

Investigating the 'Empire of Secrecy' — three decades
of reporting on the Secret State

Thesis, submitted in partial fulfilment of the requirements for the
degree of Doctor of Philosophy by prior publication

by

Paul Lashmar

Journalism, Department of Social Sciences,
Media and Communications

Brunel University, London

July 2015

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Acknowledgements

I would like to thank my wife Anna Killick, who performs the role of intellectual sparring partner so adroitly; Julian Petley who has worked with me throughout the gestation of this thesis; Geoff King who took over as my PhD supervisor at a late stage and provided invaluable advice.

Contribution to knowledge

This PhD submission makes a significant and original contribution to the understanding of the relationship between UK intelligence agencies and the news media. Drawing on a unique combination of academic scholarship and high-level investigative journalistic work on this theme, this thesis addresses the hypothesis that:

Since the 1960s the UK news media has sought to bring accountability to the intelligence services but, for deep-rooted structural reasons, journalists have been inconsistent and, more recently, have faced increasing difficulties in fulfilling this role.

In considering this hypothesis I am in the privileged position of being the only UK journalist now within the Academy who has experience of reporting on intelligence in the national news media. In three decades I have authored a large number of published articles, documentaries, books and academic papers on intelligence. I assert that this body of work brings original research, whether authored solely, in partnership or in teams, into the public domain. My published works have often been incorporated by historians into their accounts of the role of intelligence. Furthermore my publications have been available to, and used by, scholars from a wide range of other disciplines including intelligence, surveillance, security, terrorism, political, media and governance studies.

The complexity and opaque nature of the intelligence world, where lying and deception can be routine, has been encapsulated neatly in the phrase 'Wilderness of Mirrors' (Martin 1980). Within the news media the difficulties of investigating this field in-depth are such that the task has fallen to a few highly experienced and trusted journalists, of which I am one. I have had exceptionally good sources in the intelligence community and am recognised as one of the few national news media journalists who has consistently maintained a critical analysis in reporting of the intelligence services (Klaehn 2010, 88; Keeble in Allan and Zelizer 2004, 46). The information I have placed on the public record required investigative skills of a high order and I have maintained a reputation for ethical behaviour, fairness and the veracity of my journalism.

The hypothesis is tested by using original research, primary and secondary sources and reflexive practice. My academic research is located in Journalism Studies, which lies within the Media and Cultural Studies tradition, within this tradition little prior work has been undertaken on the news media's relationship with intelligence. Where it enables understanding I use an interdisciplinary approach, incorporating useful concepts from outside of journalism studies, to avoid what Max Weber called becoming 'a specialist without spirit'. I rely heavily on the Intelligence Studies discipline where there is a discourse and methodologies for testing theory. One long term research objective, of which this thesis is part, is to develop a conceptual framework for intelligence-media relations so they can be better understood.

I submit: one authored book, one co-authored book, one co-authored chapter, one academic chapter, nine co-authored articles, three single author articles and one academic paper.

Attached as Appendix 4 is a timeline that can also be found online at:

<http://www.preceden.com/timelines/177443-int-media>

The primary timeline shows how these seventeen items fall into my career history. Additional timelines locate over a hundred articles, other material and papers on this theme that support the seventeen submitted.

This thesis also constitutes the synoptic document required by Brunel's Senate Regulations 5:63 for the submission of a PhD by publication. For space and coherence reasons, I try to constrain the discussion to the UK experience but occasionally incorporate compelling and relevant examples from other nations.



Signed

date 26 July 2015

Abstract

It has often been argued that journalism has been the most effective means of holding the intelligence services to account in western democracies. This thesis examines whether that proposition holds true in the United Kingdom and if so, whether such oversight has been consistent. Accountability by the news media is compared with the expanding range of UK official oversight mechanisms. The author utilises a body of work from over three decades of reporting on the intelligence services and further research on accountability to examine these questions. The author suggests this work is timely, given the controversy prompted by the former National Security Agency contractor, Edward Snowden, who leaked a substantial archive of secret intelligence documents.

This thesis concludes that the news media were often effective, if not consistent, in bringing intelligence to account in the second half of the 20th century. Since the start of the 21st century monitoring the secret state has become more challenging as a result of a changing economic, global and national political environment. Government legislation and technology makes it increasingly difficult for journalists to obtain confidential sources and then undertake their Fourth Estate role. Finding new methodologies is an urgent task for journalists, as history reveals that if intelligence agencies operate without scrutiny from outside government, abuses take place. Never before has government and its intelligence services had such powers and techniques of invasive mass surveillance available, and thus the potential to control the population and particularly those who dissent.

A. Introduction

i) Context

In this PhD submission I critically analyse the activities of, and relationships and tensions between, the intelligence world and the news media in the UK. Sir David Omand, former director of the UK's signals intelligence agency, the Government Communications Headquarters (GCHQ), has commented that the worlds of secret intelligence and journalism have been forced to interact, 'but never without strain' (2009, 38). The relationship is also considered in the broader perspective of oversight mechanisms for the intelligence agencies in the UK, where the media has a specific role in of bringing accountability to those agencies. This is timely, given the controversy prompted by the former National Security Agency (NSA) contractor, Edward Snowden, who from June 2013 leaked a substantial archive of secret intelligence documents to journalists. These documents reveal a capability of western nations to maintain a level of mass surveillance unsuspected by even the best-informed observers. As the investigative journalist Duncan Campbell, who first revealed the existence of GCHQ nearly four decades ago, observed in my correspondence with him:

It is certainly a psychological moment for anyone who is interested in surveillance because, even if one knew what they were capable of, the discovery through Snowden that they were trying to take everything, all the time, everywhere, on all subjects, was really an excursion that we would have seen as a paranoid delusion, until the evidence for it was placed before us by Mr Snowden (Campbell 2014).

Others agree including the former editor of *The Times* and *Guardian* commentator Simon Jenkins (2013).

The negative reaction of government and intelligence agencies in many western nations to the publication of Snowden documents highlights the tensions between liberal democratic nation states and their respective news media over the work of intelligence agencies. It highlights the variation within democracies as to what is the right balance between security and civil liberties. The *raison d'être* of the intelligence services is to provide the information that maintains the security of the state. This function, in part, enables the state to fulfil a political contract where the citizen surrenders certain rights to government in return for security. The concept of such a contract has evolved from the Enlightenment and has been debated by philosophers such as Hobbes, Locke, Rousseau and more recently Rawls. Rawls sets the

modern contract: 'Each person is to have an equal right to the most extensive total system of liberties compatible with a similar system of liberty for all' (Rawls 1971, 302).

The innate and defining features of national security — secrecy, information gathering, surveillance, intervention, arrest, imprisonment, even internment — provide the state with powerful tools to identify and act against those they define as a threat, whether internally or externally. Commentators are agreed that such tools need to be carefully integrated with rigorous accountability mechanisms to avoid curtailing the individual's liberties without good reason. The concept of the freedom of the press within a democracy suggests that the news media preserve the citizen's liberties from an overbearing state and corporate sector. The relationship between the intelligence services and the news media is historically complex and often contested. Dr Shlomo Shpiro observes that the interaction between news media and intelligence agencies has often been based both on conflict and on cooperation:

An inherent conflict exists between the open media, that wish to publish security related information as part of their responsibility toward their audience, and intelligence services, which work on the basis of secrecy and often attempt to prevent the publication of information on their activities and sources (2001, 485).

Intelligence studies academics have noted that this interaction lacks a coherent theoretical structure (Dover and Goodman 2009, Hillebrand 2012). The intelligence historian Professor Richard Aldrich stated in his overview in *Spinning Intelligence*:

Despite the prolific press coverage of the intelligence services since 9/11, the interaction of this secret realm of government with the media has received little sustained analysis (2009, 13).

David Leigh, former investigations editor of the *Guardian*, has said that understanding and discussing the relationship between intelligence and the news media is vital for journalists.

Our first task as practitioners is to document what goes on in this very furtive field. Our second task ought to be to hold an open debate on what the proper relations between the intelligence agencies and the media ought to be. And our final task must then be to find ways of actually behaving more sensibly (2000).

How the news media report national security issues is an important and longstanding point of contention but yet the subject of relatively little academic research. Importantly for this thesis, Dr Claudia Hillebrand suggested there is a particular void in terms of analysing the media's role in intelligence accountability.

While scholars are increasingly paying attention to aspects of intelligence oversight, accountability and control, one under-explored dimension so far is the role of the media. Certainly, media coverage is often mentioned usually with reference to the revelations of intelligence 'scandal' and leaked information. Loch Johnson's 'shock theory' of congressional accountability suggests an important role for the media in setting off the 'alarm' in case of major intelligence failures. Other scholars have addressed the topic in the wider context of the democratic governance of the security sector, or with respect to a particular country. Yet a systematic account of the media's role is still missing (2012, 690).¹

She further observed:

This is surprising given the numerous occasions in the post-9/11 era when controversial, and sometime illegal, dimensions of intelligence have been revealed by the news media. Indeed the previous decade suggests that the media might have an ever-important role to play in scrutinizing the intelligence services and their work (2012, 690).

It is this void that this thesis seeks to address. Why is this important? The intelligence agencies have the potential to exercise power through secrecy that, in certain circumstances, has been and could be undemocratic. This makes it vital that the news media maintain a capability to exercise their Fourth Estate role across the activities of the intelligence community.² This is once again becoming difficult. Critics have suggested that Britain has been defined by the penchant for secrecy which prevents citizens from a full understanding of

¹ Each national system of accountability is different. No international systematic comparative yet exists but The Buenos Aires NGO, the Foundation for Economic Studies and Public Policy (FEEPP), headed by Eduardo E. Estevez, is currently conducting a comparison exercise of democratic oversight in 135 countries.

² A key concept in journalism studies is the Fourth Estate and it is particularly relevant to investigative journalism. In media theory a role of the media in a liberal democracy is often characterized as that of the Fourth Estate. Journalists are seen as the guardians of the public interest. In the first written reference, Carlyle quoted the earlier philosopher Edmund Burke as having said: 'there were Three Estates in Parliament; but, in the Reporters' Gallery yonder, there sat a Fourth Estate more important far than they all' (Thomas Carlyle 1841). In this context, the other three estates are: the church, the nobility and the townsmen. The Fourth Estate concept tasks the media to hold the errant state and powerful to account. (For an explanation of the development of the Fourth Estate concept see: Boyce 1978).

the actions of the ruling elites. Aldrich has described Britain's intelligence networks as 'The Empire of Secrecy':

The British government has fought a long campaign to ensure that much of the history of its intelligence services remains secret. Since 1945, its most concerted opponents have been a motley band of memoir writers, journalists and intelligence historians. Britain's gradual retreat from absolute secrecy in the area of intelligence history enjoys some parallels with Britain's retreat from Empire (2004, 922).

One of the objectives of my career has been to investigate the 'Empire of Secrecy' and that is reflected in my doctorate's title. Secrecy has its place in a democratic society but there is much evidence, not least from my work, that it is frequently misused by those in power. The intelligence agencies, by dint of the inherent need for secrecy, are the most difficult institutions of state for the news media to exercise their Fourth Estate role. There is an established need for this scrutiny, given the nature of their task. Hulnick and Mattausch summarise the intelligence professional's job in its starkest terms:

Professional standards require intelligence professionals to lie, hide information or use covert tactics to protect their 'cover,' access, sources, and responsibilities. The Central Intelligence Agency expects, teaches, encourages and controls these tactics so that the lies are consistent and supported ('backstopped'). The CIA expects intelligence officers to teach others to lie, deceive, steal, launder money, and perform a variety of other activities that would certainly be illegal if practised in the United States. They call these tactics 'tradecraft.' And intelligence officers practice them in all the world's intelligence services (1989, 520-22).

All the above features can apply to British intelligence agencies in their utilitarian approach to their profession. The UK intelligence set-up consists of three primary intelligence agencies responsible for collection of intelligence: the Secret Intelligence Service (MI6), the Security Service (MI5), and the Government Communications Headquarters (GCHQ). After collection the data is validated within each agency. Analysis occurs when all agency intelligence is brought together and usually takes place within the Defence Intelligence section of the Ministry of Defence. It is Whitehall's largest analytical body and undertakes all source analysis from open and covert sources. Assessment then takes place inside the central intelligence sections within the Cabinet Office. For over half a century the Joint Intelligence

Committee (JIC) had been a key part of intelligence delivery to the government. The official guide to UK intelligence structure stated the JIC aims to 'provide Ministers and senior officials with coordinated inter-departmental intelligence assessments' (*Central Intelligence Machinery* 1993, 11). In June 2003, at the suggestion of the then Director-General of MI5, Eliza Manningham-Buller, the cross agency, inter-departmental, multi-disciplinary Joint Terrorism Analysis Centre (JTAC) was set up. Peter Hennessey said it handles about one thousand intelligence items a week:

“Its numbers have settled down at around 130 staff, ten of who work there on a visiting basis from one or other of its sixteen partner organisations, which include several Whitehall Departments and agencies, the military and the police (all lodged inside the MI5 headquarters, Thames House)(2010, 374).

The intelligence world expands beyond the above afore-mentioned agencies and committees. The police have been involved as the effective arm of anti-terrorism operations and Special Forces have a role as well as military intelligence.³ There is also a substantial and expanding private research and security industry, worth hundreds of millions of dollars per year. According to a 2013 New York Times op-ed article, seventy percent of America's intelligence budget is used to outsource to private contractors. The U.S. Intelligence budget for 2013 was about \$80 billion, and the NYT suggested that made private intelligence a \$56 billion-a-year industry (Shorrock, 2013). The outsourcing in the UK is not on the same scale as the U.S. in terms of actual expenditure or percentage of budget, but there has not been an accurate estimate of the value of the sector. But outsourcing is expanding and this raises very serious and unaddressed questions about privacy and transparency. There are also major issues about private intelligence companies working for both the state and private clients at the same time. It is worth noting that Edward Snowden was working for the private contractor Booz Allen Hamilton of McLean, Virginia is at the time he decided to go public with his revelations. BAH is one of America's biggest security contractors worth \$6bn and with 25,000 staff (see Borger 2013). If private companies are handling intelligence data what is the oversight to make sure it is not also provided to private sector clients?

³ For the purposes of this thesis the definition of terrorism in The Terrorism Act 2000 is used which includes not only violent offences against persons and physical damage to property, but also acts 'designed seriously to interfere with or to seriously disrupt an electronic system' if those acts are (a) designed to influence the government or to intimidate the public or a section of the public, and (b) be done for the purpose of advancing a political, religious or ideological cause. Can be found at <http://www.legislation.gov.uk/ukpga/2000/11/contents>

ii) Parameters of Research

It has frequently been argued that journalism has been the most effective means of holding the intelligence services to account in Britain and other western democracies. Aldrich characterised the role the media play as 'regulation by revelation'. Referring to the early days of the Cold War, he said:

Initially many writers and journalists willingly co-operated with the intelligence services in the expanding role of cultural warfare. Thereafter, during the last two decades of the Cold War, other journalists developed a counter-culture of revelation, focusing the spotlight of investigative journalism upon what they considered to be governmental miscreants. Yet even where the relationship was prickly, there remained an underlying appreciation that the journalism and espionage were cognate activities and shared common professional ethics, including the diligent protection of sources (2009, 13-14).

Intelligence academics Peter Gill and Mark Phythian have commented on the importance of the media in bringing accountability to the intelligence agencies:

The media in general remain significant, if inconsistent, contributors to oversight. Certainly, the heightened public concern with security of the wake of 9/11 has increased greatly media attention to intelligence matters, and the media have played an important role in alerting the public to concerns among intelligence professionals at the politicization of their product (2006, 169).

The U.S. academic Loch K. Johnson discussed the role of the media in ensuring accountability of intelligence:

I think that (in the United States at least) the media has done much more than any other organization or group to advance intelligence accountability. Especially investigative journalists, in their drive for a good story that might lead to their professional advancement and honors (Pulitzers and Polks, for example), have been successful in sniffing out stories and alerting elected overseers in Congress to carry out investigations (2015).

He has also stated that the media bring intelligence failures to the attention of the legislators in government.

The facts and interpretations presented by the media may well be the most vital aspect of the coverage; but sustained reporting on a topic may be important, too, as a means of emphasizing its merits as a policy controversy worthy of closer attention from overseers, (2013, 3).

In this thesis theories are examined that describe:

- the political environment that intelligence and journalism operate in.
- the theories of intelligence.
- efforts made by intelligence studies academics to theorise intelligence-media relations.
- efforts made by journalists or journalism studies academics to theorise these relations.
- reflection on my contribution to theory.

Hay has argued the importance of theory for successful analysis:

Theory is a guide to empirical exploration, a means of reflecting more or less abstractly upon complex processes of institutional evolution and transformation in order to highlight key periods or phases of change which warrant closer empirical scrutiny. Theory sensitises the analyst to the causal processes being elucidated, selecting from the rich complexity of events the underlying mechanisms and processes of change (2002, 94).

