

DEFENCE, PRESS AND BROADCASTING ADVISORY COMMITTEE

**MINUTES OF A MEETING HELD IN THE MINISTRY OF DEFENCE
AT 6PM ON MONDAY 7 NOVEMBER 2005**

The following were present:

Mr I Andrews (Acting-Chairman)	Mr R Hutchinson, Vice-Chairman
Mr W Jeffrey	Mr S Bucks
Mr D Richmond	Mr R Esser
Ms Helen Bayne (representing Sir John Gieve)	Mr S Irwin
	Mr J Grun
	Mr W Newman
	Mr S Whittle

Air Vice-Marshal A Vallance	- Secretary
Air Commodore D Adams	- Deputy Secretary

1. Apologies: Sir Kevin Tebbit, Sir John Gieve, Mr J Bishop, Mr E Curran, Mr C Jones. Mr J Battle, Mr I Martin, Ms D Summers
2. The Chairman welcomed Mr Simon Irwin (Editorial Director Kent Messenger Group representing the Newspaper Society) to his first meeting.

Agenda Item 1 – Minutes of a Meeting held on 11 May 2005.

3. There were no amendments to the minutes of the previous meeting which were approved by the Committee as an accurate record.

Agenda Item 2 – Matters Arising from Previous Meeting

4. Annual Reception. At the Chairman's invitation, the Secretary briefed the Committee on the outcome of the DPBAC Reception held in Admiralty House on 3 November. The Committee considered that the Reception had been a marked success. The Vice-Chairman applauded in particular the increased attendance by younger defence journalists. The Committee approved the Reception format and venue for future events. They agreed that a reception along similar lines should be held in November 2006 and tasked the Secretary to invite media staff from other Government departments involved with defence and security to attend.

ACTION: SECRETARY

5. Implications of the Freedom of Information Acts. The Secretary reported that he had placed - as directed – the following statement on the ‘D-Notice’ website:

‘Although not subject to the Freedom of Information Act 2000 or the Freedom of Information (Scotland) Act of 2002, the DPBAC is committed to practising a policy of maximum disclosure of its activities consistent with the effective conduct of its business and the need to ensure that it honours any assurance of confidentiality given to the individuals and organisations with which it deals.’

Only one request for information under FOIA had been received during the preceding 6 months. The correspondent was informed about the DPBAC’s FOI policy, and was offered the opportunity to define more exactly his information requirements. In line with Committee policy, the Secretary had undertaken to meet these requirements, providing they did not compromise the DPBAC’s obligations of confidentiality to individuals and organisations.

Agenda Item 3 – Secretary’s Report

6. Day-to-Day Business. At the invitation of the Chairman, the Secretary reported a major increase in the rate of day-to-day business during the period July to November 2005. Media interest was focussed predominantly on 6 areas of defence and security: Special Forces (SF), the London bombings and their aftermath, operational developments in Iraq, media reporting of disciplinary issues in the armed forces, preparations for greater UK armed forces involvement in Afghanistan and internet publication of the identities of SIS/MI6 officers.

a. SF. Media interest in SF continued at a high level and was enlivened by the formation of the Special Reconnaissance Regiment (SRR) and the widespread participation of SF in current operations. No issues arose of special concern to the DPBAC.

b. The London Bombings. The London bombings and the respective roles played in their aftermath by the SF, Secret Intelligence Service (SIS) and Security Service had generated much media interest. Events had made clear the need for improved mechanisms to provide the media with authoritative national security advice in emergencies of this type. Developing formal links between the Secretary and COBRA, the News Coordination Centre (NCC) and the MEF (Media Emergency Forum) had been considered. However, only that with the MEF seemed to offer an improvement without risking the compromise of DPBAC independence. Several members of the DPBAC had already participated in MEFs. Cabinet Office officials had agreed that Sec/DPBAC and his deputy should participate in the next MEF and perhaps give a briefing on the DA Notice system. During the subsequent discussion, Committee members agreed that participation in MEFs would be useful, and they supported the suggestion that the Secretary should offer to give a briefing on the DA-Notice system.

Nevertheless, they considered further measures were needed to ensure appropriate support to the media in future civil emergencies concerned with national defence and security. It was important to develop and sustain effective information conduits with key officials and the Secretary was asked to continue his work in this area and to determine what form DPBAC media support might take in what inevitably would be difficult conditions.

ACTION: SECRETARY

c. Iraq – Roadside Ambushes and Electronic Warfare. The use by Iraqi insurgents of electronically triggered bombs or projectiles to ambush UK forces had attracted much media interest. Advisory letters had been sent by the Secretary to editors on 3 September 2004 and 22 August 2005 advising them of the need to consult the Secretary before publishing or broadcasting detailed information on ambush techniques or the counter-measures British forces might use to protect themselves against such threats. The advice had in general been followed, although certain articles had been published without the necessary consultation, which placed British servicemen and servicewomen at greater risk. The Secretary had written to the editors concerned, and had been assured that consultation would take place in the future. During the subsequent discussion, the Chairman stressed the very great sensitivity of this issue and the dangers that would be created by placing too much detailed tactical and technical information in the public domain. The Committee gave this work their full support.

d. Armed Forces Disciplinary Aspects. The reporting of disciplinary proceedings related to operations in Iraq, and that concerning the loss of 2 individual weapons in the UK, had led to calls from individuals within the armed forces to prevent – on security grounds – the reporting of information about the individuals involved. In the Secretary's view, DA Notice action was not appropriate in any of these cases. None of them directly involved current operations; the areas of concern were those of embarrassment rather than personal or national security; and the names and affiliations of each of the individuals involved were already in the public domain. The requests indicated that the DA Notice System was not well understood within the armed forces, and that action should be taken to remedy this. During the subsequent discussion, the Committee asked the Secretary to develop a briefing programme with appropriate training and operational establishments and staffs. As a personal action, the Chairman in his capacity of 2nd PUS MOD undertook to investigate how to inject information on the DA Notice system into Staff College syllabuses.

