

THE DEFENCE PRESS AND BROADCASTING ADVISORY COMMITTEE

**AMENDED MINUTES OF A MEETING HELD IN THE MINISTRY OF
DEFENCE
AT 6PM ON THURSDAY 6 NOVEMBER 2014**

The following were present:

Mr Paddy McGuinness Acting Chairman
(Cabinet Office)
Mr Laurie Bristow (FCO)

Mr Simon Bucks, Vice-Chairman
Mr John Battle
Mr James Green
Mr Paul Johnson
Mr David Jordan
Ursula Mackenzie
Mr Geoff Martin
Mr Owen Meredith
(representing Mr Barry
McIlheney)
Mr Bob Satchwell
Mr Richard Walker

Air Vice-Marshal Andrew Vallance
Air Commodore David Adams
Brigadier Geoffrey Dodds

Secretary
First Deputy Secretary
Second Deputy Secretary

In attendance: Mr Peter Wright
Mr Martin Fuller

1. Apologies had been received from Mr Jon Thompson (Chairman), Mr Peter Watkins, Mr Mark Sedwill, Mr Charles Garside, Mr Jonathan Grun, Mr David Higginson, Mr Michael Jermy, Mr James MacManus and Mr Barry McIlheney (represented by Mr Owen Meredith).
2. The acting Chairman opened the meeting by welcoming Mr Peter Wright and Mr Martin Fuller from the DPBAC and DA Notice Review Team and Lyndsey Chiswick from the Home Office, who were attending the meeting as observers.

Agenda Item 1 – Minutes of the Meeting held on 8 May 2014

3. There were no amendments to the minutes of the meeting held on 8 May 2014, which were approved by the Committee as an accurate record.

Agenda Item 2 – Matters Arising from the Previous Meeting

4. There were 3 matters arising from the May 2014 meeting:

- . Para 14: The Review of the DPBAC and DA Notice System: The Vice Chairman offered to submit names for the Review Team. Action completed.
- a. Para 15: The Review of the DPBAC and DA Notice System: The acting Chairman said that he would reflect fully the views of the Media on the Review to the Chairman. Action completed.
- b. Para 16: The Acting Chairman agreed to press DSF for more engagement with the media through the DPBAC. Ongoing.

Agenda Item 3 – Secretary’s Report

5. Day-to-Day Business. During the last 6-month period the Secretariat had received some 109 enquiries and requests for DA Notice advice, averaging about 4 per week, slightly lower than for the previous reporting period.
6. DA Notice ‘Advisory’ Letters to All Editors. The Secretariat issued three so-called ‘Advisories’ during this reporting period.
7. Main Areas of Enquiry. Requests by the media and officials for DA Notice advice during the period were focussed on three major areas:
 - The National Intelligence Agencies
 - The Special Forces
 - The DA Notice System itself.

The Secretariat also received 5 requests for advice on counter-terrorism and a further 5 on current and recent military operations, as well as 7 individual enquiries on peripheral subjects mostly outside the DA Notice Code.

8. The Intelligence Agencies. There were 19 requests for advice on the intelligence agencies, a sharp drop from the 68 of the previous period. Persuading media outlets not to disclose the identities of lower-ranking intelligence officers had been made more difficult by a growing trend of retirees from these agencies and the Special Forces disclosing their former affiliation, apparently in many cases to promote their second careers. Clearly, this weakened the Secretariat’s case when trying to persuade media outlets not to disclose names, but it was not something over which the Secretariat could have any control. It was a matter of professional discipline which lay in the hands of individual agencies.

9. The DA Notice System. Of the 38 enquiries about the workings of the DA Notice System, many concerned issues not covered by the DA Notice code and about which DA Notice advice was never offered. These included, alleged NVCJD and child abuse cover ups and an allegation apparently made by Caroline Lucas MP that a DA Notice had been used to ‘gag’ the media on reporting on the ‘Occupy Democracy’ protest movement. As always, there was no DA Notice involvement in any of these cases, and the allegations had

strongly and unequivocally refuted. The Review of the DPBAC and DA Notice System also featured in this category of enquiries

10. Paragraph removed. See Secretary's Note below*.

11. Other Areas of Enquiry. Several requests for advice concerned media reporting on the hostages taken by IS/ISIS forces. At present there was no reference to hostage situations in the standing DA Notices, even though hostage situations might involve intelligence operations and perhaps the use of Special Forces. The Secretary took the view that the FCO were in the lead on ISIS hostages and consequently referred to them all of the requests for advice. However, on some issues – e.g. the disclosure of hostage names – the media had not been entirely satisfied with this. The Secretary said he was reporting on this because it was possible that the DPBAC Review Team might recommend that the DA Notices should be re-examined to ensure they include the full range of potential threats and risks to national security that are now present in this much-changed World, and the subject of hostages was one area which might merit re-examination.

12. Promotion of the DA Notice System. During the last 6 months, the Secretary had continued to place a high priority on publicising the DA Notice System. In addition to submitting regular short articles in the SOE monthly briefing, he had also given or attended 6 briefings/seminars and had a further 7 already in the diary for the next period.