The work of a number of Intelligence Studies academics has been helpful in developing a framework to understand intelligence. As the UK theorists Gill and Phythian point out, there is a need to be concerned with concepts and theory in any field of studies, because of their indispensable role in creating and structuring knowledge.

The need is greater when studying intelligence, because, especially in Britain, historical accounts have always constituted the main literature. The memoirs of former intelligence officers and, increasingly, the reconstruction of past episodes from

released official files are the raw material for the hitherto 'missing dimension' of historical studies (2006, 20).

iii) Intelligence — a definition

Intelligence is a broad term, which in its simplest form here refers to the gathering of information for the benefit of an end-user. Intelligence as discussed in Intelligence Studies is further distinguished from other information gathering processes (see: Warner, page 18, Gill page 213, Davies, page 198 in Gill, Marrin and Phythian 2009). Gill and Phythian evaluated a range of different definitions that are available. They find problems with each definition and some indeed are concerned with defining intelligence in the narrower sense of information gathering. They suggest their own definition which is adopted for this thesis:

Intelligence is the umbrella term referring to the range of activities — from planning and information collection to analysis and dissemination — conducted in secret, and aimed at maintaining or enhancing relative security by providing forewarning of threats and potential threats in a manner that allows for the timely implementation of a preventive policy or strategy, including, where deemed desirable, covert activities, (Gill and Phythian 2006, 57).

The essence of intelligence is to identify and quantify risk to the state, and then to shift risk to reduce uncertainty (for theories of risk see Knight 1921, Gill, Marrin and Phythian 2009, 56). This thesis seeks to establish the effectiveness of the news media in the UK in bringing accountability to the intelligence services.

B) Methodology

1. The Critical Realist model

Gill and Phythian question whether social science empirical methods can work well with intelligence studies because of unique features of secrecy in the intelligence world. They state that, 'any attempt to devise a theory of intelligence is doomed if we can theorise only on the basis of what we can observe, whether or not it is from "official sources"' (2006, 22). Social sciences research tends to be underpinned by empirical methods drawn from positivism,⁴ but for the reasons set out by Gill and Phythian this can be problematic:

In seeking to further the task of theorizing intelligence, it will be most fruitful to identify a path that avoids the major pitfalls of both positivism and post-modernism. Neither is able to develop knowledge that leads to understanding or is generalizable beyond the particularities of time and place. We must make our theoretical considerations explicit if for no other reason than intellectual honesty. 'Value-free' social science is impossible because analysts are embedded within the socio-political context that is the subject of their study (2006, 26).

Instead I use the critical-realist approach where data is gathered and analysed where possible, but analysis is also based on interpretation through experience. Within the critical realism tradition it is permissible to consider what one observes as reality providing one's own subjectivity is clear set out. I recognise that my world-view was formed primarily within a particular journalism culture and includes intimations of my pluralist, left leaning, liberal and secularist opinions. Gill and Phythian state: 'There is some "reality" in the world, but the process of understanding it requires critical self-reflection on how we understand' (2006, 26).

The critical-realist approach also assists where this thesis crosses disciplinary boundaries, or where there are conflicting realities at play. It can also be difficult to devise a theoretical frame for discussing the intersection between two professions which have developed separately, with their own concepts and theory, but I would hope that this analysis presents a coherent synthesis. As Dr Vian Bakir observes, most research into the relationship between intelligence agencies and the news media is undertaken using case studies, given the difficulties of obtaining other forms of data.

⁴ *positivism*, in philosophy, generally, any system that confines itself to the data of experience and excludes a priori or metaphysical speculations (Encyclopedia Britannica)

The popularity of using case studies “stems from its maximization of context and specialization in understanding contradictory details from multiple sources, as these are ideal attributes for unravelling intelligence agencies’ agenda-building processes (Bakir 2015, 140).

This is the approach I have taken with my academic work, but I would also propose that my major works submitted as part of this thesis are in effect case studies of intelligence. The importance of this work is underlined, in that intelligence and journalism both play significant roles in the democratic process. Any discussion that may improve the practice of these professions in the democratic state must be of value and any work that improves the understanding and relationship of these two communities is of value, providing it serves the public interest.

2. Research methods

My body of research incorporated into this thesis involves several methodologies:

- Original journalistic research carried out since 1976.
- Use of primary sources and related secondary sources material including an extensive literature review of journalism and intelligence studies texts.
- Use of reflexive practice based on my personal experience as a reporter.

i) Original Research

It is important to emphasise that a considerable percentage of my overall body of work can be described as investigative journalism, rather than standard news reporting. This is a career-long commitment to original research that was, by definition, bringing significant new information into the public domain. This original research often had high impact in political, criminal justice, national security and other spheres. Such research must be of a high standard for the serious national mainstream media as errors could incur expensive legal actions and personal and institutional reputational damage. Gavin MacFadyen, director of the Centre for Investigative Journalism, identified in-depth research as a ‘defining essence’ distinguishing investigative journalism from other reporting. He said British investigative journalists have to be particularly diligent in their research: ‘Because of the severity of the UK libel law, the standard required proof and the fear of prosecution are significantly higher than in many

other metropolitan countries' (de Burgh 2008, 143). I would reinforce this point suggesting that it is vital that such research should result in a highly accurate piece of journalism, usually containing information that someone, typically in a position of power, does not want made public. It should always be in the public interest. McFadyen also discussed dealing with whistle-blowers, protection of sources and self-protection against surveillance as other traits of investigative journalism, all of which I have experience of. Investigative journalists use a wide range of methods to research their stories, most frequently interviews, source contact and document acquisition. New methods of data analysis are becoming important, for example of the analysis of 200GB of data on offshore incorporation in the British Virgin Islands.⁵ Much of my work involved uncovering previously secret historical events and even when contemporaneous, after a long career, the material is now part of the historical record. My body of work has helped to build the knowledge of the way intelligence functions over a historical period and how well, badly, democratically, legally or ethically it has operated. Examples include:

Spycatcher: David Leigh and I wrote the original story of the *Spycatcher* allegations story in *The Observer* (1986), and along with other journalists were enjoined by the British government.

MI5 and BBC, In 1985 *The Observer* newspaper published allegations that BBC staff appointments were regularly vetted by the security service MI5. The article, by David Leigh and I, caused a storm of protest in and outside the BBC, and called into question the BBC's independence.⁶

Death on the Rock: After three IRA operatives were shot dead in Gibraltar in 1988, Thames TV's *This Week* programme claimed that they had been shot without the opportunity to surrender. *The Sunday Times* launched a counter-attack on Thames TV. David Leigh and I, from *The Observer* undertook a separate investigation that showed that *This Week's* allegations were founded and that *The Sunday Times* had published false allegations against *This Week*.

⁵ This investigation by a team from the International Centre of Investigative Journalism (ICIJ) has produced a huge amount of information on the use of offshore accounts. At the time of writing some 190 journalists had written stories across a wide range of countries revealing secret accounts held by politicians and businessmen (see <http://www.icij.org/offshore>).

⁶ There has been recent discussion about the blacklisting on the BBC as recently as August 2014. (BBC, *Last Word*. Sun 24 Aug 2014, Obituary of Ronnie Stonham.

Spy flights: I produced a revelatory *Timewatch* programme on Cold War spy flights in 1993, and was commissioned to make two further and related films. Elements of all three programmes and much additional research was included in my book *Spy flights of the Cold War*.

The Troubles in Northern Ireland: Working for different news organisations I covered the Troubles in Northern Ireland as an investigative journalist. Over many years there were many stories, of which a considerable number concerned the excesses of the security forces.

The Information Research Department: IRD was a secret Foreign Office anti-communist propaganda department between 1948 and 1977. I have spent nearly forty years investigating its activities, producing many articles and co-authoring the book *Britain's Secret Propaganda War*.

Intelligence dissidents: Shayler and Tomlinson: At the end of the 1990s two dissident intelligence officers, David Shayler from MI5 and Richard Tomlinson from MI6, went public with a string of allegations about malpractice within those organisations. I covered this for *The Independent* in depth.

9/11: As *The Independent on Sunday's* domestic terror writer, in the wake of the twin towers attack, I reported and investigated the consequences of 9/11 through many articles.

Weapons of Mass Destruction (WMD): As part of *The Independent on Sunday's* terrorism reporting team, I investigated the build-up to the Iraq war and the Weapons of Mass Destruction controversy.

7/7: As *The Independent on Sunday's* domestic terror writer, in the wake of the 7/7 and 28/7 attacks, I reported and investigated the event's consequences with many articles.

There are three interrelated time frames to different elements of my reporting of intelligence which I consider for this thesis.

- Investigative reporting of intelligence-related issues from 1978 to 2007
- Standard news reporting of intelligence, mostly in the period 1998 to 2008
- Accredited reporter, with direct formal and official links to intelligence 2000 to 2007

ii) Primary and secondary sources

I have met and interviewed many former and current members of the UK intelligence services from SOE, MI6, MI5, GCHQ, IRD and the wider intelligence community, and a number of undercover officers including:

- Jock Kane, a former GCHQ officer, who wrote a critical book on his employer that was suppressed.
- Miranda Ingram, ex-MI5 officer who wrote of her disillusionment with the Security Service in *New Society* (1984).
- David Shayler, a former MI5 officer who turned whistle-blower in the mid-1990s and was jailed under the Official Secret Act.
- Annie Machon, a former MI5 officer and for a time a partner to David Shayler, who remains highly critical of the Security Services.
- Richard Tomlinson, a former MI6 officer who turned whistle-blower in the mid-1990s and was jailed under the Official Secret Act. He later left the UK and his book was published in 2001.
- Anthony Cavendish, a former MI6 officer from the Cold War period whose book was published on his service was published but heavily redacted, now deceased.
- Nigel Wylde, a retired Lieutenant-Colonel and Intelligence Officer in the British Army. He was arrested under the Official Secrets Act but the charges were later dropped.

There are many that I cannot name even now. Then are others like Bill Graham (Leigh and Lashmar, 1983) and Peter Edge (Leigh and Lashmar, 1984) who were recruited by MI6 and MI5 respectively to work undercover but became disillusioned and told their stories to us at the *Observer*. Each contact was different and the source contact strategy we used depended on whether they were known to be talking to the press or not. If there was any question that we had to protect the individual as a source we devised strategies to make sure neither we nor they were being followed. It was easier in the first years of my career as we did not to deal CCTV and other surveillance technology that is now pervasive and difficult to evade. It was possible to call intelligence people on their phone numbers, if they had provided them, and

they did not worry about the phones being tapped. Consorting with the Press resulted in a slap on the wrists and not a prosecution under the *Official Secret Act* as it would now. Some people were concerned about ours and their phones being tapped and we had methodologies involving the use of pay phones to contact these sources. Meetings were held in public where possible often in busy pubs where the background noise precluded being overheard. On other occasions meetings were held in the middle of a park moving around so that conversation could not be picked up by a rifle microphone. If using a car I would use basic anti-surveillance techniques like driving into cul-de-sacs or going round a roundabout several times to check if I was being followed. Sometimes we could make notes on other occasions we would make a note from recollection immediately afterwards and signed the note. We would always have methodologies for testing the *bona fide* of anyone who approached us. In 1982 we were approach by a very convincing source who claimed he had acted as an assassin for MI6. It was clearly a scoop if true. The man wanted £1000 for the story. My colleague travelled to Ventimiglia, on the border between Italy and France, where a number of mysterious meetings were arranged. Cross checking the sources story led us to conclusion that the source 'Edward Christian' was no other than Joe Flynn, a conman who had fleeced a number of news organisations. Mr Flynn's most successful known operation was at the *New York National Star*, which was owned by Rupert Murdoch and he was paid £10,000 for his story in 1975 that he had murdered the notorious Teamsters union boss Jimmy Hoffa. Another subsequently well-known con man Rocky Ryan tried on a number of occasions to sell us fascinating but fabricated stories (Leigh and Lashmar 1982).

I have read the accounts of many of those who have published books of their time including F.W. Winterbotham (1974), Joan Miller (1986), Peter Wright (1987), Anthony Cavendish (1997) and Richard Tomlinson (2001) and I have also interviewed officers from other intelligence agencies including the CIA and KGB. I have met, known and interviewed:

- agents and informers recruited to the intelligence world.
- victims of the excesses of intelligence officials.
- many individuals who, while not core intelligence officials or agents, had been closely involved with the intelligence world. These included many military intelligence personnel, military personnel, Special Forces personnel, anti-terrorist police specialists.
- academics who specialise in terrorism and intelligence studies.

I have undertaken a close reading of a substantial part of the canon on intelligence from the UK, US, USSR and other nations over my career. These secondary sources include autobiographical accounts, biographies, event and general histories. They include the work of:

Chapman Pincher (1978, 1981, 1984, 1986, 1987, 1990, 2011, and 2104),

Nigel West (1981, 1982, 1983, 1984, 1986, 1987, 1988, 1989, 1991, 1992, 1997, 1998, 2000, 2004, 2005 and 2006),

Richard Aldrich (1992, 1998, 2000, 2000, 2001, 2004, 2009, 2009, 2010),

Duncan Campbell (1981, 1982, 1984, 1986, 1988),

James Bamford (1982, 2001, 2002, 2005, 2008),

Jeffrey Richelson (1983, 1985, 1985, 1988, 1987, 1988, 1990, 1995),.

Stephen Dorril (1989, 1992, 1993, 2000, 2002),

Andrew Boyle (1979),

Scott Lucas (1991, 1999, 1996),

Michael Smith (1996, 2003, 2003, 2010),

Tony Geraghty (1983, 1997, 2000),

Christopher Andrew (1985, 1986, 1986, 1987, 1990, 1995, 1997, 1999, 2005, 2009),

Keith Jeffrey (2010) and many others.

I also maintain an archive concerned with intelligence and the news media that I and others have compiled since 1976, which consists of a core of thirty lever-arch files, plus a range of other material. It contains many original documents and transcripts of interviews with leading figures in intelligence and the news media.

iii) Reflexive Practice

The use of reflexive, reflective or transformative practice as a pedagogic tool to improve academic practice has developed since the 1970s (see: Piaget 1975, Schön 1983, Kolb 1984,

Prpic 2005). Reflexive practice is seen as useful to practitioners who have joined the Academy. Since 2008 I have been reflecting on my work on intelligence and considering ways to impart and develop knowledge, understanding and theory.

C) Literature Review

1. Intelligence

A critical realist approach requires the researcher to recognise their own value assumptions. I recognise that my world view was formed primarily within a particular journalism culture and also reflects my pluralist, left leaning, and liberal and secularist opinions. Here is the value of reflexive practice which helps the practitioner use their experience but the critical analysis one's perception against the discipline's academic literature. "There is some 'reality' in the world, but the process of understanding it requires critical self-reflection on how we understand," (Gill and Phythian, 2006, 26).

To give context to the relationship between intelligence and the news media I now recount and discuss:

- I. A concise historical account of the breakdown of the UK 'national security consensus' (circa 1960), the emergence of critical reporting of intelligence and then discussion of some of the main intelligence stories of the last half century.
- II. An analysis of the uses that the intelligence community has made of the news media, including propaganda⁷ and manipulation.
- III. Placing my body of work on intelligence related issues and the subsequent academic contributions in this context.

I have read and considered:

- I. Historical, autobiographical and biographical accounts of intelligence in that period.
- II. The contributions of intelligence studies community to the understanding of the role of intelligence.
- III. Intelligence studies discourse on the relationship between intelligence and the media.
- IV. The journalism studies discourse on that relationship.
- V. Discourses in allied disciplines on the role of media in coverage of surveillance, security, terrorism and the secret state.

⁷ Propaganda is understood here as 'the deliberate attempt to influence the opinions of an audience through the transmission of ideas and values for the specific purpose, consciously designed to serve the interests of the propagandists and their political masters, either directly or indirectly' (Cull et al. 2003)(see also Smith, B. L, Lasswell, H. D, and Casey, R. 1946).

I am looking for new connections and relationships that are often not observable.

i) Propositions

I suggest that the following propositions are largely accepted within the discourse and as they are not central to the thrust of the argument I will not debate them further.