ACTION: MR ANDREWS
SECRETARY

e. Afghanistan. During the preceding 6 months there had been frequent media speculation on the impending increase in the UK's contribution to international peace support operations in Afghanistan. The Secretary reported that he had established a productive *modus*

vivendi with the reporters principally involved, and that reporting to date had followed the DPBAC guidelines.

f. Publication of SIS Identities. In September, a known website published what it claimed to be a list of names of SIS officers, and added further names to this list in subsequent months. The UK media, while carrying the basic story, followed the advice offered and were scrupulous in not publishing any of the names listed or the site address. The story attracted very little attention from the World Press. The incident highlighted once again the challenges to the DA Notice system presented by the internet.

g. Books. Two books had been submitted for review by the DPBAC Secretary, and two more were expected shortly.

h. New Website. The Secretary reported that the new D-Notice website was fully functioning. It had retained the previous '.org.uk' address, complied fully with the Disabilities Discrimination Act (DDA) of 1998 and was expected to meet regulatory requirements for the foreseeable future. The site would henceforth be maintained by the Secretariat without further external technical assistance.

i. FOIA. The Secretary reported that he had continued to work with the Deputy Information Commissioner to embed DA Notice principles into the FOIA casework development. Little progress has been made, mainly because of the volume of 'bedding in' work concerning the operation of the Acts with which the Information Commissioner and his staff were faced. Early significant developments were not to be expected, but the Secretary undertook to continue to work with the Deputy Information Commissioner as previously directed.

ACTION: SECRETARY

Agenda Item 4 – Discussion on Special Forces Public Information Policy

7. The Vice-Chairman set out the media's side's continuing concerns with the implementation of the public information policy for Special Forces (SF). They had particular concerns about the nature of the legal action being taken by the MOD in connection with the BBC's 'SAS Survival Secrets' TV series. While noting the MOD's position that this was a dispute centred on matters of contract and confidentiality between an employer and former employees, the Vice-Chairman pointed out that the fact that pre-trial hearings were being conducted *in camera* suggested that national security considerations were involved and that the case was indeed the proper concern of the Committee. He recognised that resolution of this issue would not be possible before the court case had been completed, and that that was unlikely to happen for several months. However, he reserved the right of the media side to return to the issue at that time. The Vice-Chairman also raised the media side's concerns about the lack of clarity in the operation of the policy. Some MOD spokespersons had repeated the now superseded policy that the MOD did not

comment on SF issues; there had also been widespread confusion whether SF had been involved in the Basra incident on 19 September. The Vice-Chairman went on to say that the relationship of the MOD with the media on SF issues could benefit from examining other delicate media/official relationships, and he cited as an example the police/media policy on reporting kidnap incidents. He concluded by saying that the SF PI policy was muddled and that this was reducing the effectiveness of the DA Notice system and eroding the influence of the Committee with the media. Progress had to be made on this issue to maintain the system's credibility.

8. In his capacity as MOD 2nd PUS, Mr Andrews said that the way in which information about the formation of the Special Reconnaissance Regiment had been handled was evidence of a more mature approach to dialogue over SF matters when sensitive operational issues were not involved. But it had been disappointing that the personal engagement of journalists working in this field with the MOD press office had reached a plateau. A number had benefited from making use of the arrangement but others did not. There was a particular problem with regional media and non-defence specialists and he hoped that they and others could be encouraged to use it.

9. The safety of UK servicemen and servicewomen and their civilian colleagues must always be the MOD's prime concern, and whatever information was released on SF, or any other, operations would inevitably be shaped by this factor. In the Basra incident, the priority had been to ensure that the local commander had sufficient space in which to take the measures he judged necessary without providing a running commentary on the situation. The MOD had in any case been concerned that speculation about the involvement (or otherwise) of SF might have had an adverse impact on the situation on the ground. When the picture had been clarified, more information and greater access to those involved had been provided. Mr Andrews regretted if certain officials were apparently still not aware that two Chief Press Officers were on call 24/7 to provide guidance on SF issues. He undertook to make fresh efforts to ensure that this was fully understood within the department.

10. It was agreed that further work was still needed to resolve the differences between the media side and the official side on this issue. The Committee would continue to track closely developments and return to the issue at future meetings.

ACTION: SECRETARY

Agenda Item 5 – Any Other Business

11. Mr Bill Jeffrey, the Chairman (designate), stressed his belief in the importance of the Committee and its work. In taking over as Chairman, he would seek the advice of Committee members about how the Committee might develop in the future. No other items or issues were raised by Committee members under Any Other Business. The Chairman concluded the meeting by thanking Stephen Whittle for his four and a half year's service on the Committee, and (in absentia) Mark Douglas-Home, Jonathan Munro,

Sir John Gieve, and the outgoing Chairman - Sir Kevin Tebbit - for their respective contributions.

Next Meeting

12. The Chairman tasked the Secretary to arrange the next meeting in May 2006.

ACTION: SECRETARY

{original signed}

21 November 2005

Secretary

Distribution

All Committee Members