

**Select Committee on Foreign Affairs Written Evidence****Memorandum from the BBC****Letter from the Director of BBC News to the Chairman of the Committee, 1 July 2003**

1. I write to clarify some points that arose from Mr Campbell's testimony (Wednesday 25 June) and the subsequent exchange of letters and statements involving Mr Campbell, a number of government ministers and the BBC. Although these exchanges have received a great deal of media coverage I believe it right that the Committee should hear from the BBC itself.

2. Firstly I would like to remind the Committee of the BBC's role. Our task is to report the news. The BBC does not have collective editorial opinions. What is at issue here is the difference of opinion between the government's views and the content of a single BBC report, authored by a single BBC journalist based on information from a valuable and accurate source.

3. Mr Campbell and government ministers are accusing the BBC, in the strongest terms, of a string of journalistic misdemeanours, including lying to the British public. I wish to set out in two sections the BBC's response to the charges made.

(a) First—why did the BBC choose to run Andrew Gilligan's story on 29 May?

(b) Second—why did it not retract the story (or apologise) when Mr Campbell and government ministers denied the various allegations made by Andrew Gilligan's source?

4. Mr Campbell—and other ministers—have in recent days asserted that transmission of this story was in breach of the BBC's guidelines. This is untrue. The Guidelines are available on the BBC's website (<http://sites.gateway.bbc.co.uk/publicpolicy/prodGuidelines/index.html>). I quote from them below:

"Programmes should be reluctant to rely on only one source". (Page 44)

"The authority of programmes can be undermined by the use of anonymous contributors whose status the audience cannot judge. But there are times when anonymity is appropriate, for example:

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- for reasons of safety;
- to avoid undue embarrassment; and
- for legal reasons.

"Anonymity should not normally be granted to anyone trying to evade the law in the United Kingdom". (Page 56)

5. The committee should be assured that before transmission of the story there was proper consideration of the difficulty of proceeding with one off the record source. The BBC abided by its proper process of editorial referral. Of course we would have preferred the source to have gone on the record—but that simply was not possible in this instance.

THE DECISION TO RUN THE STORY ON 29 MAY

6. Mr Campbell continues to assert that the BBC should not have run the story. He does so in vivid terms.

"If the BBC is now saying its journalism is based on the principle they can report what any source says, then BBC standards are now debased beyond belief. . . It means the BBC can broadcast anything and take responsibility for nothing".

(Alastair Campbell statement Friday 27 June 2003)

7. This completely misrepresents the position. At the risk of repeating some aspects of Mr Gilligan's testimony of Wednesday 19 June, I should like to point out why the BBC's decision to run the story conforms to our standards and practices.

(a) The source had been used before by Mr Gilligan and his information had proved to be accurate.

(b) The source occupied a post that gave him a significant locus in the compilation of the September dossier.

(c) Before transmission on 29 May Mr Gilligan knew certain things about the September dossier that increased still further the credibility of the source and his information.

(i) Mr Gilligan knew that by April 2002 the government had decided to "delay" publication of any dossier—at least in part because at that stage it did not contain strong new ingredients. Clearly this decision was reversed later in 2002—which seemed to suggest that the source was right when he said the 45 minute WMD claim had arrived late in the day and had been seized on as a matter of importance.

(ii) Further, after the flurry of reports in the aftermath of the dossier's publication ministers virtually stopped referring to the 45 minute claim—which hardly indicated much confidence in the claim's underlying strength. That fitted with the source's view that this particular piece of evidence about the WMD programme was not held in

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high regard by many in the intelligence community.

(d) No evidence had been found by 29 May 2003 to substantiate the claims made on WMD in the September dossier (and that remains the case).

(e) The story told to Mr Gilligan by the source was also highly plausible because of the general background of concern about the way intelligence had been gathered and used to support the case for war against Iraq. I will list these concerns, all of which were in the public domain before 29 May, and which were factors known by Mr Gilligan and the editor of "Today."

(i) The February Dossier (the so-called "Dodgy Dossier") had been undermined by the revelation that its contents had, in part, derived from a PhD student in California—with no attribution. This revelation was made by a Cambridge academic—it did not come from a government correction.

(ii) In early March 2003 the Director General of the IAEA, Dr. Mohammed El Baradei, described as "not authentic" the documents on which an important claim in the September dossier (the importation of "yellow" cake from Niger) was based. And he cast doubts on other aspects of the September dossier's claims about a nuclear weapons programme.

(iii) In a BBC television documentary (The Road to War—tx April 2003) Hans Blix had indicated his palpable unease about the intelligence being used to mount a case for war against Iraq.