- 1) Intelligence plays a vital role in protecting the state from those who wish to change it by non-democratic means. "Our starting point should be to recognise that intelligence is a means to an end. This end is the security, and even prosperity, of the entity that provides for the collection and subsequent analysis of intelligence" (Gill and Phythian, 2006, 1).
- 2) Intelligence in the UK has adapted, to some extent, over the last 50 years to reflect changes in the wider society. (Though it is hard to establish exactly how far it has adapted given that it is not possible to conduct any ethnographic research.)
- 3) The failures of UK Intelligence (the Crabbe Affair, Cambridge spies, Falkland Islands, the start of The Troubles in Northern Ireland, the collapse of the Soviet Bloc, Iraq WMD, 7/7) are well known, while many of their successes are not publicised. (We only become aware of successes in most cases when they result in arrests and court cases).
- 4) Periodically, officials within UK Intelligence agencies, their political masters and also linked elites have used the unique facilities of intelligence to further their own, non-democratic, or bureaucratic agendas (Dorril and Ramsay 1992, Schlesinger 1991, Keeble 1997, Lashmar and Oliver 1998).
- 5) Accurate public perceptions of intelligence are seriously hampered by fictional accounts of intelligence which reduce and infantilise the serious problems faced by the intelligence community into simplistic binary concept (i.e. good or bad.)

It is also useful to accept two of Loch Johnson's propositions here:

Intelligence can become politicised in democratic regimes, but because of the countering influences of professional integrity this happens far less frequently than in authoritarian regimes.

Some counterintelligence failures are inevitable: however, their frequency is likely to decline in the aftermath of a major security breach, because the victimised nation then takes steps to tighten its defences.

(Johnson in Gill, Marrin & Phythian, 2009, 47 & 50).

This section is concerned with placing intelligence within modern theories of power and the state.

ii) Theories of Power

Intelligence is part of statecraft, so what conceptual frameworks exist to explain how power works in a modern democratic nation? Philosophers from Aristotle (1981) through to Foucault (1980), Giddens (1985), Lukes (1975, 2005), Skinner (1986) and Habermas (1984) are among those who have considered the philosophy of power. In the first instance the contemporary models of democracy of the period are examined. The dominant theorists in the 1950s and 1960s are the empirical democratic theorists or as they are more simply known, pluralists, of which Dahl was a leading exponent (1956, 1985). But for understanding the control of power David Held suggested it is to the other key theorists of the period, the Marxists, we should turn (Held, 1985, 174). Ralph Miliband provided a critique of pluralism and significantly he said the state is not a neutral arbiter in the control of power (1969, 174). He asserted that the dominant ruling class has close links with the key institutions ranging from the civil service, business, military and universities and therefore has 'a command position' in exercising power. In essence he sees civil servants and politicians sharing class-based cultural and ideological values that they bring to bear on policy. This means that state institutions function as 'a crucially important and committed element in the maintenance and defence of the structure of power and privilege inherent in [...] Capitalism' (1969, 128-29). This is an interesting view, but implies all these actors work towards one end. Miliband's view has been challenged since, not least by Poulantzas who maintains that the state is not a monolithic entity capable of straightforward direction; it is an arena of conflict and schism, in 'the condensation of class forces' (1975). This concept of elite schisms was a move away from traditional Marxist thinking and was seen at the time as an important conceptual development (Held 2006, 175). It is by no means novel to suggest that civil servants are drawn from an elite background and class; indeed there is much research to support the assertion (Paxman 1991, Sampson 2004, Jones 2014). Dennis Wrong (1988) and Bob Jessop

(1996) develop agency and structure as key aspects of theory. Foucault is a key influence in social sciences, usually identified as a post-structuralist though it was not a label he liked.⁸ Phythian cites Foucault on power and he said that given his critical posture, there is a potentially important role for his writings to play in thinking about intelligence. Foucault's work draws attention to the relationship between power and knowledge and encourages a critical analysis of the relationship (Gill, Marrin and Phythian 2009, 64). He also proposes that power is not just a top-down imposition but a fluid interaction that can intervene at all levels. Foucault said:

A critique is not a matter of saying that things are not right as they are. It is a matter of pointing out on what kinds of assumptions, what kind of familiar, unchallenged, unconsidered modes of thought the practices that we accept rest. We must free ourselves from the sacralisation of the social as the only reality and stop regarding as superfluous something so essential, in human life and in human relations as thought. Thought exists independently of systems and structures of discourse. It is something that is often hidden, but which always animates everyday behaviour. There is always a little thought even in the most stupid institutions; there is always thought even in silent habits.

Criticism is a matter of flushing out that thought and trying to change it: to show that things are not as self-evident as one believed, to see what is accepted as self-evident will no longer be accepted as such. Practising criticism is a matter of making facile gestures difficult (1988, 154-55).

Silent in habit, intelligence services provide knowledge to the state and thus power. Foucault noted that the mechanisms of power, knowledge, secrecy and surveillance are profound as they affect the way we are in the world and see the world and have the potential to change the way citizens behave in the world. Foucault was particularly focussed on neo-liberal governments and suggests that because in this system the citizen is supposed to play an active role in society, individuals need to be regulated from 'inside'. This is a stimulating line of thought if applied to surveillance and behaviour change (Foucault 2011). Not all Intelligence

⁸ Post-structuralism is broadly understood as a body of distinct responses to structuralism, by certain mid-20th century Continental philosophers. A major theme is the vulnerability of human sciences. The precise nature of the critique differs with each post-structuralist author.

Studies scholars are admirers of Foucault. Philip H.J. Davies expresses wonderment that the Marxist tradition from Hegel, through Marx-Engels, Gramsci, the Frankfurt School, and Althusser has any modern value. He reserves special contempt for Foucault as he believes there are concrete and mechanical problems with this school of thought:

For example, disproportionately influential scholars such as Michael Foucault cherry-picked evidence, detaching critical items from their historical context. By way of illustration, Bentham's notorious Panopticon — the basis of Foucault's widely adopted notion of 'panopticism' - was never actually built and the idea was rejected roundly by parliamentarians and penologists of the day (Gill, Marrin and Phythian 2009, 194-195).

Davies misses the point. The astute philosopher has an eye for a turn of phrase that captures the essence of something important. It might be Rousseau with the social contract (1762), Habermas with the public sphere (1962), Gramsci with hegemony (2011), Cohen with moral panic (1972) and Stuart Hall with encoding/decoding (1973). Davies is correct that the Panopticon was never built, but Foucault invoked an effective metaphor that might encapsulate how citizens feel about surveillance and its ability to change behaviour including our own. Foucault provided a historically-based approach for re-evaluating popular constructions of the world. He encourages readers to think deeply about power and knowledge and provides a new way to look at surveillance. He talked about the gaze and interiorisation:

There is no need for arms, physical violence, material constraints. Just a gaze. An inspecting gaze, a gaze which each individual under its weight will end by interiorising to the point that he is his overseer each individual thus exercising this surveillance over, and against, himself (1980, 155).

Foucault applies such insight to his ideas of governmentality. Two key parts of this approach examine:

- the way governments try to produce the citizen best suited to fulfil those governments' policies
- the organized practices (mentalities, rationalities, and techniques) through which subjects are governed

Foucault's lectures about security, given at the College de France, are considered some of his least fully developed, but still provide insight (see Bigo 2008, 93-114). Foucault's writings on discipline, surveillance and governmentality created new ways to think about the nature of power at every level in a society. Phythian states that, in a sense, post-structuralism sees itself carrying out a form of oversight of power at the level of discourse (Gill, Marrin & Phythian, 2009, 64).

iii) Secrecy

A precursor of the Secret State is secrecy. Long after the Second World War ended, the ethos of national security prevailed, reinforced by the adversarial conditions of the Cold War, where the participants observed an understood silence, that, when in danger of slipping, would be reinforced with the threat of the Official Secrets Act. The power of this silence could not be better demonstrated than by the length of time it took the Ultra secret to be revealed. As Aldrich notes:

Only in the early 1970s, some three decades after the end of the Second World War, did the story of Ultra and Bletchley Park, the mammoth technical effort which defeated the German Enigma cypher machine, burst upon a surprised world, accompanied by the story of wartime deception. Thereafter, much of the strategic and operational history of the Second World War had to be rewritten. Before the 1970s, one of the most important aspects of the Second World War, the fact that many of the operational intentions of the Axis had been transparent to the Allies, had been methodically airbrushed from historical writing (2004, 925).

Hillebrand stated that Government secrecy can also have harmful effects on the relationship between citizens and their government.

It can be used as a blanket to conceal abuse, corruption or incompetence. A high level of secrecy shuts out dissenting perspectives. Overall then, secrecy prevents citizens' engagement in informed debates (2012, 701).

Moreover government can understand secrecy as 'a source of power and an efficient way of covering up the embarrassments, blunders, follies and crimes of the ruling regimes (2012, 702).

Clive Ponting, a former senior civil servant who was cleared in 1985 of breaching the Official Secrets Act, described secrecy as the 'cement' of the British state. He said;

The experience of other Western Democracies demonstrates that a doctrine of total secrecy is neither inevitable nor indispensable for the successful operation of intelligence agencies in peacetime. In Britain, however, absolute secrecy has been the policy of all post-war governments,' (1990, 16).⁹

Ponting was writing at the time of the introduction of the new, tougher Official Secrets Act (1989) which came into force, in part to deal with exactly the kind of threat he had represented – a successful 'public interest' defence to leaking embarrassing secret government material. Gill observed:

There are some entirely legitimate reasons for secrecy, for example, when state secrecy is necessary to protect the privacy of information gathered about individuals, or, as recently in the Middle East and Northern Ireland, when the state seeks to negotiate an end to violence in circumstances where openness would guarantee failure because of the public position of contending groups, (Gill 1996).

Scott (2004), Warner (2009), Gill and Phythian (2006) and Hillebrand (2012) all make the point that secrecy is a key to understanding the essence of intelligence. Shulsky and Schmitt have said: 'the connection between intelligence and secrecy is central to most of what distinguishes intelligence from other intellectual activities' (2002, 171).

iv) The Secret State

Any critique of intelligence needs to consider the 'Secret State', a concept for the wider context that these agencies operate in and derive their power from. The Secret State is usually perceived as encompassing intelligence officers, politicians, the military, certain elements of the media and non-government representatives including those who act in the interest of big business. Hennessey provided a generally benign account of the nature of the Secret State during the Cold War and post-Cold War period in the United Kingdom. He focusses on the classic relationships between politicians, civil servants, the military and intelligence. He outlined three 'unspoken deals' between the UK Secret State and the politicians and public it serves:

⁹ I was involved with the coverage of Ponting's trial from immediately after his arrest and knew him well.

Firstly, that the covert capabilities of the state should be confined to penetrating those elements of external and domestic threats which are beyond the reach unaided of the usual institutions for national protection such as the police, the armed forces or Revenue and Customs. Secondly, that those threats should be as effectively countered as possible either through counter-espionage, civil defence and what is called today resilience planning and investment. Thirdly, that encroachment upon the civil liberties of the Queen's subjects in pursuit of deals one and two should be as limited as possible in both extent and duration.

Hennessey recognised the inherent problems of secrecy:

The danger of 'mission creep' is powerfully undermining of the three deals because it risks a loss of confidence in the overall secret apparatus of the state. The triple deal which itself represents one of the 'cold rules for national safety', is tacit rather than explicit in the UK and has been under considerable strain since 11 September 2001, given the extension of the state's legal and technical reach as part of its counter-terrorism strategies (2010, xiv).

Other commentators claimed that the Secret State is far less benign than suggested by Hennessey. A dystopian version of the concept is one where those in or close to power — usually politicians, civil servants, the military, the police and intelligence — exert extra-democratic control, often covertly, over society from within, manipulating the public and controlling by surveillance and other repressive means. The para-political interpretation of the Secret State emerged in the Cold War in a world coming to terms with the potential of nuclear weapons, perhaps mostly popularly articulated by George Orwell in his dystopian novel *Ninety Eighty-Four* (1949). The Secret State is perceived as a mechanism for the elite establishment to retain their interests even when they are not in the interests of the wider population. Schlesinger outlined in detail the significant features of what he saw as the authoritarian, secret state in the UK (1991, 33). Professor Richard Keeble, drawing on Guy Debord's society of the spectacle, characterises the Secret State thus:

The activities of the secret state are largely repellent, illegal, extremely costly, often in support of deeply obnoxious dictatorships – and difficult to justify in public. Hence the need of the state to maintain constant vigilance and secrecy. Yet titbits of information are supplied to friendly media; carefully orchestrated leaks, denials, lies

feed the public's curiosity about the secret service, double agents and the like (1997, 20).

Keeble also includes the mainstream media as tied closely to the secret state through shared economic and political interests. A feature of the secret world is that the public have no idea whether they are targets or whether the information kept on them is accurate. A little-noted aspect of the phone hacking trial was that Rupert Murdoch and the editors of the *News of the World* and *The Sun* had ready access to politicians and civil servants at the highest levels. From details released in the trial it would seem that they had access to intelligence senior management, as far as I can ascertain, to a far greater degree than other media organisations (see Hickman 2014).

v) Surveillance

The idea of the 'Surveillance State', where the population can be closely monitored to identify any criminal, anti-social or dissenting behaviour, is closely linked to the Secret State concept. George Orwell was prescient in *Ninety Eighty-Four* which articulated concerns about invasive technology and surveillance to control citizens' behaviour. Concern over the creation of a surveillance state is not only the province of conspiracy theorists, or concerned citizens, but often of political insiders. Such insight led Senator Frank Church to comment in 1975 on the technology available to the US security services that 'any time it could be turned on the American people [...] the capacity is there to make tyranny total' (Lashmar 1983, 79).

In the 21st century there is a vigorous debate over how expansion of surveillance technology is eroding the right to privacy. This area of concern has long been recognised in philosophical discourse. Isaiah Berlin recognised that privacy and surveillance were closely enmeshed with concepts of freedom. When he was refining his concept of 'freedom from interference', he recognised that not all citizens wanted a public life:

a man may leave a vigorous and genuinely 'participatory' democratic state in which the social or political pressures are too suffocating for him, for a climate where there may be less civic participation, but more privacy, a less dynamic and all-embracing communal life, less gregarious but also less surveillance (Berlin 1969, vii).

It is noteworthy that during the Snowden revelations, the Conservative partners of the coalition Government did not acknowledge why critics of mass surveillance were so

concerned. The Liberal Democratic partners have understood such concerns, to the point of vetoing the Communications Data Bill, known as the 'Snooper's Bill', in 2012.¹⁰ The republican political theorist Quentin Skinner, employing negative theory concepts, challenged the then Foreign Secretary William Hague's assertion during the debate following the Snowden revelations that that no one has anything to fear so long as they have done nothing wrong:

He was missing an absolutely crucial point about freedom,

stated Skinner and Marshall:

to be free we not only need to have no fear of interference but no fear that there could be interference. But that latter assurance is precisely what cannot be given if our actions are under surveillance. So long as surveillance is going on, we could always have our freedom of action limited if someone chose to limit it.

They continued:

The situation is made much worse once you come to know — as all of us now know — that we are in fact subject to surveillance. For now there is a danger that we may start to self-censor in the face of the known fact that we may be being scrutinised by powerful and potentially hostile forces. The problem is not that we know that something will happen to us if we say certain things. It's that we don't know what may happen to us.

And they make the point:

People must know in advance exactly what activities are subject to surveillance, and why, and what penalties will potentially be incurred. And the use of surveillance will have to be undertaken by bodies that have to respond to Parliament, not merely to the Executive, which we often have no good reason to trust (Skinner and Marshall, 2013).

¹⁰ The Conservative Party stated they will reintroduce the Bill after their 2015 general election win.

vi) Bureaucracy

When analysing the functionality of intelligence agencies it can be useful to stop thinking of them as highly specialist secret organisations but instead as government bureaucracies with the same organisational objectives as more mundane Whitehall departments. This can be revealing as to aspects of their behaviour that, at first glance, perhaps do not seem to make sense. This also sidesteps the Gramscian tendency to see all elements of the establishment as part of a monolith acting with cohesion in one direction. As Poulantzas has noted, Government is a power struggle with endless schisms and alignments. The same applies within intelligence. The intelligence agencies are not homogenous any more than the news media are. There are internal rifts as well as inter-organisational rifts. MI5 and MI6 have been in sharp disagreement at various times. Davies showed in his study of MI6 that the relationship has improved as result of joint working level units and collaborative executive level participation in the machinery of the Joint Intelligence Organisation. He stated; "...and studies of the JIC machinery itself have revealed a similar picture of interlocking interdependence throughout the overall intelligence community" (Gill, Marrin and Phythian, 2009, 189). The tendency of bureaucracies is to 'mission creep' or as Best suggests 'domain expansion' (1990) - a concept developed by Hobbs when discussing the neo-intelligence organisation, the Serious and Organised Crime Agency (SOCA) (Hobbs, 2012). This is nowhere more evident than in intelligence where there is less transparency and accountability.

vii) Accountability

This thesis concerns itself with the effectiveness of the news media in bringing accountability to the intelligence services. Official accountability and oversight mechanisms have developed over the last fifty years. Prior to the 1990s the executive oversight of the intelligence services was straightforward, if not always effective. MI6 and GCHQ were overseen by the Foreign Secretary and MI5 by the Home Secretary. They carried out oversight through their departments and personal contact. From 1962 security and espionage scandals were investigated by an ad hoc Security Commission but only limited versions of reports, concentrating on management issues, were published.

