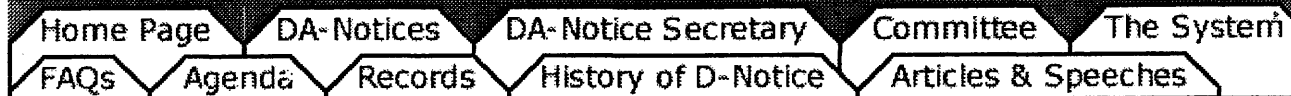


# DA-NOTICES



## RECORDS OF PAST DPBAC MEETINGS

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Last Updated : 12th June 200

### RECORD OF MEETING HELD 5 DEC 2000

#### **1. Present:**

Mr K R Tebbit, Chairman  
Sir David Omand  
Mr R T Jackling  
Mr S L Wright

Mr R Hutchinson, Vice-Chairman  
Mr J D Bishop  
Mr R Esser  
Mr J Grun  
Mr P Harding  
Mr J McLellan  
Mr P Pilton  
Mr R G Tait  
Mr W Wilson

Rear Admiral N J Wilkinson  
Captain N R Hodgson

- Secretary  
- Deputy Secretary

#### **2. Apologies:**

- Mr S Anderson,
- Mr G Brock,
- Mr T S Cole,
- Mr A Goode

#### **3. Welcome:**

- John McLellan (SDNS),
- Stephen Wright (FCO)

- Captain Norman Hodgson.

#### **4. Matters Arising:**

- **a).** MOD reported a combination of better arrangements for confidential briefing of the media in London and in theatre about operations, and of Special Forces themselves introducing measures in theatre not to draw attention to their identity. This had worked well latterly in Sierra Leone, and MOD was grateful for the voluntary restraint which the media had shown before the British troops were freed.
- **b).** No further progress as yet with the Publishers' Association on DPBAC membership.
- **c).** The SF Confidentiality Agreement case had come to court in New Zealand in late October. [Secretary's Note: On 6th Dec the New Zealand Judge ruled against the MOD. The question of an appeal is under consideration.]

#### **5. Secretary's Report:**

- **a).** All follow-up actions to promulgate and publicise the revised DA-Notices had been completed.
- **b).** Examples of regular advice to Newspapers, including that whistleblowing, etc was not a concern of the DA-Notice system, but that details endangering personnel or operations should be avoided, and that where secret reports have been improperly placed on the Internet, the complete text and web address should not be published, as a damage limitation measure. Examples of inadvertent publication by newspapers of matters covered by DA-Notices and of follow-up by the Secretary to Editors.
- **c).** The greater openness about the DPBAC had also been widely welcomed.
- **d).** The new website had been a particular success, with many compliments that it was informative, well designed and easy to use. In its first six months it had been visited over 2,200 times, with over 57,000 hits, from 28 countries, principally the UK and USA.
- **e).** Particular efforts had been made by the Secretary to correct any inaccurate information about the DA-Notice system in the media, and he had also increased the dialogue with journalists and writers in the National Security field, to achieve better mutual understanding and trust.
- **f).** The Secretary had participated in a Society of Editors conference in Cardiff, and a Freedom Forum seminar in London, with the aim of spreading information about the revised DA-Notices and the system.
- **g).** The Secretary had briefed 6 new editors, about 20 journalists and academics, and about 20 officials, on the system.
- **h).** The Secretary had written to the Special Rapporteur of the UN High Commission on Human Rights about inaccuracies in his comments on the DA-Notice system in

the most recent report on the UK's Human Rights performance. The Rapporteur had undertaken to consult the Secretary before the next Report.

#### **6. Newspapers/Magazines:**

- **a).** The Secretary reported two cases in which he had issued blanket advice to editors, namely after the rocket attack on Vauxhall Cross (concerning photographs/film of the occupants) and before the freeing of soldiers in Sierra Leone (concerning SF operations). The media response had been positive.
- **b).** The Secretary said that he had provided specific advice to 22 newspapers and magazines during the period. He gave examples of where his advice had been accepted (an SF operational technique in Sierra Leone, methods of resettling blown Security Service agents, and withholding identity details of certain FRU personnel), examples of where he had declined to intervene (a lost lap-top, and a specialist weapon performance article), and examples of where legal processes might have been avoided had the media and officials used the DA-Notice system.

#### **7. TV/Radio:**

- The Secretary reported three minor contacts, one to correct an inaccuracy about an alleged DA-Notice involvement, one where advice had been accepted on a detail concerning agent-running, and one where information had been requested for accuracy.

#### **8. Internet:**

- The Secretary said that he had issued copies of the revised DA-Notices to the major ISPs operating in UK, but that otherwise further dialogue would not progress until the ISPs' more immediate concerns (eg cybercrime, copyright, libel) had been resolved elsewhere.

#### **9. Books:**

- Seven books had been reviewed. In response to the Secretary's advice, four words revealing current surveillance techniques had been removed by the author from one book, a bomb-making diagram from another, and one sentence concerning a Security Service operational technique from another. No deletions had been advised on the other four.

#### **10. Aerial Photography:**

- The Secretary reported that all sensitive sites in Great Britain would have been removed from the list by Easter 2001, and that a review of sites in Northern Ireland was now under way.

#### **11. Parliamentary Questions:**

- There had been two in the period, one concerning the number of protected addresses, and one concerning the number of DA-Notices issued since May 1997 (the answer gave the opportunity to remind that there are just five standing Notices)

#### **12. Implications of New Legislation for Reporting on National Security Matters:**

- The Committee discussed the potential difficulty which the media might face if the interpretation of National Security in various new Acts differed from the concept in the revised DA-Notices and the General Introduction, which is now widely understood. It was agreed that any problems would occur at the margins between the level of grave danger to the State and/or individuals covered by the DA-Notices and lower level matters. While the Courts would continue to be the ultimate arbiters in each case when necessary, use of the DA-Notice should enable any problems to be minimised. To aid the common understanding of what constituted National Security, the attention of officials would be drawn to the guidance in the DA-Notices in the context of implementing the new legislation.

### **13. DPBAC Photograph:**

- It was agreed that a photograph would be taken at the next meeting of the DPBAC around the table, for use on the website.

### **14. Next Meeting:**

- The Secretary was asked to find a date in May 2001 convenient to as many members as possible.

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