(iv) Concern had been expressed by the intelligence services to Andrew Gilligan and other journalists about the government's attempts to make a link—even if a tentative one—between Iraq and al-Qaeda. Mr Gilligan's intelligence contacts believed these claims to be untrue and unsupported by evidence. They leaked him a Top Secret assessment from the Defence Intelligence Staff saying: "While there have been contacts between Al Qaeda and the regime in the past, it is assessed that any fledgling relationship foundered due to mistrust and incompatible ideology."

(v) Andrew Gilligan and other BBC journalists had previously spoken (off the record) to intelligence sources. They had indicated significant disquiet about the way intelligence had been used to shape and justify policy.

(vi) Further there had been a variety of newspaper articles that had separately indicated anxiety in the intelligence community. It is important to stress that these articles were not of themselves the trigger for the decision to transmit the Gilligan story. The factors listed above were more important. But these articles did form part of the background.

— Peter Beaumont and Gaby Hinsliff wrote (Observer 24 February 2003) of disagreement between the intelligence services and Downing Street—"the essence of the disagreement is said to have been that intelligence material should be presented 'straight' rather than spiced up to make a political argument." Their article also talks about "fairly serious rows" between at least one member of the JIC and Alastair Campbell.

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— Raymond Whittaker (Independent on Sunday 27 April) wrote of "a high level UK source" saying that "intelligence agencies on both sides of the Atlantic were furious that briefings they gave political leaders were distorted". He went on to write: "You cannot just cherry-pick evidence that suits your case and ignore the rest. It is a cardinal rule of intelligence," said one aggrieved officer. "Yet that is what the PM is doing." Another said: "What we have is a few strands of highly circumstantial evidence, and to justify an attack on Iraq it is being presented as a cast-iron case. That really is not good enough."

It should now be clear that the source was credible and there was ample context to justify publication.

WHY DID THE BBC NOT RETRACT THE STORY?

8. We published what the source had alleged and, of course, the denials that followed.

9. It is worth noting that when Mr Campbell said in his evidence to the committee that "the denial was made within an hour of the lie being told on the radio", this is not the case. At about 07.15, a Downing Street spokesman called the programme to insist that "not one word in the dossier was not from intelligence sources . . ." In fact Mr Gilligan's source never alleged that the material was not from intelligent sources. The programme made a note of the Downing Street statement—and later broadcast it. However, when asked questions about when the 45 minute claim was first in the dossier and about Downing Street's role in drafting the dossier, we were told: "We will not discuss processology." In other words, their response to questions about how the claim got into the dossier, was—in effect—no comment.

10. The source was rapidly proved right on one matter of importance—the fact that the 45 minute WMD claim, contained within the dossier, had emanated from a single, uncorroborated source. That emerged on "Today" shortly after 8.00 am on the day the Gilligan report was transmitted in an exchange between John Humphrys and the defence minister, Adam Ingram.

11. The source has subsequently been substantiated on another issue—the late arrival of the 45 minute WMD claim. Your committee heard from Peter Ricketts and Jack Straw that the 45 minute claim was not included in a draft until early September.

12. Without disclosing anything further about the identity of the source, it must therefore be clear to any observer of these events that the source was indeed someone with accurate inside knowledge. As we have indicated, the source is a credible figure, who has been right on certain crucial points. As yet, there is no proof that the source was wrong about anything.

13. What the BBC has a duty to do is to report faithfully government

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denials and to give them sufficient prominence so that the public could make up its own mind. It would be improper for the BBC to disown its source on the allegations made without proof that the source was wrong. It would be very poor journalistic ethics to do so. It would discourage other potential contributors on other stories. It would undermine faith in the BBC's resilience and independence if it retracted a story on the basis of official denials—without any other evidence. As things stand there is no proof the source was wrong—only official denials.

14. It is not, of course, the BBC's experience that all denials from government ministers and press officers are without foundation. But equally governments of all persuasions have been known to issue denials that have subsequently needed considerable modification. In recent years the government and/or Downing Street has had to change its story on matters such as the resignation of Martin Sixsmith, the advice given by Peter Foster to Cherie Blair, the Britishness or otherwise of LNM—the company owned by Mr Lakshmi Mittal, the nature of a phone call between the then Italian Prime Minister (Romano Prodi) and Mr Blair involving discussion about Rupert Murdoch's business interests. Of course the BBC well understands these changes to official statements have sometimes been made only after new information have been obtained and I stress again that these examples do not prove that the government's denials were false. But they help explain why we have no grounds to report that our source was wrong—and we already know that the source was right on—at least—some of the matters reported by Andrew Gilligan.

15. I hope the committee will be able to understand better the BBC's position on these two fundamental points—the decision to publish the story and the decision that no retraction is appropriate.

16. Let me conclude by saying that if your committee unanimously decides, on the basis of concrete evidence, that any part of story was wrong we will correct it and report publicly any allegations made by the source which were wrong.

Richard Sambrook

Director of BBC News

1 July 2003

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