The first examples of serious public accountability — as opposed to nominal — being brought into the state's machinery of intelligence occurred in the United States after the

continuous stream of revelations of impropriety by the intelligence community in the US. The news media were the catalysts for the first major inquiries that were launched in the 'Year of Intelligence' of 1975 (see Johnson 1988). The US political scientist Harry H. Ransom noted in the mid-20th century that accountability in this hidden structure of government had been 'sporadic, spotty and essentially uncritical' (1975, 38). Following the revelations in the 'The Year of Intelligence', the Church Committee's report in turn saw the creation of, on the surface, a more democratic form of oversight than previously. This included standing intelligence committees on Capitol Hill: the Senate Select Committee on Intelligence (SSCI) created in 1976 and the House Permanent Select Committee on Intelligence (HPSCI) in 1977.

The UK intelligence bureaucracy is noted for its extreme secrecy and resistance to transparency. There was a long-standing convention that government did not confirm or deny the existence of the constituent parts of the UK intelligence community, or comment on their activities. This approach resulted in some complex procedural acrobatics when trying to explain scandals which had occurred in government departments that were not recognised as existing. Who do the intelligence agencies owe their allegiance to in the bureaucracy of government? In any schematic it would be a straightforward chain of command through the Cabinet to the Prime Minister. Historically, it has been considered that this might work when the government in power is of the right or centre right but not when it is of the left. Prime Minister Harold Wilson had severe doubts about the loyalty of MI5. There is evidence that elements within MI5 were considering a coup against Wilson (see Leigh, 1988). As discussed elsewhere there are those who believe that intelligence is in league with big business. So how do journalists interrogate intelligence practice and strategy and bring accountability to these powerful and secretive organisations?

The constant exposure of the excesses and incompetence of UK intelligence by the news media arguably peaked in the 1980s. Prime Minister Margaret Thatcher stuck firmly to this practice whenever the issue of intelligence arose in Parliament. However, her government came under relentless pressure to put the agencies on a legal footing. Pythian stated that left-wing critics argued that MI5 saw its primary allegiance to the Crown rather than the elected government of the day: 'There were suspicions that this extended to undermining Labour governments, reinforced by the revelations contained in the former MI5 officer Peter Wright's memoir *Spycatcher*' (2007, 76). To counter accusations of arbitrary power,

governments have since sought to open up government information to public scrutiny after a certain period of time has elapsed. Under the government of John Major, this took the form of the 'The Waldegrave Initiative' (1992), and then, under Tony Blair's government, a Freedom of Information Act (2000).

Oversight and accountability are not quite the same thing; Farson and Whitaker state the term oversight is used broadly as 'scrutiny of government action, before, during and after the fact, dealing with both matters of propriety and efficacy [...] Oversight is not accountability but it may lead to it'. Accountability might 'imply a wide range of democratic processes from transparency of government to answerability to voters [...] It can, for example, be used to effect control, to provide explanations, to provide assurance, and as a learning experience' (2010). What is the purpose of oversight? Gill states:

'Oversight' refers to the review or scrutiny of intelligence activities so that those directing them can be held accountable. The main objective of the scrutiny is to secure public trust in the agencies through ensuring that their expenditure is efficient and effective and that their operations are legal with proper respect for human rights. This scrutiny will, ideally, be carried out both by specialist units *within* agencies and ministries as well as externally by parliamentary and/or extra-parliamentary bodies (2013, 1).

As Bochel et al. noted there is no one model of intelligence oversight. 'It will, of necessity, vary from country to country, and may be affected and defined by a state's history, its constitutional and legal systems, and its political culture' (2013). In developing a theory of strategic intelligence, Loch K. Johnson put forward forty propositions to frame his ideas. All are concise and stimulating. These have particular relevance to accountability.

Proposition 36. Within democracies, intelligence scandals — especially if they involve domestic spying — stimulate efforts to establish greater accountability over secret agencies.

Proposition 37. In times of military crisis, a nation tends to rally behind its leader in favour of an efficient intelligence and military response to the threat, placing at a lower level of concern questions of civil liberties and intelligence accountability.

Proposition 38. Over time, intelligence oversight committees are apt to become co-opted by the agencies they are assigned to supervise.

Proposition 39. Nations that have experimented with procedures for greater intelligence accountability have found that this approach allows some semblance of policy debate and a healthy 'look over the shoulder' by elected representatives - in a word, the advantages of democracy in providing a check on ill-conceived intelligence activities (Johnson 2009, 50-51)

Johnson stated that most of the data needed for a rigorous test of the propositions presented above is locked up in government vaults.

Given this situation, one must resort to the only possible remedies: sifting through published government reports and other open literature on intelligence, which has become quite voluminous and interviewing officials involved in intelligence work (Johnson 2009, 51).

Gill has said that oversight of security intelligence agencies is perhaps the most demanding of all parliamentary challenges and it has become harder in the wake of 9/11 and the declaration of the war on terror (2007,15). Gill with Phythian have said that the oversight of intelligence, whoever carries it out, is inescapably political: 'Overseers must remember that they are engaged in contests of power in which the stakes are high. They must avoid paranoia as they traverse the wilderness of mirrors, but must remain alert to the possibility of being misled' (2006, 160).

Having placed accountability in the discourse I turn to Journalism Studies to see if it can provide useful concepts and frameworks for understanding intelligence and news media relationships.¹¹

2) Journalism

i) Journalism theory and the Fourth Estate

The role of journalism in democratic societies is well discussed and there is a wealth of literature. Siebert et al. started the modern debate with *Four Theories of the Press* (1956), which is now regarded as outdated; the best regarded, despite being very US orientated, is

¹¹ Excellent assessments of the British experience of accountability can be found in Gill, 2007 and Phythian, 2007.

Normative Theories of the Media (Christians *et al.* 2009). There is also the key UK text *Power without Responsibility* (Curran and Seaton 2010) which examines more UK-orientated concepts such as the liberal press model, the political economy model and the public service model. In media theory the enlightened and aspirational role of the news media in a liberal democracy is often characterized as that of the Fourth Estate where journalists are seen as the guardians of the public interest. The media relies greatly on its Fourth Estate role for legitimacy, seeking privileges and exclusions from legislation on the basis of this function. The genre of journalism known as investigative journalism is frequently seen to exercise a Fourth Estate function bringing the independent accountability to the state. While the Fourth Estate model has been challenged as over-simplistic in recent years (see Conboy 2013 and Hampton 2010, 3-13), for not, for instance, taking fully into consideration the impact of political economy,¹² it retains a useful function describing the normative role of the news media.¹³

ii) Agenda setting and primary definers

Government seeks to set the political news agenda wherever possible. Since the 1960s a discourse has developed within media studies and political communications characterised as 'agenda setting'. The premise is that certain elites have greater access to the news media to set agendas. In one framework those who have easy access to the media are called 'primary definers'. Miller (1993) stated that primary definition, as elaborated by Stuart Hall and his colleagues (1978, 58) in their widely influential book *Policing the Crisis*, refers to the ability of official sources to establish the 'initial definition or *primary interpretation* of the topic in question'. He said that they are thus able to 'command the field' in 'all subsequent treatment':

The media in this model are said to exist in subordination to the primary definers: The media, then, in this model, do not simply 'create' the news: nor do they simply transmit the ideology of the 'ruling class' in a conspiratorial fashion. Indeed, we have suggested that, in a critical sense, the media are frequently not the 'primary definers' of news events at all; but their structured relationship to power has the effect of making them play a crucial but secondary role in *reproducing* the

¹² They suggest that the agenda of the news media is as much, and often more, about selling product as it is about the Fourth Estate concept

¹³ The term normative is used as suggesting an ideal standard or model.

definitions of those who have privileged access, as of right, to the media as 'accredited sources'. From this point of view, in the moment of news production, the media stand in a position of structured subordination to the primary definers (Miller 1993).

Ericson et al. state that news is a representation of authority, contending that the news represents those who are the authorized knowers and what are their authoritative versions of reality (1989, 3). Closely linked to primary definition in journalism studies is source theory; as both provide explanations of how information enters the public sphere.

iii) Source theory

To understand how the news media cover intelligence, in the first instance, it is helpful to characterise the way journalists generally gather information to report. An important part of the journalist's craft is using sources to identify and authenticate stories. Sources are anyone who provides information and or is quoted. News journalism seeks to be authoritative and to authenticate the news. Quotes are routinely used to show that the journalist has actual verified the information by speaking directly to those who are involved or are representatives of those who are involved or are witnesses. What interested theorists are those privileged to appear in the news on a frequent and at length basis. Manning (2001) identified a range of actors on the news market:

- News organisations (in different media).
- Organisations and institutions (like governments, political parties, corporations) and individual news sources (like a witness in an accident).
- High profile institutions and high-profile figures (like presidents and prime ministers) have routine access.
- High level sources in the modern world do not have time to personally interface with the media. This task is delegated to public relations officers in most institutions. Their most important job is therefore 'news management'.

High profile institutions and corporations do not always exchange information for publicity, often they want to restrict media access and quash potential negative stories. There is nothing

new in this observation. Lippmann as a journalist expressed a sceptical view in the early years of the 20th century:

...it follows that the picture which the publicity man makes for the reporter is the one he wishes for the public to see. He is censor and propagandist, responsible only to his employers, and to the whole truth responsible, only as it accords with the employers' conceptions of his own interest" (1922).

The "father of PR", Edward Bernays, gave the PR role a more positive spin: "The counsel on public relations not only knows what news value is, but knowing it, he is in a position to make news happen" (Bernays, 1923). To understand how PRs work, theorists often use framing as a methodology. Entman said of framing:

To frame is to select some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation for the item described," (Entman, 1993, 52).

Political actors and public relations practitioners use frames as strategic tools to further the interests of their organizations, and one goal is to get the media to adopt the same frames. A frame is important in that it promotes a certain definition and perspective at the expense of competing ways of understanding a particular issue. Various theoretical models have been drawn up to discuss how journalists receive information and how sources seek to provide it:

- The propaganda - or publicity model
- The information model
- A model for asymmetric two way communication
- A model for symmetric two way communication

As an academic discipline Public Relations not only trains, but also discusses the knowledge and understanding and develops concepts and models of how PR should work. One such concept is the crisis communication model which is referred to in the intelligence media theory section of the thesis (Magen 2013). In the research section the way the intelligence community uses source relationships to use the media both historically and contemporaneously is discussed. There is a gradual accretion of concepts to enhance the study of source theory. Hall at al's framework may now be viewed as overly simple but as Cottle observed, it had the advantage of:

...identifying the structural and intuitional linkages between the mass media and other centres of power – linkages than can be examined and that promise to help explain the 'hierarchies of credibility' (Becker, 1967) and the differential opportunities of media access granted by the mass media to contesting voices and interests (1998, 18).

A crucial part of the journalist's craft is using sources. Quotes are routinely used to show that the journalist has actually verified the information by speaking directly to those who are involved or are representatives of those who are involved, are witnesses. However, the term 'source' more usually refers to contacts who can provide an alternative narrative to the dominant agenda. Greenslade has stated that the cultivation of sources is really THE job of the journalists:

There would be no political journalism at all without leaks. Leaks are the lifeblood. The cultivation of sources in order to get leaks is how journalism works in this country (2014).

Greenslade further observed that journalists cultivate sources from 'bottom to the top, the most important being the ones closest to government information And, he said, there had been a rise in media management strategy from the late 1990s, where government employs more and more press officers and special advisers (or 'spads') to control the flow of news and present it in the best possible light. He pointed out this led to 'daily arm-wrestling between the press and the government as to what information is released and which information is squeezed out of government'. The job of the journalist was to 'get to the truth' and always question whether they are 'suffering from spin' (ibid.).

Within cultural studies there has been a source theory discourse (see Hall *et al.* 1978, Gans 1980, Schlesinger and Tumber 1994, Cottle 1998, Manning 2001, Franklin and Carlson 2011, Broersma *et al.* 2013). These discussions set out a theoretical framework for how the news media find, use and publish source material. Schlesinger pointed out that the study of sources must take into account: 'relations between the media and the exercise of political and ideological power [...] by central social institutions which seek to define and manage the flow of information in a contested field of discourse' (1990, 62). Schlesinger grasped the nuances that time pressure and the need for 'authoritative' information brought and pointed to the political economic reality of news media. He said:

the most advantaged (sources) do not secure a primary definition in virtue of their position alone. Rather, if they do so, it is because of successful strategic action in an imperfectly competitive field (quoted in Cottle 1998, 13).

iv) Confidential sources and whistle-blowers

The term source can also be used to describe the rarer phenomenon, the contact who provides information from within an organisation without permission. In most cases these sources do not want their identities to be revealed as this may have negative consequences; examples would include putting their lives or their jobs at risk or facing the risk of prosecution. Such a person would be described as a confidential source. Those who reveal inside information and are prepared to go public are usually described as whistle-blowers. Developing and supporting these kinds of sources, whether they are in intelligence or elsewhere, is one of the most difficult tasks of journalism, although the difficulty is dependent on the extent of the information and how contemporaneous it is. In my experience as an investigative journalist, confidential sources can vary greatly from providing key unique information to confirmation of information gathered elsewhere. They can range from a police officer who exposes corruption within their force, or a civil servant who reveals a cover-up, to a worker who identifies health and safety breaches in the company they work for. In a recent article I commented on the difficulty for the journalist in handling such contacts:

Commonly, it's a quiet word to let a friendly and knowledgeable journalist know that something is wrong and needs to be dealt with. Sometimes it is motivated by office politics, but nonetheless in the course of that disclosure important information is revealed about incompetence. Very, very few of my insider contacts would have

described themselves as whistle-blowers. Most would have fainted if I had described them as such (2013b).

The former editor in chief of *Time* magazine Norman Pearlstine has made a useful clarification;

As a reporter and an editor, I had distinguished between 'anonymous sources,' whose names we wouldn't use in a story, and 'confidential sources,' whose identity we might decide to protect even after litigating and losing.

Since reporters were supposed to be trying to get their sources to go on record whenever possible, it seemed axiomatic that the source had to ask for confidentiality. A reporter couldn't make a source 'confidential' without the source's agreement. (Pearlstine, 2007, 102).

The intelligence community does not usually sanction information dissemination except in the blandest output or for its own agenda. Only when intelligence agencies score a resounding success or failure do we get a glimpse of their operations. As a journalist covering intelligence I have dealt with all forms of information that enable outside observers to build a picture of the intelligence community's activities. Historians have largely had to rely on information that comes from a limited range of sources. This includes documents that are released from the national archives after the expiry of the 30 year rule. As the intelligence services archives are held back for at least 50 years, any information release under the 30 year rule tends to be passing references from other department's files. There are also the official and semi-official histories and the memoirs of intelligence chiefs, officers and agents. Inevitably all these will be partial and often historical. That is why contemporary sources are so important to get an accurate view. Occasionally the reporter can develop a source that had inside knowledge of past or present conditions within an agency. This can provide a depth of knowledge unavailable by any other journalistic methodology. These discussions on sources, whether normal or confidential, help demonstrate the types of contact that occur between the intelligence agencies and the news media.

In the paper 'Urinal of Conduit' I proposed an initial framework to chart the institutional relationship in terms of the intelligence agencies entry into the *public sphere*. Information

release into the *public sphere* by intelligence agencies seems to have had several basic forms prior to the 1990s.

- Officially sanctioned but non-attributable information released to selected reporters from a major news organisation.
- Officially sanctioned exclusive leak to a selected reporter from a major news organisation.¹⁴
- Information leaked by a senior official to a selected reporter from a major news organization without internal recrimination.
- Information leaked by an official to a selected reporter from a major news organization with possible internal recrimination.
- Guidance on a specific story to a selected reporter from a major news organization informally by an official.

After the 1990s the following dissemination methods can be added:

- Formal officially sanctioned but non-attributable information released to all major news organisations.
- Formal guidance on a specific story to a selected reporter from a major news organization informally.

Outside the institutional information flow there have examples through the years from informal flow from, current or former, officials providing whistleblowing, dissident or alternative viewpoints. Peter Wright would be an example of a dissident former official, in effect a whistle-blower, entering the *public sphere* unsanctioned (Lashmar 2013a).

¹⁴ An excellent example of such a leak is detailed in Leigh 2000, 22.

