

THE DEFENCE PRESS AND BROADCASTING ADVISORY COMMITTEE

**MINUTES OF A MEETING HELD IN THE MINISTRY OF DEFENCE
AT 6PM ON TUESDAY 12 MAY 2009**

The following were present:

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| Sir Bill Jeffrey, Chairman | Mr S Bucks, Vice-Chairman |
| Ursula Brennan | Mr J Battle |
| Mr R Hannigan | Mr P Barron |
| Mr J Fleming (representing Sir David Normington) | (representing Mr D-J Collins) |
| Mrs M Leslie | Mr H Carnegy |
| | Mr E Curran |
| | Mr R Esser |
| | Mr J Green |
| | Mr J Grun |
| | Mr P Horrocks |
| | Mr M Jermey |
| | Mr D Jordan |
| | Mr J MacManus |
| | Mr J McLellan |
| | Mr R Satchwell |
| | Mr J Shephard |

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

1. Apologies: Sir David Normington; Mr D-J Collins; Mr S Juden
2. The Chairman opened the meeting by welcoming the appointment to the DPBAC of Mr Jonathan Shephard, Chief Executive of the Periodical Publishers Association and Mr Paul Horrocks, Editor of the Manchester Evening News.

Agenda Item 1 – Minutes of the Meeting held on 18 November 2008

3. There were no amendments to the minutes of the meeting held on 18 November 2008, which were approved by the Committee as an accurate record.

Agenda Item 2 – Matters Arising from the Previous Meeting

4. Para 10. Special Forces' Public Information Policy. This was to be covered under Item 6 of the Agenda.
5. Para 11: Briefing on Future Internet Capabilities. This was to be covered under Item 7 of the Agenda.

6. Para 12: Public Domain Information Availability. This was to be covered under Item 4 of the Agenda.

7. Para 16b: The Posting of DPBAC Minutes on the DA-Notice Website. This was to be covered under Item 8 of the Agenda.

Agenda Item 3 – Secretary’s Report

8. Day-to-Day Business. The Secretary reported that he had received 156 requests for DA Notice advice since the last DPBAC Meeting. The average of 6.6 per week was significantly greater than recent reporting periods; it was also 50% greater than when the present secretary took over at the end of 2004. He had sent out 5 general letters of advice to editors, three relating to DA Notice No 5 and two to DA Notice No 1. He had also written to the Editor of a prominent national newspaper about a breach of the DA Notice code. In addition he had written to the Editors of *The Times*, *The Daily Telegraph* and *The Financial Times* correcting the statements made in those newspapers that the MOD had issued the ‘Bob Quick’ affair ‘D Notice’; that to the FT had been published. Requests for DA Notice advice during the period had been focussed on 5 principal areas of defence and security: UK military operations in Iraq and Afghanistan; the Intelligence Agencies; lost classified documents and lap tops; the Special Forces (SF); and defence equipment. During the period the Secretary also provided DA Notice advice on 6 books. He had continued his programme of lectures and workshops within the media and the Armed Forces and at University schools of journalism.

9. Committee Discussion. The Chairman and Vice-Chairman thanked the Secretary for his comprehensive report covering on another busy period.

Agenda Item 4 – Public Domain Information Availability

10. The Secretary updated the Committee on the latest developments in the efforts to clarify the DPBAC’s understanding of the term ‘information already widely available in the public domain’. A draft of the paper before the Committee had been circulated and no changes had been proposed. The paper recognised that rapid developments in worldwide information collection, storage and dissemination, particularly those related to the internet, have brought about major changes in the public availability and accessibility of all types of information. This was of key importance in the operation of the DA Notice System when potentially sensitive national security information was involved. Following a discussion, the Committee accepted the paper and agreed that DA Notice advice should take into account prior publication or broadcast by major newspapers, broadcast networks and high-profile magazines, prior distribution by internationally networked news, picture and television agencies, and prominence on major internet search engines or widely-used webcast channels. The Committee agreed that a letter

explaining this should be sent to all editors and posted on the “dnotice” website.

ACTION: The Secretary

Agenda Item 5 – DPBAC Evidence to the ISC

11. The Chairman gave an outline account of the appearance of himself, the Vice-Chairman and the Secretary before the Parliamentary Intelligence and Security Committee (ISC). The Chairman felt that the ISC accepted that the principle that DA Notice system was voluntary and advisory and, as such, would never be perfect. There had been very few failures and he had encouraged the ISC to look at the system’s many successes. However, it was clear that in counter-terrorist operations the lines between purely police involvement and that of the intelligence agencies was becoming increasingly blurred. All concerned needed to be aware of that and the important role the Secretary could play in avoiding the inadvertent release of sensitive national security information. In discussion, the Vice-Chairman and others stressed the underlying importance of the voluntary system; any move towards legislation would be entirely counter-productive and would spell the end of the DPBAC. The Chairman assured the meeting that there was no intention of resorting to legislation.

Agenda Item 6 – Special Forces Public Information Policy (SFPIP)

12. Mr Charlie Morton of the MOD Defence Press Office briefed the Committee on recent implementation of the SF Public Information Policy. He said that the policy of selected release seemed to be well understood by defence and security correspondents. He thanked the Secretary for his timely intervention in a number of cases but stressed the importance of the Press Office using recourse to the DA Notice system sparingly and appropriately. The lack of bridges between the SF and the media hindered the development of a sound working relationship and was a continuing concern. In discussion, the Vice-Chairman reaffirmed the importance of establishing a good relationship. SF engagement with the media would be very helpful and lead to a better understanding all round. The Chairman accepted this. Ursula Brennan agreed to take forward the planning of another meeting between DSF and members of the Committee as soon as possible.

ACTION: Ursula Brennan

Agenda Item 7 – Briefing on Future Internet Capabilities by Mr Peter Barron of Google

13. Mr Peter Barron gave a short presentation on internet capabilities. The internet had evolved during the past 15 years from a means for information and communication to include commerce and now as a “community” with sites such as Facebook and YouTube. He explained how searching had developed from just web pages to include a full range of sources including books and images. Machine translation was also opening up a significant

new range of web pages. In answer to a question about editorial control, Mr Barron explained that Google searches were a means of accessing third party information. Whilst Google recognised the legal framework in countries where it operated, it only exerted editorial control in exceptional circumstances.

Agenda Item 8 – The Posting of Previous DPBAC Minutes on the DA-Notice Website

14. The Secretary briefed the meeting that the minutes for the previous 6 Committee meetings had been published on the 'dnotice' website. Minutes of meetings previous to these could also be made available on request. After some discussion it was agreed that the Secretary should investigate the possibility of making a wider range of minutes available on the website.

ACTION: The Secretary

Agenda Item 8 – Any Other Business

15. No additional business was raised.

Closing Remarks

16. The Chairman recorded the Committee's thanks to Simon Irwin, Editorial Director of the Kent Messenger who had left his post on the Committee after serving 3½ years.

Next Meeting

17. The next DPBAC meeting was planned to be held at 1800 on Wednesday 18 November 2009.

Annual Reception

18. The Annual Reception was planned to be held on Thursday 26 November 2009.

Secretary

14 May 2009

Distribution

All Committee Members
The 'dnotice' Website