sunday Think people are concerned about this He got us into trouble with Mail on Sunday.

GDy. If you say it tonight you are disowning Andrew Gilligan

PNJ. Not if Richard Sambrook already said rules would be tightened

DG: Would rather say something about this tonight than consultation

RR: It is an important issue. There are people who write expressing their opinion We must look at the principle We might decide it should go on. But we must look at it

SW: You could say you support Richard Sambrook's intention to look at this again

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RR: I am very vexed about this so want it to be clear that Governors themselves want to look at it.

GDa: Think we should say we will look at this again following study that will be carried out by Director of News

GDa: I am minded to put in a statement that we not questioning the integrity of the Prime Minister.

RD We never have

ENDS

Notes

Translation carried out on 23/7/03.

Question marks in square brackets mean I can't read shorthand, but this looks like what it says

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