3) Intelligence and Journalism

i) The Intelligence Studies perspective

Wherever the two professions of intelligence and journalism have interacted there are mutual tensions and claims of unethical behaviour. There is a small but growing body of work from within Intelligence Studies on how the intelligence agencies interact with the news media (see Gibson 1987, 1997, Shpiro 2001, Phythian 2005, Reich 2008, Dover and Goodman 2009, Hillebrand 2012, Magen 2012, Magen and Gilboa 2014). Each publication attempts to devise concepts to enable a better understanding of the complexities of the relationship. The sociologist Richard Wilsnack developed the idea of information control to mean 'the processes used to make sure that certain people will or will not have access to certain information at certain times' (1980). This approach has been used within Intelligence Studies. The Israeli academic Shpiro compared the German intelligence agency BND and Israel's Mossad: he characterises the different approaches as 'Defensive Openness' and 'Controlled Exclusion'.

'Defensive Openness' comprises four main elements:

- 1) Continuous in-house media monitoring
- 2) Proportionality of response
- 3) Balancing denial with providing information
- 4) Rewarding journalists rather than threatening (2001, 487)

'Controlled Exclusion' has three main elements:

- 1) Suppressing operational revelations
- 2) Threatening or punishing uncooperative media outlets
- 3) Using the media for building up deterrence (Shpiro, 2001, 493)

While Shpiro's approach is interesting and teases out some differences of approach, I find it over-simplifies the Mossad strategy and ignores the portrayal of covert offensive capability. Magen uses the press relations framework of 'Crisis Communication' to analyse the Israel Security Agency's handling of the media. This framework works primarily for scandals as

they break. Other academics have applied New Risk theory (see Beck 1992, Taylor-Goody and Zinn 2006, Bakir 2010).

Hillebrand suggested that the news media have three oversight roles:

- 1) Information Transmitter and Stimulator for Formal Scrutinisers
- 2) Substitute Watchdog
- 3) Legitimizing Institution

Hillebrand also argued there are limitations especially when the news media act as 'lapdogs' where journalists fail to sufficiently question government policies or simply transmit unsubstantiated claims by government officials.

Overall, the research has shown that the media's scrutiny functions are practised in an infrequent, ad hoc, and informal manner. The media thus, provide an uneven quality of intelligence oversight and, while contributing to the scrutiny of intelligence, do not easily fit into existing conceptual frameworks of intelligence oversight (Hillebrand, 2012, 705).

As Hillebrand observed, in the Academy, intelligence studies and journalism studies rarely combine.

ii) The Journalism Studies perspective

Part of my academic work is to develop concepts and frameworks to enable knowledge and understanding of these relationships. In the 2013 paper 'Urinal or Conduit' I attempted to identify the different information flows between the intelligence and the news media and how those flows are purposed. I looked to see whether a framework might be constructed to explain the process. I used the concept of primary definition, especially drawing on the framework developed for reporting crime (see also Chibnall 1977 and 1982). This provided a structure to think about how, when and why the intelligence agencies sought to enter the public sphere and how they interacted with the news media. Jürgen Habermas proposed the 'public sphere' as a development of the Enlightenment whereby individuals could constitute themselves as public could freely engage with each other as members of a 'society engaged in critical public debate'. According to Habermas conditions of the public sphere are:

- The formation of public opinion.
- That all citizens in principle have access.

- Unrestricted conference (based on the freedom of assembly, the freedom of association, the freedom to expression and publication of opinions) about matters of general interest, suggesting freedom from economic and political control.
- Rational- critical debate.

Habermas' concept suggests that all citizens should have equal access to conference (1962). Where the state covertly restricts some citizens' access this raises issues of interfering with the democratic process. There has been criticism and debate over the concept of the public sphere (see Manning 2001, 6), and some revision (Habermas 2006). Nevertheless it is a persuasive concept for citizen participation in a healthy democracy. As I have repeatedly shown in my work, intelligence agencies have played a role in manipulating and deciding who entered the public sphere. MI6 provided sanitised intelligence to selected journalists and others to influence public discussion. On occasion they sought to prevent public discussion. MI5 systematically and secretly blacklisted many people applying for jobs in the BBC, sometimes on the basis of inaccurate information (Leigh and Lashmar, 1985). Here we find MI5 surreptitiously denying the rights of others to enter the public sphere.

Journalism Studies academics have, in part, been concerned in recent years with the decline of investigative journalism. The constant change within the news industry has provided a constant shifting backdrop to my career and has certainly affected my ability to undertake investigative journalism. This is where the political economy model of journalism has often impacted on the Fourth Estate model. By 2008 there was a general agreement that the quality of the traditional mainstream news media was in decline and that is supported by growing body of empirical research, for example by Cardiff University (Lewis et al 2008) (Davies 2008). One of their most disturbing findings was the high percentage of stories in the national mainstream news media that, though by-lined with a reporter's name, was taken directly from PR material or news agencies. Around the same time The Reuters Institute published a detailed analysis of the likely impact of the digital revolution on the economics of news publishing in the UK. Among the conclusions reached in the report was that in the UK and elsewhere, news publishers are increasingly building digitally mechanised factories, equipped to feed content to a range of media platforms, all day and all week (Currah 2009).

Among news and current affairs professionals it is widely believed that investigative journalism has suffered disproportionately. Former *Sunday Times* Insight team editor,

Stephen Grey, claimed that cutbacks have severely reduced the number of investigative journalists able to work in the UK. "I think it's been absolutely savage in Great Britain. It's quite a long trend that's been going. You have seen major investigation shows in Britain collapse. There is very little investigation going on - telly as well as newspapers," (Sturton, 2009).

iii) DA-Notices

The fact that journalists will report on and exert oversight of the defence and intelligence is well established. In the UK the Defence Notice (D-Notice) now Defence Advisory Notice (DA-Notice) has existed since 1912 as a method used by Whitehall to persuade editors not to publish stories it believes are harmful to the national interest. The Defence, Press and Broadcasting Advisory Committee (DPBAC) operate a voluntary code based on consultations between UK Government departments which have responsibilities for national security and the media. It uses the Defence Advisory (DA)-Notice System as its vehicle. There is a history of the D Notice Committee by its former Secretary Nicholas Wilkinson (2009). The objective of the system is to prevent inadvertent public disclosure of information that would compromise UK military and intelligence operations and methods, or put at risk the safety of those involved in such operations, or lead to attacks that would damage the critical national infrastructure and/or endanger lives. The media can consult with the Secretary of the Committee before publication. It has had increasingly less impact of the years and is viewed as irrelevant in any major news exposure, as it will almost certainly advise not to publish. When the Guardian published the first tranche of Snowden documents it ignored the DA-Notice system.

By what right do journalists exercise their accountability role? Schoenfeld made the point that reporters and editors regard themselves as public servants, but they suffer from a tendency to forget they are private individuals, elected by no one and representing no one:

They indefatigably demand openness in government and claim to defend the people's 'right to know.' But they operate inside private corporations whose employees and officers report ultimately only to shareholders and which are themselves not at all transparent. Indeed, the putative watchdogs of the press, ever on the lookout for the

covert operations of government, can themselves be covert operators, with agendas hidden from the public (Schoenfeld 2010, 264).

And so it has been shown in the UK context, with scandals over phone-hacking and bribery of public officials. Yet as flawed and inconsistent as they are, some elements of the news media continue to exercise scrutiny over the secret state.

D) Research

This chapter summarises how the UK news media have interacted with the intelligence services and why the historic record suggests the intelligence services need external accountability.

This section discusses how the news media have acted, in effect, as an external oversight body for intelligence and how that function interacts with official oversight mechanisms.

1. Historical Context.

The History of Intelligence — media relations:

The news media are a primary source of information on the intelligence community. Prior to the 1950s there was relatively little reporting of the intelligence services. Reports of their activities were confined to the outcomes of their successes, for instance the arrest of spies. Detailed coverage was discouraged at every level. The little that appeared was largely supportive and there was little in the way of criticism in the media. From the 1950s we find increasing levels of reporting, often favourable, but with a gradual increase in the level of scepticism expressed by the news media especially at times where incompetence or malpractice by the intelligence agencies had been revealed. The government was still keen to crack down on any leaks about intelligence operations. In 1958 the Oxford University magazine *Isis* found itself in trouble. Two undergraduate contributors who were both ex-national service, wrote about British Intelligence operations on the borders of the Soviet Union. The two men were prosecuted under section 2 of the Official Secrets Act 1911, and sentenced to three months imprisonment. From the 1960s there was a demand for intelligence related news stories as the public became fascinated by glimpses inside a world that has been popularised by Ian Fleming and John le Carré with their fictional characters James Bond and later, George Smiley (see Dover 2009, 201-219).

i) Intelligence, propaganda and media manipulation

While discouraging coverage of many of their activities, the intelligence services have always leaked information to selected members of the media. Early on these agencies refined how to control selected journalists. Through much of the 20th century, those journalists favoured

with inside information tended to have worked for these agencies or have shared values that made them 'one of us'. Many senior national media journalists, especially in the first half of the century, had worked in intelligence at some point in their careers, often during wartime. Phillip Knightley has said: 'many journalists thought they could best help defeat Hitler by writing propaganda for one of the information offices or by serving in one of the secret services' (2006, 7).

The covert flow of intelligence information to selected journalists reached its peak in the decades after the Second World War. Certain journalists had access directly to MI5 and MI6 — indeed, they may have been working for them. At the start of the Cold War, a new body was launched to specialise in covert propaganda on an almost industrial basis. The Foreign Office's IRD was set up under the Labour Government in 1948 and clandestinely financed from the same budget as the intelligence services. A large organisation with close links to MI6 (with whom it interchanged personnel), IRD waged a vigorous covert propaganda campaign against Communism for nearly thirty years supplying carefully selected journalists, politicians, academics and trade unionists with sanitised intelligence data.

As with all large and covert organisations, IRD developed 'mission creep' and became involved in Britain's colonies and later in Northern Ireland, countering republicans. Hundreds of journalists, authors and academics were employed by, or received fees or favours from, MI6/IRD fronts for using an array of techniques to influence world and domestic opinion. Certain journalists, selected by the agencies or their officers on a personal, political and informal basis, were uniquely able to access career enhancing information, while all others were excluded. IRD's work was officially sanctioned and a key part of its role was to create a *cordon sanitaire* so that government inspired information was placed in the public sphere but without attribution. These methods all raised significant ethical issues rarely publicly addressed at the time.

Wherever British intelligence and security services have operated there have been issues over selected leaking and disinformation. Northern Ireland was infamous (as documented by Curtis 1984, Bloch and Fitzgerald 1979 and Miller 1993). Recent academic research revealed that British military intelligence agents in Northern Ireland used fears about demonic possessions, black masses and witchcraft as part of a psychological war against emerging armed groups in the Troubles in the 1970s. The propagandists were closely linked to IRD

though convened in a special regional unit (Jenkins 2014). As Oliver and I revealed, IRD had been involved in the covert manipulation of the public for the UK's entry into the European Union. After years of little oversight, IRD was deemed a liability and was shut down by then Foreign Secretary David Owen in 1977. He was one of several sources who confirmed IRD covert activity with MI6.

Historically the intelligence services have a record of placing information, sometimes false or misleading, into the public sphere for their own agendas. As early as 1924 we have the still disputed case of the 'Zinoviev Letter' which was an inflammatory document published in the British press — *The Daily Mail* — four days before the general election. It appeared to be a directive from the Communist International in Moscow to the Communist Party of Great Britain ordering the intensification of agitation against British democracy. It played to fears of the Soviet threat. The tone of the letter can be seen from this extract:

A settlement of relations between the two countries will assist in the revolutionizing of the international and British proletariat not less than a successful rising in any of the working districts of England, as the establishment of close contact between the British and Russian proletariat, the exchange of delegations and workers, etc. will make it possible for us to extend and develop the propaganda of ideas of Leninism in England and the Colonies.¹⁵

Many believed publication of the letter led to the fall of the Labour Government of Ramsay MacDonald. The letter took its name from the signature of a senior Soviet official Grigory Zinoviev and seemed authentic at the time but historians now believe it was a forgery. While the source of the leak is still subject to controversy it was almost certainly leaked to the press and the Conservative Party at the instigation of the third-most senior MI5 officer. MI6 also had a politicised role in the affair (Jeffrey, 2010, 216-222). Examples of unethical activity, as well as activity of the highest ethical standards, by the intelligence services are related in the historical record. Many of the cases revealed in my submitted work show unethical behaviour within those agencies.

There is limited discussion of the impact and motives of intelligence leaks in the literature. The most significant paper is on the Israeli experience by Reich (2008). There are still

¹⁵ The contents and context of the letter can be found in the National Archives: http://webarchive.nationalarchives.gov.uk/+http://yourarchives.nationalarchives.gov.uk/index.php?title=The_Zinoviev_Letter

occasional glimpses of deliberate intelligence leaks into the public sphere through trusted journalists. In the late 1990s *The Sunday Telegraph* alleged the son of the then Libyan Leader Colonel Gaddafi was involved in a criminal enterprise with Iranian officials that involved counterfeit notes and money laundering in Europe. This backfired as *The Sunday Telegraph* could not evidence the allegations and the resultant libel action ended up with the paper paying damages. The story was written by Con Coughlin, the paper's then chief foreign correspondent, and it was attributed to a 'British banking official'. It emerged in the trial that, in fact, it had been given to him by MI6 officials, who had been supplying Coughlin with officially sanctioned material (Leigh 2000). This appears to have been an officially sanctioned informal leak. Knightley said:

Those very few journalists who do have some sort of access or privilege are so jealous and guard it so clearly that it's almost worthless. They're in the pocket of the person who's providing them with what information they can get, (Scholsberg 2013, 138).

Keeble assessed the influence of intelligence agencies on the news media:

While it might be difficult to identify precisely the impact of the spooks (variously represented in the press as "intelligence", "security", "Whitehall" or "Home Office" sources) on mainstream politics and media, from the limited evidence it looks to be enormous (2008).

He examined key sources detailing a range of inappropriate relationships between intelligence agencies and journalists post Second World War, concluding that:

It is clear there has been a long history of links between hacks and spooks. But as the secret state grows in power, through massive resourcing, through a whole raft of legislation — such as the Official Secrets Act, the anti-terrorism legislation, the Regulation of Investigatory Powers Act and so on — and as intelligence moves into the heart of ex-British leader Tony Blair and prime minister Gordon Brown's ruling clique so these links are even more significant (2008).

ii) Investigating intelligence agencies

The intelligence agencies suffered extensive reputational damage as a result of the gradual unmasking of the members of the Cambridge spy ring in the second half of the 20th century, apparently members of the British establishment, but really Soviet agents, who had inveigled their way into Britain's intelligence services. This scandal was slow to be revealed to the full but it had public impact from the early 1950s when the first of these agents fled before arrest (see Boyle, 1979). Aldrich and others have argued that the first generation of post-war journalists accepted the national security state and saw it as their duty not to probe deeply into or be too critical of its operations (see Lashmar and Oliver, 1998, Knightley, 2006 and Moran, 2012). Aldrich, in his examination of the Anglo-American intelligence axis in the Cold War, argues that it was not until the early 1960s that an 'era of exposure began' citing coverage of the U2 spy plane incident in 1960, the disastrous Bay of Pigs invasion in 1961, the Vassall spy case in 1962 and the Profumo Affair in 1963 (2001, 607-608).¹⁶

A series of media investigations into the CIA and other American agencies from the late 1960s revealed a wholesale range of illegal, unethical, anti-democratic activity and paralysing internal bickering. The same happened in the UK where extensive illegal and politically partisan action by the intelligence services was much more gradually revealed. Perhaps the most important breakthrough was *The Sunday Times* coverage of the Philby affair:

Late 1967 brought revelations about Kim Philby, which were the result of an eight-month investigation by *The Sunday Times* Insight team. This was crowned by the sensational publication of his memoirs in the following year, which dealt in detail with SIS. Whitehall's attempts to control the Philby story had failed. *The Sunday Times* had ignored a D-Notice placed on the story. It also resisted efforts by Dennis Greenhill of the Foreign Office to persuade the editors to print unflattering material about the KGB alongside the Philby material. It is hard to recapture the sense of shock and outrage felt by some members of the establishment at the public parading of these secrets' (Aldrich 2004, 945).

¹⁶ More recently Moran has argued that the earlier 'Buster' Crabb Affair scandal in 1956 was the breakthrough moment where UK journalists first widely ignored establishment blandishments not to publish an intelligence issues on the grounds of the national security. 'Increasing press interest in intelligence was arguably indicative of a broader cultural shift in attitudes towards the secret state. Although, traditionally, intelligence was a subject about which questions were never asked, by the mid-1950s it was fast becoming an area of major public interest' (Moran 2011, 699).

Within a few years controversial eavesdropping activities of the GCHQ were revealed, most notably by the journalist Duncan Campbell (Campbell and Hosenball 1976). British intelligence was shown to have been involved in many coups, from Iraq to Indonesia, often with unintended and unfortunate consequences (Lashmar and Oliver 1998, 1-10). The new generation of journalists remained fully in the public sphere but outside the pre-existing institutional intelligence-media relationships with their only intelligence sources tending to be dissident officers. The consequence of the new wave was to put pressure on pre-existing cosy London club based relationships amongst the old guard that now neither protected the services nor produced front page stories.

