

CONFIDENTIAL

comment that the Guidelines on anonymity did not appear to apply in this case. He said it was very difficult to have a guideline that applied to off-the-record sources as the key judgement in deciding whether to use them was consideration of the context of the information they were providing. Greg Dyke added that in this case, it was already public that the Government had wrongly presented evidence as official intelligence when it was in fact material retrieved from the internet (known as the "dodgy dossier").

Governors responded that this line of defence was not convincing. The context in this case created an obligation on the BBC to report, but was not the justification for it. The key argument was the judgement of senior editorial staff that the source was credible and on that basis the Board was content that management had acted appropriately.

Mark Damazer said that in judging the credibility of a source, the following factors were considered

- their relationship to the journalist, ie how well known they were
- whether information provided previously had been proven to be correct
- the plausibility of the information they were providing.

In this case, the source met all these criteria and therefore the context of the "dodgy dossier" only added weight to the decision to use the information.

Concluding this part of the discussion, Gavyn Davies said the Board was content that the BBC had acted appropriately in reporting the information provided by a single source

b Contacts with the Government

Stephen Whittle said achieving clarity on the contacts between the *Today* team and Government departments on this occasion was difficult because a full note had not been kept. He ran through the sequence of contacts established from his inquiries. In addition to the information already provided by Richard Sambrook about requests for an interview with Adam Ingram, he reported that Andrew Gilligan spoke to a MOD press officer (mobile-to-mobile) at around 6.30pm to inform them that the interview would be extended to include WMD. The MOD's account of this contact was different, claiming that Andrew Gilligan mentioned only the cluster bomb story and only upon being asked said there was another issue but this was not a matter for the MOD. Andrew Gilligan agrees he said something to indicate that the WMD issue was not principally a MOD story, but claims that he only spoke about WMD during the conversation and not cluster bombs. It was possible that he might have said something like "we've asked for an interview on cluster bombs, but we also want to talk about WMD"

Stephen Whittle said it was unlikely that Andrew Gilligan would have discussed the cluster bomb story beyond a passing reference as it was not something he was working on and therefore something he knew nothing about it

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