13. Finally, the Secretariat advised on only one book during the period: Lord Ashcroft's 'Special Ops Heroes' which was to be launched later this month.

Discussion

14. The Chairman thanked the Secretary for his comprehensive report and asked for comments.

15. Paragraph removed. See Secretary's Note below*.

16. Paragraph removed. See Secretary's Note below*.

17. The FCO representative raised the point made by the Secretary that the Media were not entirely satisfied with the way advice was disseminated on the handling of IS hostages. The Secretary said that the main concern had been that whilst names had been published abroad the FCO was still advising against publication in the UK. Several journalists had queried this with the Secretary, but his only recourse had been to refer them back to the FCO. The FCO representative explained that they always aimed to work proactively with the Media in such situations. This was for two key reasons. First, the safety of the hostages was paramount and it was important to withhold as much information as possible and, second, to protect the families. Even if names had been published abroad there could still be reasons to keep the information out of the UK Media, particularly for the families. It was important for the FCO to control the flow of information to ensure the best chance for the

hostages. However, if it became clear that nothing further was to be gained by withholding names, the FCO would consult with the families and editors.

18. The Vice-Chairman said that advice on hostages was not for the DPBAC unless there were particular aspects concerning national security. The system with the FCO worked, and he was not aware of any particular concerns in the Media. The Media Side was in agreement that it was important to have a proactive approach. There was a good level of self-censorship when there was sensitive personal information involved, but at the end of the day media outlets were in a competitive business, and it was understandable that some might be reluctant to withhold information when it was being published abroad, particularly in the US media which was viewed widely. The FCO representative, by way of example, made the point that the name of a British hostage published in the US was unlikely to provoke much interest, whereas as soon as it was published in the UK the search would be on for further detail and family background which would not be in the best interest of the hostage.

19. In summing up this part of the discussion, the Chairman said that there was a range of things that had to be done in a hostage situation and that some aspects such as intelligence operations and rescue missions clearly concerned national security. Therefore it was important to use the DA Notice Secretary where appropriate. He said there was some work to be done in this area.

Action: FCO and the Secretary

Agenda Item 4 – Review of the DA Notice System

20. The Chairman introduced this item by reading out a note from the Review Team Leader (Professor Anthony Forster). The remit was “*to review the purpose, utility and effectiveness of the Committee and the system, from the perspectives of the government, media and wider public; and to make recommendations*”. The Team was now formulating its report which would be sent to PUS MOD who had sponsored the review. The full text of the note is attached to these minutes.

21. The Chairman then invited Martin Fuller (a member of the Review Team) to speak. Martin Fuller spoke to a note which had been tabled. He said that as the report was yet to be finalised it was difficult to be as forthcoming to the Committee as he would have liked. However, he said that the review had found strong support in principle for the maintenance of a voluntary system that had as its objective the avoidance of inadvertent disclosure of security sensitive information. The full text of the note is attached to these minutes.

22. The Vice-Chairman thanked Martin Fuller for his supportive comments and said the Media Side were grateful for the work done by the Review Team. He made two points. First, there should be an Extraordinary meeting of the DPBAC once the draft report was available and, second, the final report should be made public.

23. The Vice-Chairman then took the opportunity to express concern at the poor representation at the meeting from the Official Side. There were no representatives from either the MOD or the Home Office. There seemed little reason for this given that the dates of the meetings were notified to all DPBAC members at least 6 months in advance. The Chairman said he would talk to both the MOD and the Home Office about their lack of representation.

Action: The Chairman

Agenda Item 5 – Any Other Business

24. There was 2 items of other business. Firstly, the Vice-Chairman raised the article published in the Financial Times by the new Director of GCHQ. The line taken was at some variance with that taken by his predecessor and the Vice Chairman felt that it would be important to engage with the new Director at the earliest opportunity. The Chairman said that he would take this forward.

Action: The Chairman

Secondly, the Vice-Chairman (and the Secretary) had been invited to participate in the GCHQ Communications Capability Review. He presumed that this was because of his DPBAC responsibilities, and he welcomed any inputs from Media-side members.

Action: Media-side Members

Closing Remarks

25. The Chairman said that there were no planned departures from the Committee in the next 6 months.

Next Meeting

26. The next DPBAC meeting was planned for 1800 on Wednesday 13 May 2015. It would be preceded by the Media-side pre-meeting, which would begin as usual at 1700.

* Secretary's Note: Paragraphs 10, 15 and 16 of the original minutes published in November 2014 have been removed. They recorded a discussion at the meeting based on information, which although cited in good faith and believed at the time to be correct, has subsequently proved to be unfounded. In the view of the DPBAC it could have led to conclusions which were incorrect and unfair to the officials involved. The issues of principle raised in the discussion, will be re-addressed at the next meeting of the DPBAC scheduled for May 13th 2015 and be reported fully in the minutes of that meeting.

Andrew Vallance

Andrew Vallance
AVM
Secretary, DPBAC

March 2015

Distribution

All DPBAC Members
The '*dnotice*' Website