During the Cold War MI5 had applied questionable methods against those they perceived to be on the Left and it had trouble distinguishing the currents of the New Left from the pre-war old school sympathy for communism. By 1986 it became clear MI5 had been riven by internal disputes and suspicions, as revealed by the publication of *Spycatcher* by the former senior MI5 officer Peter Wright, despite British Government legal action, supporting Poulantzas' concept of elite schisms.¹⁷ The intelligence community is not homogenous and has been riven by destructed rivalries in the past. The key points that Peter Wright makes in *Spycatcher* are that he was tasked to identify a Soviet mole believed to be in MI5. He claimed that the mole was former MI5 Director General Roger Hollis; it also details other officers who might have been the mole. Perhaps the allegation that is best remembered is of a plot by MI5 officers against left of centre British Prime Minister Harold Wilson.

Wright outlined a MI6 plot to assassinate President Nasser at the time of the Suez Crisis and MI5's eavesdropping on high-level Commonwealth conferences. As an overview he narrates a history of MI5 by chronicling its principal officer from the 1930s through to his time in the security service. It may have not been Wright's intention, but perhaps the most damning revelation was of the incompetence and misplaced paranoia of his MI5 generation (Wright 1987).

iii) Accredited Journalists

In the past most journalists found it hard to obtain official information on the intelligence services as a result of the government standard procedure of never confirming or denying any aspect of intelligence activity. For much of the 20th century, except for the selected few, the

¹⁷ I reported on the *Spycatcher* story and was one of the journalists injuncted by the British Government.

working journalist had no avenue for direct contact with the agencies. In the meantime, as the intelligence agencies were not officially acknowledged to exist by government, questions were directed to designated Home Office or Foreign Office press officers who usually were, at best, as I can vouch, evasive.¹⁸ Conservative governments took two quite different approaches to the problem. In July 1984 a Ministry of Defence (MOD) senior civil servant, Clive Ponting, had sent two documents to Labour MP Tam Dalyell concerning the sinking of an Argentine navy warship *General Belgrano*, a controversial incident in the Falklands War of 1982. Ponting admitted revealing the information and was charged with a criminal offence under Section 2 of the Official Secrets Act of 1911. Ponting's defence was that the contents and its disclosure to a Member of Parliament were in the public interest. He was acquitted by the jury. Further damage was done the Act by the Cathy Massiter (MI5 whistleblower) affair and then Spycatcher. In 1989 the Thatcher government brought in a new tougher Official Secrets Act and among the amendments was the removal of a public interest defence. Just a few years later in the post-Cold War there was growing pressure for freedom of information, transparency and accountability in Whitehall. Some time at the beginning of the 1990s, MI6, supported by the then Prime Minister John Major, decided the time had come for the agencies to develop more formal (if still anonymous and opaque) relationships with some leading media organisations. The old wartime 'old boy's network' relationships had faded.¹⁹

In retrospect the 1980s were the high point of the UK media bringing the state to account over intelligence excesses. This was in part due to the wealth of historical examples that were brought to light. Alongside the investigations, I, like other specialist journalists, would be called upon by editors to produce straightforward reports on breaking stories on intelligence related matters. By the 1990s, MI6 and MI5 were aware that they needed to be seen as more transparent and open to media scrutiny. As a trial, MI6 was prepared to talk to one link reporter in a small number of the most important UK media organisations. In 'Urinal or Conduit' I detail the experience of David Rose, then home affairs editor of *The Observer* (2013). MI6 was interventionist; Rose said the secret service contact leaked stories to him. So, the intelligence services were keen to take the opportunity to be proactive 'primary definers' in the public sphere and on occasion to frame the news agenda. During the 1990s, the experiment was deemed a success and extended to a wider range of news organisations.

¹⁸ It is worth noting that the CIA and FBI have each had a Public Affairs office for decades.

¹⁹ I can, though, recall my editor in the 1980s meeting MI5's legal adviser Bernard Sheldon at a Whitehall club to discuss what risks a story might pose to national security.

Later, the *Intelligence and Security Committee Report* for 2004-5 described the arrangement publicly:

Currently, a number of media outlets have a journalist 'accredited' to the Security Service and/or the SIS; these journalists are able to contact the Services for guidance.

Timeline Two

To test the statement that 'the 1980s were the high point of the UK media bringing the state to account over intelligence excesses' I have constructed a timeline of major UK media exposes of UK intelligence malpractice and a hard copy of the timeline as on the date of submission is attached as Appendix 5

The criteria:

This timeline seeks to show all major exposes of British Intelligence (in the broadest sense MI6, MI5, GCHQ, military intelligence and Northern Ireland security forces) malpractice (illegality, incompetence, corruption, anti-democratic or immoral acts) primarily by UK news media. This timeline will inevitably be, to some extent, subjective, as there are a number of criteria that are hard to define exactly (e.g. such as the difference between a major and lesser exposé). While the emphasis is on revelation the timeline also includes exposes that come when a major scandal is being investigated publicly, for example in a trial or tribunal.

The timeline does not include the publication of information that was previously secret but where the story is favourable to the intelligence services (e.g. the Ultra secret, existence of Special Operations Executive (SOE) successful operations, British Security Co-ordination (BSC) in New York). The timeline entries can also be an exclusive news report based on the publication of a book. I have sought the contribution of a number of UK reporters and academics who have covered National Security in the period.

2. Case Study — Weapons of Mass Destruction

As the war on terror progressed, serious questions arose about the veracity of intelligence based information released by government. Former senior intelligence official John Morrison has said that the Prime Minister Tony Blair and his press secretary Alastair Campbell's 'school of media manipulation' infected the intelligence agencies: 'There was a culture of news management which came in after 1997 which I had not seen before, and intelligence got

swept up in that' (Norton-Taylor and White 2004). For the journalist, access to high level sources is a great resource, but it can be hard to resist the danger of 'going native'. Using the Hall et al. model one can see that not only Downing Street, but also MI6 and others, sought to be the primary definers of the Iraq story and too often journalists obliged uncritically. While the politicisation of MI6 is focussed on the Weapons of Mass Destruction (henceforth WMD) in the run up to the Iraq invasion, Dorril in his history of MI6 states that it had started 'a pattern of disinformation' in the 1990s and quotes a source:

A former MI6 officer has alleged that the 'bread and butter work' of the Services' psychological warfare I/Ops section is in 'massaging public opinion into accepting controversial foreign policy decisions'. In particular, he cited 'the plethora of media stories about Saddam Hussein's chemical and biological weapons capability' – the 'ante was upped so that there would be less of a public outcry when the bombs started to fall'.

Dorril cites an example:

In early 1998, when British and American forces were preparing to attack Iraq if Saddam did fulfil pledges on UN inspection of presidential sites, MI6 received or invented intelligence that there were Iraqi plans to smuggle anthrax into Britain in bottles of duty-free perfume or spirits (2000, 766).

By the early 2000s in the run up to the actual invasion, the intelligence community and especially MI6 was successfully manipulating parts of the news media. Only later was the full extent realised. David Rose later wrote a *mea culpa* article in *The New Statesman* admitting he had got too close to his intelligence contacts:

To my everlasting regret, I strongly supported the Iraq invasion, in person and in print. I had become a recipient of what we now know to have been sheer disinformation about Saddam Hussein's weapons of mass destruction and his purported 'links' with al-Qaeda — claims put out by Ahmad Chalabi and his Iraqi National Congress (2007).

My own experience as an accredited reporter with the intelligence services began, some years after David Rose, while working for The Independent Newspapers. As I detail in the 'Urinal or Conduit?' paper, I too received the intelligence briefings that David Rose received and was

consistently told with great certitude that there were WMD in Iraq. Unlike *The Observer*, *The Independent on Sunday*'s collective position was of profound scepticism over WMD. Nor were we, at *The Independent on Sunday*, recipients of official leaks. Hall et al.'s concept of primary definers states: 'such spokesmen are understood to have access to more accurate or specialized information on particular topics than the majority of the population,' (1978, 61) There is no better example of this than the official intelligence agency sources. At the time I was also dealing with non-official, long-standing contacts within the intelligence agencies. Talking to these unsanctioned contacts was difficult as the journalist must protect their sources, and that is challenging when it comes to dealing with the spy world. It became particularly difficult around the time of the David Kelly affair, where a government scientist was revealed to be the source of BBC journalist Andrew Gilligan and alleged to have made the claims that the Blair inner circle had 'sexed up' the 'dodgy' dossier claiming Iraq had WMD. The government sought to close down any inside sources within the intelligence community. Home Secretary John Reid lambasted these unofficial sources as a 'rogue element' on the BBC's *Today* programme, specifically referring to my sources:

I said a rogue element because I thought there was one that was briefing Andrew Gilligan or indeed I said indeed (SIC) elements because there may be the same source, there may be the same person, who is briefing *The Independent on Sunday* and various others, I don't know. But they are very much in the minority (*Today* 2003).

I wrote a number of the stories for *The Independent on Sunday*, largely based on one key inside source. Journalism has a general rule that no story should be published without at least two separate sources confirming it is correct. However, it is often very difficult to get a second source in the intelligence world, not least because these organisations operate a tight 'need to know' policy. During the war on terror coverage it was implicitly agreed that if I was sure of the accuracy of important one-source stories, based on my knowledge of the source, then *The Independent on Sunday* would run them. This decision was clearly based on the editors' understanding of my reputation. An example story, based on one source (submitted item fourteen), takes apart the infamous '45 minute' claim that WMD were ready and quickly available to Saddam Hussein. I believe the quality of our reporting stands the test of time for accuracy. I would argue that a handful of journalists were putting information of similarly high quality into the public domain at this time and this information was proven to be in the public interest.

Some of have suggested that the intelligence services becoming more open to the media was folly. Two key critics, the intelligence academics, Professor Anthony Glees and Dr Philip H. J. Davies, argued that the 'controversies over Iraq Intelligence are a direct result of John Major's *Open Government Initiative* — when the intelligence services are brought into the open they are inevitably politicised'. They proposed that the intelligence services should return to anonymity (Glees and Davies 2004). I would counter by proposing that *Open Government Initiative* was only a move in the right direction. Had complete anonymity still be the order of the day we would not have known of the politicisation of MI6

3. Contemporary case study — Edward Snowden

To illustrate the issues raised by this thesis I have chosen to incorporate case studies. To give a sense of the contemporary environment in which Western intelligence operates and the media report, I looked for a recent example. The material leaked by Bradley (now Chelsea) Manning, the US Army soldier, to WikiLeaks was a possible case study but was rejected on the grounds that: Firstly, It was largely US orientated and therefore did not fit into a thesis examining the UK experience; Secondly, that it was not intelligence material, mostly military and State Department, and while it had intelligence content it was filtered through those departments. I chose instead the Snowden affair which provides an excellent contemporary case study for debate over the remit of intelligence in western democracies. American computer specialist Edward Snowden is a former Central Intelligence Agency employee and National Security Agency (NSA) contractor who established unauthorised contact with American journalists from late 2012. On 20 May 2013 he flew to Hong Kong, and so was out of US jurisdiction when the initial articles based on his leaked documents were published.²⁰ A wide range of Snowden's leaked documents have been published by media outlets worldwide, most notably *The Guardian* (Britain), *Der Spiegel* (Germany), *The Washington Post* and *The New York Times* (US), *O Globo* (Brazil), *Le Monde* (France), and news outlets in Sweden, Canada, Italy, Netherlands, Norway, Spain, and Australia (Greenwald 2013). These documents reveal operational details of a global surveillance apparatus jointly run by the *Five Eyes* in close cooperation with diverse commercial and

²⁰ On 23 June 2013, Snowden landed in Moscow's Sheremetyevo International airport. Snowden remained in the airport's transit zone for 39 days until granted temporary asylum by the Russian government on 1 August.

international partners. Glenn Greenwald, the then *Guardian* journalist who analysed many of Edward Snowden's documents, summarised his perception of NSA's objective as:

I think everybody knows by now, or at least I hope they do after the last seven months reporting, that the goal of the NSA really is the elimination of privacy worldwide - not hyperbole, not metaphor, that's literally their goal, is to make sure that all human communications that take place electronically are collected and then stored by the NSA and susceptible to being monitored and analysed (2013).

It is now apparent that metadata²¹ of most emails, many phone calls and much more is being copied into huge data stores that allow the agencies to sift for useful information. Snowden also revealed that the agencies have secretly negotiated for 'back doors' in the security of many computer programmes, social networking sites, websites and smartphones. This is justified on the grounds of fighting the war on terror and organised crime. In October 2014 it was further admitted that GCHQ views material gathered by the NSA without a warrant (Ball, 2014). Snowden's material does not only reveal issues over intelligence gathering, but also covert operations. A story run by NBC News described techniques developed by a secret GCHQ unit called the Joint Threat Research and Intelligence Group (JTRIG) as part of a growing mission to go on the offensive and attack adversaries ranging from Iran to the hacktivists of Anonymous. (Cole *et al.* 2014). Many critics of the publication of Snowden's material state that no document should have been published as every piece can give enemies a clue as to the methods used by the intelligence agencies to thwart terrorists' attacks. According to the documents, which come from internal presentations prepared in 2010 and 2012 for NSA cyber spy conferences, the agency's goal was to 'destroy, deny, degrade [and] disrupt' enemies by 'discrediting' them, planting misinformation and shutting down their communications. The PowerPoint presentations detail 'Effects' campaigns that are divided into two broad categories: cyber-attacks and propaganda operations. The propaganda campaigns use deception, mass e-messaging and 'pushing stories' via Twitter, Flickr, Facebook and YouTube. JTRIG also uses 'false flag' operations, in which British agents carry out online actions that are designed to look like they were performed by one of Britain's adversaries (Cole *et al.*, 2014).

²¹ Metadata is defined as the data of data and in this case is information that accompanies and individually defines emails, phone calls, texts and other electronic communications but is not the content data.

The sheer scale of NSA-GCHQ operations clearly surprised many politicians who thought they had been kept informed of the activities of the intelligence agencies. Chris Huhne, a former UK cabinet minister, said that ministers were in 'utter ignorance' about even the largest GCHQ spying program — *Tempora* — or its US counterpart, the NSA's *Prism*, as well as 'about their extraordinary capability to Hoover up and store personal emails, voice contact, social networking activity and even internet searches (Taylor and Hopkins 2013). Snowden fulfils the definition of a whistle-blower, though to some he is a traitor.

Other commentators have unreservedly attacked Snowden for his leaks. Charles Moore, the former editor of *The Daily Telegraph*, said:

In traditional accounts of Hell, sinners end up with punishments that fit their crimes. Rumour-mongers have their tongues cut out; usurers wear chains of burning gold. On this basis, it will be entirely fitting if Edward Snowden spends eternity in a Moscow airport lounge,' (Moore 2013).

The UK Government and the Prime Minister, David Cameron, attacked *The Guardian* for publishing the Snowden material.

As we stand today, there are people in the world, who want to do us harm, who want to blow up our families, who want to maim our country. That is a fact, it's not a pleasant fact, but it's a true fact [...].

Cameron maintained that the UK's intelligence agencies are fully accountable:

So we have a choice, do we maintain properly funded, properly governed intelligence and security services, which will gather intelligence on these people, using all of the modern techniques to make sure that we can get ahead of them and stop them, or do we stop doing that? What Snowden is doing and to an extent what the newspaper are doing in helping him is frankly signalling to people who mean to do us harm, how to evade and avoid intelligence and surveillance and other techniques (Hope and Waterfield 2013).

Sir John Sawers, head of MI6, when appearing in front of a parliamentary committee in November 2013, addressed the impact of the Snowden revelations (see below) by questioning the qualifications of journalists and senior editorial staff in deciding what can be published.

I'm not sure the journalists managing these publications are particularly well placed to make that judgement [...] What I can tell you is that the leaks from Snowden have been very damaging, they have put our operations at risk. It is clear our adversaries are rubbing their hands with glee, al Qaida is lapping it up (Marszal 2013).

At the same ISC hearing the head of GCHQ, Sir Ian Lobban, said:

The cumulative effect of this global media coverage will make our job far, far harder for years to come [...] What we have seen over the last five months is near daily discussion amongst some of our targets (Marszal 2013).

My research suggests that while UK journalists have published documentation from Snowden they sought to act responsibly, and concentrated on material that demonstrated the extent of mass surveillance and any other areas where the legitimacy and oversight is questioned. *The Guardian* editor, Alan Rusbridger, told a parliamentary committee that the paper consulted with government officials and intelligence agencies, including the GCHQ, the White House and the Cabinet Office, on more than one hundred occasions before publication (Rusbridger, 2013). Those who have had access to the Snowden documents have told me there is a considerable amount of material on actual UK anti-terrorist operations. Of the 1.7 million documents said to exist in the Snowden cache, 58,000 refer to GCHQ and only a tiny percentage, less than one per cent, has been published by the news media. None have been from active anti-terrorist operations.

It is worth noting that the way the Snowden documents have been released has been a source of controversy even among some of Snowden's supporters. The only two people who appear to have all the documents are Glenn Greenwald and film-maker Laura Poitras, who have been working together since Snowden decided to turn whistle-blower. It is even suggested that Snowden, now taking asylum in Russia, does not have access to the documents by his volition so he cannot be forced to release them to intelligence agencies hostile to the United States, but this remains speculation. Greenwald and Poitras between them have controlled the release of the documents. Where they have released documents to other journalists it has been on a very limited basis. The controversy grew when Glenn Greenwald accepted a job offer from the eBay founder Pierre Omidyar to set up *The Intercept* for profit news website. He took the documents with him. Omidyar has served as Chairman of Paypal since 2002. Paypal famously blocked payments to WikiLeaks in 2012 and is also seen to have links with US

intelligence agencies. Sibel Edmonds, whistle-blower and founder of the boilingfrogspost website, has stated that an NSA leaker revealed close ties between the NSA and PayPal Corporation (Edmonds 2013a and 2013b). It is clear that the size of the Snowden tranche is enormous and beyond the capability of the Greenwald/Poitras team to analyse for release. I have ascertained that several leading journalists specialising in coverage of eavesdropping agencies have found it hard to access the Greenwald/Poitras team, to enter into a meaningful discussion with them and have had limited success in seeing the material. Few of the critics are suggesting complete release of the tranche of documents. As was seen with the WikiLeaks/Manning documents, a complete release of documents into the public domain can put lives in danger and reveal evidence of current operations against terrorist organisations of the intelligence agencies of hostile nations.

Keeble asks:

How legitimate is it for Glenn Greenwald and his close circle of journalists (now grouped around The Intercept) to hold a monopoly on the distribution of the Snowden revelations. Are there not conflict of interest issues to consider when The Intercept is funded by the billionaire owner of Paypal, Pierre Omidyar.

How many files are there, in fact? We, the public, have still no idea. We know that only a tiny proportion has been revealed – just 2 per cent possibly. Why? What is being held back? (Keeble 2015).

The argument is that there should be a more open approach to releasing documents that do not put lives or appropriate anti-terrorism methodologies in danger. Cryptome, the intelligence documentation website run by John Young, based in New York, has been tracking the release of documents so they are available in one place. But Cryptome can only obtain documents which Greenwald and his team have released into the public domain. Young has been one of the most campaigning critics of Greenwald. As of 16 July 2015 the tally of release is:

Add 8 pages to [The Intercept](#). Tally now *5,736 pages of The Guardian first reported 58,000 files; caveat: Janine Gibson, The Guardian NY, [said on 30 January 2014](#) "much more than 58,000 files in first part, two more parts" (no numbers) (tally about ~7.6%). DoD claims 1,700,000 files (~.03% of that released). ACLU lists 525 pages

released by the press. However, if as The Washington Post reported, a minimum of 250,000 pages are in the Snowden files, then less than 1% have been released. Note Greenwald claim on 13 September 2014 of having "hundreds of thousands" of documents.

4. Accountability research

As a result of the many revelations in the 1980s of intelligence service wrongdoing, regulation followed. It was widely perceived that the intelligence services needed to be in a legal and accountable framework. In 1989 legislation was passed to constitute the security service MI5 as a full legal entity. The new government of John Major instigated a policy of openness that extended to the intelligence community. In 1993 the name of the Director General of the Security Service (MI5), at the time Stella Rimington, was announced officially for the first time. John Major then acknowledged the peacetime existence of the Secret Intelligence Service (SIS/MI6) and set in track the legislation that placed it, and its sister organisation the signal intelligence organisation GCHQ, on a statutory footing with some oversight. In November 1993 the government published its Intelligence Bill and simultaneously published, for the first time, the estimates for the intelligence services — then £900m for the year (Gill 1996 313). Gill suggested that the Act came about, at least in part, because of the Government's concern that the non-legal status of the intelligence services would leave them vulnerable to adverse court rulings, not least from the European Court of Human Rights (1996, 323). He stated the main innovation in the Act, and one which apparently provides some potential challenge to executive information control, is that the Intelligence and Security Committee (ISC) can examine the expenditure, administration and policy of the Security Service, SIS and GCHQ:

[The Intelligence and Security Committee] has nine members from either Lords or Commons, who will be appointed by the Prime Minister after consultation with Leader of Opposition. The Committee will report annually to the Prime Minister, and other times if it wishes, and a copy of the annual report will be laid before each House, subject to any exclusion of 'prejudicial' material made by the Prime Minister but within no specific time limit (1996, 323).

On issues identified as national security, secrecy was retained, however, and often extended. More robust parliamentary oversight of the intelligence services was slow in coming. Former Labour MP and chairman of a select committee, Chris Mullin, stated the struggle to render the security and intelligence services accountable to parliament has been a long one.

When I first joined the home affairs committee 20 years ago, I asked the then home secretary, Ken Clarke, if we could interview the then head of MI5, Stella Rimington. Clarke refused. However, it was rumoured that Rimington, in an effort to improve the image of the service, had been privately briefing newspaper editors. I rang a couple who confirmed they had met her. How come, I asked Clarke, when he next came before the committee, the head of MI5 was permitted to meet with the unelected, but not with the elected? At which point he came out with his hands up. Half a dozen of us were invited to lunch with her (2013).

While Parliament's ISC is the most high profile of the UK's intelligence oversight mechanisms, there are a number of oversight organisations that intermesh with the intelligence agencies. The ISC is complemented by three judicial commissioners.

- 1) The Intelligence Services Commissioner provides independent judicial oversight of the conduct of the Secret Intelligence Service (MI6), Security Service (MI5), Government Communications Headquarters (GCHQ) and a number of other public authorities. The ISC commissioner, Mark Waller, works with the Home Office.
- 2) There is also the Interception of Communications Commissioner's Office (IOCCO). The Commissioner is a judge, Sir Anthony May, and his function is to keep the interception of communications and the acquisition and disclosure of communications data by intelligence agencies, police forces and other public authorities under review.
- 3) The Surveillance Commissioner oversees surveillance by police and other public bodies, other than communications interception which is covered by IOCCO.

In addition there is:

- 1) The Investigatory Powers Tribunal (IPT), a court which investigates and determines complaints of unlawful use of covert techniques by public authorities infringing our

right to privacy and claims against intelligence or law enforcement agency conduct which breach a wider range of human rights.²²

- 2) The Independent Reviewer of Terrorism Legislation is David Anderson QC. The Independent Reviewer's role is to inform the public and political debate on anti-terrorism law in the United Kingdom, in particular through regular reports which are prepared for the Home Secretary or Treasury and then laid before Parliament. The uniqueness of the role lies in its complete independence from government, coupled with access based on a very high degree of clearance to secret and sensitive national security information.

Also exercising oversight are one-off inquiries that take into consideration the role of the intelligence services. The failure to find Weapons of Mass Destruction (WMD) in Iraq caused such public concern that an inquiry was set up by then Prime Minister Gordon Brown under Sir John Chilcot which includes the role of the intelligence services. To much criticism, the inquiry will not report until after the 2015 General Election, twelve years after the invasion of Iraq. There is growing evidence of MI6 and MI5 involvement in rendition and condoning torture in third party countries (Cobain 2015). After much pressure the Prime Minister David Cameron ordered an inquiry in September 2014 and assigned the task to the ISC. A coalition of nine human rights groups, including Reprieve, Amnesty International and Liberty challenged the decision. In a letter they said they have lost all trust in the committee's ability to uncover the truth. 'Consequently, we as a collective of domestic and international non-governmental organisations do not propose to play a substantive role in the conduct of this inquiry.' David Cameron had previously promised that the inquiry would be headed by a senior judge (Townend 2014).

Yet the agencies have increasingly sought to take part in the national conversation and set the agenda. Why have intelligence agencies, and especially the heads of these agencies, once anonymous, even deniable, sought to frame the public debate? I postulate that post 9/11 the heads of these agencies felt that relying on proxy mouthpieces in the media and politics was not sufficiently effective for the agencies to become primary definers, and they needed to have more impact and the climate of openness made that appear a natural progression.

²² In February 2015 for the first time in its fifteen year existence the Tribunal issued a ruling that went against one of the security agencies. It ruled that GCHQ had acted unlawfully in accessing data on millions of people in Britain that had been collected by the U.S. National Security Agency (NSA), because the arrangements were secret (Shirbon 2015).

Chesterman observed: 'meaningful accountability of intelligence services depends on a level of public debate that may be opposed by the actors in question, proscribed by official secrets acts and constrained by the interests of elected officials' (2011, 80-81). Accountability lies at the heart of this thesis and I have sought to establish how effective are the raft of official oversight mechanisms in the UK. I have examined the reports and publications of these bodies, read the various key texts, and discussed these with some of the leading international experts on intelligence accountability, intelligence professionals and journalists.²³ I have not been able to find one example of an institutional mechanism *proactively* identifying a serious intelligence failing. This not only covers the UK but also other Five Eyes countries and others.²⁴ This supports the point made by Gill that revelations have come about as a result of whistle-blowers, legal action and investigative journalists working together. *The Guardian* in particular has consistently made the public aware of management and oversight failures in the UK security state.²⁵ The official oversight mechanisms are reactive and *post facto*.

²³ I raised this question with intelligence studies academics at the International Studies Conference, 2015.

²⁴ The only example was a case in Canada where the commissioner identified a mismatch between what an agency had said and what their documentation actually stated.

²⁵ A long-term police security operation to monitor environmentalists and other activists using undercover officers in the UK has been detailed. Undercover officers were often years undercover and engaged in long-term relationships, fathering children under their aliases, disappearing afterwards. It is also alleged that in some cases police officers acted as agent provocateurs in illegal actions. For a full account see Lewis and Evans 2013.

E) Analysis

This analysis implicitly, and sometimes explicitly, draws heavily on my body of original research to provide understanding and the occasional example.

- i) The historical performance of the media as oversight mechanism.

The indicative timeline two (Appendix 5) “Major exposes by the UK news media of UK intelligence failures” reveals a clear pattern. There is a slow, gradual increase in the number of exposé stories post Second World War through to 1976. With the backdrop of major revelations of US intelligence excesses by the US Media in mid-1976, UK journalists begin a much more consistent period of revelation starting with Duncan Campbell and Mark Hosenball’s article “The Eavesdroppers” which revealed in detail the existence and work of GCHQ (Campbell 1976). The timeline suggests that the 1980s were indeed a high point of revelation in the UK. This will be part legacy revelations where journalists were able to reveal the past failures of intelligence for the first time. There are few in the early 1990s but exposés do continue apace through the mid to late 1990s especially with the material that comes out of David Shayler of MI5 and Richard Tomlinson of MI6 turning whistle-blowers. In the early 2000s there are stories from 9/11 and more significantly the politicisation of intelligence during the second Iraq War almost equal the rate of publication experienced in the 1980s. Further stories appear in the wake of the 7/7 and 21/7 bombings. However, after Stephen Grey’s excellent work on British Intelligence involvement with rendition and torture the rate of exposé slows down. What becomes apparent in the 2010s is that British journalists are more reliant on international cooperation where the UK relevant material is drawn from much greater data leaks elsewhere. WikiLeaks and the Snowden revelations are the main examples of this new genre.

- ii) The performance of oversight mechanisms.

Previously the Major Government Open Government initiative, whereby the intelligence services were brought into a legal and accountability framework, was discussed. Whether this was a modernisation, a response to a reduced ability to access the public sphere to influence debate, or part of the effort to find a post-Cold War role, is still not yet clear. Peter Gill has made a compelling case that this was not so much an enlightened move but damage limitation designed to retain control of coverage by the media. He states that the exposure of

illegality and incompetence in the 1980s by the news media was clearly likely to force major change to accountability and transparency.

Some examples of 'resistance' to traditional state secrecy in the UK during the last 20 years have succeeded to the extent that the state has shifted its ground from traditional assertions of an absolute right to secrecy in any matter that can be labelled 'national security' to a more subtle strategy mixing secrecy and persuasion (1996, 327).

Gill's persuasive case has led me to reconsider what I saw until recently as a retreat to something more like a pragmatic repositioning and not a change of ethos. Part of the modernisation, the parliamentary oversight body, the Intelligence and Security Committee (ISC) was set up to reassure the public that there is cross-party parliamentary scrutiny, and while it has to some extent over the last twenty years provided better oversight than expected, the Snowden revelations have placed it in a poor light as reactive and complacent. It would seem that these GCHQ programmes continued to expand despite the failure of government to enact the Communications Data Bill (the 'Snooper's Charter'). In documents released by Snowden it was revealed that GCHQ promoted Britain's weaker surveillance laws and regulatory regime as a 'selling point' to ease engagement with the United States National Security Agency (NSA). While the Snowden material had forced the Obama administration to review NSA operations, the British government has resolutely refused to admit there is any problem with GCHQ's activities. As shown above, GCHQ does not merely collect data but has a hacking and 'dirty tricks' operation.

The suspicion remains that UK intelligence accountability bodies have too often 'gone native', possibly mesmerised by the glamour or political significance of the task undertaken by intelligence agencies. Another element of accountability is the office of the UK Intelligence Services Commissioner Sir Mark Waller, a retired High Court Judge. In March 2014 he was questioned by the Parliamentary Home Affairs select committee about the Snowden revelations as to whether GCHQ had acted unlawfully. The Committee seemed less than impressed when in his response he told them that he had been to see a senior official at GCHQ who had assured him it was not true. His office is staffed by two people (Sparrow 2014). Johnson suggests that overseers fall into four categories — ostriches, cheerleaders, lemon suckers and guardians:

For example, some *cheerleaders* and *lemon suckers* may be mild in their advocacy or criticism, respectively, while others may be zealous. In the case of the *ostriches*, some may poke their heads out of the sand at least once in a while, if only to cheer for the CIA. As for *guardians*, some may be better than others at keeping an even keel between offering praise and finding fault (2011, 304).

In the ISC report of February 2013 which, in effect, supported the government's position that a Communications Data Bill was needed, there was no mention of mass collection of data, nor had there been in the ICC's report of 2011. It was Snowden's leaks which revealed that GCHQ was engaged in mass data collection. The Communications Data Bill is far more invasive of privacy rights than targeted interception in accordance with law. The current arrangement for intelligence accountability has many critics, including the UK Parliament's Home Affairs Committee, who published a report in May 2014 critical of the current system of oversight of the UK's intelligence gathering agencies. 'We do not believe the current system of oversight is effective', the report said, 'The scrutiny of the work of the security and intelligence agencies should not be the exclusive preserve of the Intelligence and Security Committee.'²⁶

Gill echoes this when he observed:

But we have learnt of highly controversial policies such as rendition and torture and mass communication surveillance not from these formal institutional mechanisms of oversight in the UK; rather they have come as a result of whistle-blowers, legal action and investigative journalists (2013, 3).

Official oversight in the UK, he stated, is insufficient:

First, because of the inadequate legal basis for the authorisation and control of UK intelligence agencies and, second, institutions of oversight are overly-concerned with the legalities of intelligence practices compared with broader issues of ethics and public education. Effective oversight will always depend partly on an informal network of researchers, journalists and lawyers in civil society but a mature

²⁶ The report can be read at: <http://www.publications.parliament.uk/pa/cm201314/cmselect/cmhaff/231/23108.htm>

democracy must develop an oversight system with adequate powers and full-time research staff (2013, 4).

iii) Lack of debate

Ewen MacAskill, one of the *Guardian* journalists who wrote the Snowden stories, has observed that 'there was no real debate' on surveillance in the UK compared to other countries such as Germany or the US, where Snowden's revelations had much greater coverage and were debated by the legislature. In the US all major media outlets repeated the Snowden revelations for months; MacAskill pointed out that the BBC decided not to report in depth about the leaks, something the journalist said suggested that the BBC was 'being too close to the establishment' (2014). The British establishment united in a hard line. When *The Guardian* ran the Snowden documents it got very little support from some other newspapers. Professor Julian Petley commented that, during the Leveson Inquiry that followed the phone hacking revelations, British newspapers had 'loudly and incessantly complained' about the danger, as they saw it, of statutory control of the press.

They might, therefore have been expected to spring swiftly and vociferously to the *Guardian's* defence. Instead the *Mail*, *Sun* and *Telegraph*, along with the weekly *Spectator*, did their absolute utmost to undermine the paper and to bolster the government's case. And even those titles which did not join the attack considerably underplayed both the significance of the Snowden's revelations and the impropriety of the government's pressure on the *Guardian* (2013, 9-18).

The British government's position was noted in other countries. A senior United Nations official responsible for freedom of expression warned that the British government's response to mass surveillance had done serious damage to the UK's international reputation for investigative journalism and press freedom. The UN special rapporteur on freedom of expression, Frank La Rue, said he was alarmed at the political reaction following the revelations about the extent and reach of secret surveillance programmes run by GCHQ. 'I have been absolutely shocked about the way the *Guardian* has been treated, from the idea of prosecution to the fact that some members of parliament even called it treason' said La Rue. 'I think that is unacceptable in a democratic society' (Taylor, Hopkins and Maynard 2013). German commentators are among those most puzzled by the British reaction. In *Der Spiegel*,

Christoph Scheuermann said it was astonishing to see how many Britons blindly and uncritically trust the work of their intelligence service.

Some still see the GCHQ as a club of amiable gentlemen in shabby tweed jackets who cracked the Nazis' Enigma coding machine in World War II. The majority of people instinctively rally round their government on key issues of defense policy, sovereignty and home rule — even though the threat to the "national security" of the United Kingdom emanating from Edward Snowden is nothing more than an allegation at the moment. Those in power in Westminster have become used to journalists deferring to national interests when it comes to intelligence issues (2013).

At the time of the Snowden revelations *The Guardian* had only just been responsible for revealing corruption in Rupert Murdoch's News International and the closure of the *News of the World*. In the trial of two of the paper's former editors the shape, power and relationships of the establishment had become clear — that the political elite, the major newspapers, the civil service, the police and even hints of intelligence agency collusion, had all refused to act over phone hacking until the evidence of corruption was overwhelming to the point of embarrassment. Some feel the attacks on *The Guardian* had more to do with phone hacking than the rights or wrongs of running Snowden's material. Petley examined a number of articles in other newspapers attacking *The Guardian*:

The 'argument' being deployed in pieces such as these is so manifestly self-interested and opportunistic as to be barely worth serious consideration. However, the crucial point that nonetheless needs to be made is that no meaningful comparison can be made between the *Guardian's* exposure of forms of state surveillance which should be of concern to every citizen in the land, and the phone-hacking by the *News of the World* for reasons which had absolutely nothing to do with the public interest (2013, 9-18).

Petley commented that in any other democratic country, such threats to journalists would immediately be the subject of stories and indignant comment in most newspapers, but in Britain the threats are made in and, effectively by, the newspapers themselves:

There is, unfortunately, absolutely nothing new about this — the majority of Britain's national press has a long and deeply dishonourable history when it comes to attacking those few journalists brave enough not to be cowed the moment 'national security' or the 'national interest' are mentioned, and fortunate enough to work of those few media organisations which will facilitate their work (2013, 9-18)

The British press have a tendency to put aside objectivity in times of stress and replace it with 'patriotic journalism', falling in behind the government, often in spite of the evidence.

Whether readers consider the editorial positions of newspapers including the *Daily Mail*, the *Sun*, and the *Daily Telegraph* to be acting correctly in their patriotic, misguided revenge for phone hacking or in conforming to Hillebrand's concept of 'lapdogs' is a matter of personal opinion. It certainly demonstrates that the news media are not homogeneous. I suggest the counter-attack demonstrates that Hillebrand is correct in her conclusion that the media's scrutiny over intelligence functions is practised in an infrequent, ad hoc and informal manner:

The media, thus, provide an uneven quality of intelligence oversight and, while contributing to the scrutiny of intelligence, do not easily fit into existing conceptual frameworks of intelligence oversight. This is partly the case due to external factors, such as government secrecy and the intelligence services' own media strategies, which severely restrict the work of journalists covering intelligence topics. Yet the pre-war coverage by American media outlets concerning Iraq also showed that the media can easily turn into a 'lapdog' which insufficiently challenges official policies and information (2012, 704).

Developing Hillebrand's point that the media are uneven in their Fourth Estate role and that, utilising Rumsfeld's point that we do not know what we do not know, I can cite a personal example. In 1985, David Leigh and I undertook a major investigation into the Stalker Affair. John Stalker was the deputy Chief Constable of Greater Manchester who headed the Stalker Inquiry, an investigation into the shootings of suspected members of the Provisional Irish Republican Army (IRA) by the Royal Ulster Constabulary. At a key moment in his investigation he was from duty and the inquiry as a result of then unspecified allegations. It was widely believed he was being silenced because of what he had found out in Northern Ireland. Another senior police officer Colin Sampson, then chief constable of West Yorkshire, was tasked with investigating the allegations against John Stalker and he produced

a report. The Sampson report made the recommendation to the Greater Manchester Police Committee that Stalker should be the subject of a tribunal. However, the committee voted overwhelmingly not to go to tribunal but to reinstate Stalker to his post. At the time we, at the *Observer*, obtained a copy of the Sampson report and published key quotations from it. However it was only with the transmission of a BBC Panorama programme by reporter Peter Taylor that we discovered how officers of the security service were said to have concealed the existence of an audio recording of an incident in which RUC officers shot dead an unarmed teenage boy, Michael Tighe, and then destroyed the tape to prevent it falling into the hands of the detective who was investigating the killing.

It was only in July 2015 that Ian Cobain of the *Guardian* revealed that a secret version of his report Sampson had recommended that two officers – thought to be the highest-ranking MI5 officers in the province – be prosecuted for perverting the course of justice. Sampson condemned MI5's concealment of a key piece of evidence during a murder inquiry as “wholly reprehensible,” and said the officers responsible were guilty of “nothing less than a grave abuse of their unique position”. He added in his report that the excuse they had given for failing to surrender the recording was “patently dishonest,” (Cobain 2015b).

Cobain's story reveals that none of the MI5 officers were prosecuted after the then attorney general, Sir Patrick Mayhew, said the government did not believe it to be in the interests of national security to bring them to trial (ibid). This can only now be seen to be a shocking and immoral decision. So we, as investigative journalists, thought we had done an excellent job but had missed a major aspect of the story.

Aside from The Guardian, coverage of intelligence is now very limited in the mainstream UK news outlets. Those interested in the activities of the intelligence services and their power are reliant on non-UK outlets and the growing number of intelligence related websites and twitter feeds. Keeble identifies the following as some of the best: tomdispatch.com, counterpunch.org, globalresearch.ca; boilingfrogspost.com; lobster, whowhatwhy.com, intelnews.org, wsws.org, infowars.com, coldtype.net, anti-war.com; the writings of Pepe Escobar at Asian Times (Keeble 2015). The former National Security Archive researcher Matthew Aid's twitter *matthewaid* is one of the most consistent for monitoring intelligence news from across the world.

The former editor of *The Times*, Simon Jenkins, said the idea that the assurances of a policeman or spy are 'good enough for me' has been shown as deluded, and that no group should be trusted with such unconstrained leverage over others:

The press, showered with leaks, must resort to its own educated judgment in deciding where the public interest lies. Everyone knows secrets must be kept, but keeping them needs a framework built on public trust. That framework must be informed and argued. It can no longer rely on the bark of command and a cringing deference to the gods of security (2013).

Counter insurgency theorist Paul Wilkinson defined the problems facing the liberal democratic state in confronting terrorism:

The primary objective of counter-terrorist strategy must be the protection and maintenance of liberal democracy and the rule of law. It cannot be sufficiently stressed that this aim overrides in importance even the objective of eliminating terrorism and political violence as such. Any bloody tyrant can "solve" the problem of political violence if he is prepared to sacrifice all considerations of humanity, and to trample down all constitutional and judicial rights (1986, 125).

The patriotic tendency is looking archaic in a globalised world where there are many different realities and cultural narratives.

iv) A State of Exception?

Responses to the Islamist domestic threat have seen the justification of mass surveillance techniques by the intelligence services. The political-intelligence nexus is now adept at justifying the encroachment on traditional freedoms. The Italian thinker, Giorgio Agamben, proposes the modern democracy can create a 'State of Exception' to justify its intrusive actions:

Faced with the unstoppable progression of what has been called a 'global civil war' the state of exception tends increasingly to appear as the dominant paradigm of government in contemporary politics. This transformation of a provisional and exceptional measure into a technique of government threatens radically to alter — in fact, has already palpably altered — the structure and meaning of the traditional

distinction between constitutional forms. Indeed, from this perspective, the state of exception appears as a threshold of indeterminacy between democracy and absolutism (Agamben 2005, 2).

Agamben defines the state of exception as a moment when the juridical rule of law is suspended by the sovereign or state. The expression has also come to mean a period when concerns for civil liberties and human rights are eroded by ever more draconian anti-terror or surveillance laws that previously would not have been countenanced by the public. Foucault was concerned with security and surveillance, and had rejected the Hobbesian contract, but pre-deceased the war on terror. Foucaultians continue to consider the problem but disagree with Agamben. Didier Bigo said we need to examine the consequences of 9/11:

We are not certain that it is possible to reconcile 'exception thinking' like that of Giorgio Agamben, or securitisation-as-survival which Buzan advocates, and beyond all that the whole Hobbesian form of thinking, with the Foucaultian approach to security, territory and population which places the emphasis on security as norm. There is a profound tension between the two approaches. At the same time, Foucault makes his task easier by distinguishing between security, sovereignty and discipline, and by placing the relationship of struggle and violence outside the analysis of security (Bigo, 2008, 113).

It can be argued that Northern Ireland experienced a state of exception during the Troubles but I would suggest it was only countenanced if it did not extend to the mainland. McGovern has suggested that Northern Ireland provides a particularly illuminating case study to explore how the state of exception — the suspension of legal norms and the exercise of arbitrary decision — has increasingly become a paradigm of contemporary governance.

In so doing it brings into question not only the traditional conceptualization of the "democratic dilemma" of liberal democratic states "confronting terrorism" but also challenges dominant paradigms of transitional justice that generally fail to problematize the liberal democratic order (2011, 213).

But in the wake of 9/11 there is an argument that there is now a state of exception in a number of countries. Mark Danner has said that the US entered such an era after 9/11:

Call it, then, the state of exception: these years during which, in the name of security, some of our accustomed rights and freedoms are circumscribed or set aside, the years during which we live *in a different time*. This different time of ours has now extended ten years — the longest by far in American history — with little sense of an ending. Indeed, the very endlessness of this state of exception — a quality emphasized even as it was imposed — and the broad acceptance of that endlessness, the state of exception's increasing normalization, are among its distinguishing marks (2011).

Certainly Johnson's proposition 37 seems to apply here:

In times of military crisis, a nation tends to rally behind its leader in favour of an efficient intelligence and military response to the threat, placing at a lower level of concern questions of civil liberties and intelligence accountability (Gill, Marrin and Phythian 2009, 51).

The British reaction has been more extreme, not by the suspension of laws, but the implementation of more intrusive and oppressive ones. Even during the actual warfare of the Second World War and the nuclear tensions of the Cold War there was public resistance to legislation that would have had the capacity to be used by an authoritarian government. For nearly thirty years from the 1970s the UK had a civil war that occasionally spilled over from Northern Ireland to the mainland. During the three decades of the Troubles repressive legislation was resisted and debated. The Prevention of Terrorism (Temporary Provisions) Act 1973 was temporary, requiring annual renewal by Parliament. The Home Secretary introducing it said 'The powers [...] are Draconian. In combination they are unprecedented in peacetime' (Hansard col. 35, 25 November 1974, Mr. Jenkins). For many years the PTA was controversial but the provisions of all related legislation were consolidated into the permanent Prevention of Terrorism Act 2005.

Historically, government always resists enhancing oversight of the secret state unless it is forced to do so by revelation. But, in the war on terror, the UK government has developed resistance, detecting an increase in public sympathy. The public response to the Snowden revelations was more muted than in many other nations, especially Germany. Foucault's ideas are apposite here, as central to his concept of governmentality is the idea of 'government' that is not limited to state politics alone, but includes a wide range of control techniques; that applies to a wide variety of objects, from one's control of the self to the

'biopolitical' control of populations (Lemke 2001). Any change in the method of government that affects how we behave and impacts on our concepts and practice of freedom warrants full discussion, rather than the power-holders sweeping aside such concerns as secondary to the imperative of national security. Britain is the most surveilled democracy in the world, and Foucault saw surveillance as a 'discipline' that could be used to change public behaviour.

There may be another reality here, as there is always the suspicion that threat of terrorism is a card politicians play in order to distract from other issues. Writer Cory Doctorow proposed that the UK war on terror is, in part, political theatre by the government, saying 'I think they are throwing red meat to their base':

It is all just theatre when they say, we are going to make sure everyone takes their shoes off or make sure that everyone isn't carrying more than three ounces of liquid or make sure people are not using crypto or whatever, none of this has any nexus with stopping actual terror attacks [...] I certainly appreciate that terrorism is a danger but the total mortality from terrorism is infinitesimal (Doctorow 2015).

Why it is that government is able to pass ever more draconian legislation that reduces civil liberties and human rights now even more so than during the Cold War? The reasons why UK citizens are not expressing the level of concern they have in the past are multifaceted and changing. They may include: disillusion with the political process, fear of terrorism, hostility to foreigners as manifested in the migration and EU debates, a loss of interest in privacy, a swing to the right wing of politics. Perhaps the BBC film-maker Adam Curtis has caught the zeitgeist best in his *Power of Nightmares* series that suggested that politicians now encourage citizens to believe that they are the only protection in an uncertain world (Curtis 2004). Agamben's model of the state of exception has resonance. We may or may not be in a state of exception, but there certainly has been a turn that has not yet been well articulated or theorised. Foucault said the task of the intellectual is to explain the present:

What's effectively needed is a ramified, penetrative perception of the present, one that makes it possible to locate lines of weakness, strong points, positions where the instances of power have secured and implanted themselves by a system of organisation dating back over 150 years, (1980, 62).

Perhaps the phrase 'sleepwalking into a surveillance state' may serve in the absence of a new ontological explanation for the present. The intelligence debate has shifted from the position where the government neither confirmed nor denied the existence of the spy agencies, or the names of those that directed them, to a position where chiefs would make occasional speeches in public on matters of significant public interest; in 2015, chiefs and former chiefs speak as one — a lobby, in effect, for greater powers and resources for their organisations. Since 9/11, both external and domestic intelligence operations have grown enormously. Intelligence is now a powerful commercial entity, tasking both research and development in new technologies in the Academy and industry. These organisations will bring their lobbying power to bear too. The power and resources of the intelligence services should be a matter for serious public debate — instead we have a monologue voiced by politicians, civil servants, police, much of the press and the intelligence agencies themselves. Disagreement is dismissed.

v) Impact on Journalists

Based on my own experience from 1978, the historic record and the evidence considered above, I would argue that in the UK the news media became effective, if inconsistently so, in the period 1960 to 2000 in bringing intelligence to account. It was ad hoc, as there was no attempt at a long term strategy of revelation, either across the media, or in individual news organisations. We, of course, cannot know what we do not yet know, until the archives become available. Like a number of journalists of the post 1970 school, I took the view that government, utilising the national security blanket of the Second World War, used secrecy to hide a wide range of anti-democratic actions and incompetence both historic and current. These we sought to expose and very much saw this as our Fourth Estate duty. I argue the evidence demonstrates that government did frequently exceed its remit. Examples of Aldrich's concept of 'regulation by revelation' are set out above. The Snowden documents show that GCHQ's bulk surveillance of electronic communications had scooped up emails to and from journalists working for some of the US and UK's largest media organisations — perhaps one of the greatest ever intrusions into press freedom. These included private emails from journalists at the *BBC*, *Reuters*, *The Guardian*, *The New York Times*, *Le Monde*, the *Sun*, *NBC* and the *Washington Post* which were saved by GCHQ and shared on the agency's intranet as part of a test exercise. The documents also revealed that GCHQ information security assessments listed 'investigative journalists' as a threat, in a hierarchy alongside

terrorists or hackers (Ball 2015). Observing the intelligence services can be compared to the art of Kremlinology — data is scarce, and observers resorted to deducing what was going on within the secretive Soviet politburo during the Cold War by using the occasional nugget of information to extrapolate trends and policy. We know little of the reality of the ethos within the contemporary UK intelligence services, as there is no published ethnographic research²⁷ and observers resort to whatever snippets come into the public domain. One of the most recent, a nugget from the Snowden documents, shows that GCHQ was prepared to hack the data of journalists' emails as early as 2008, suggesting that the agency has the confidence of political support for an action that would have been considered completely unacceptable in a modern democracy until quite recently, infringing as it does, the freedom of the press (Ball 2015). The incursion into the freedom of the press deepens; in the second half of 2014 it started to emerge that the police and other agencies in the UK had been making use of the provisions of the Regulation of Investigatory Powers Act (RIPA) to identify journalists' sources. Derbyshire Police's Chief Constable, Mick Creedon, who is also the Association of Chief Police Officer's national coordinator for serious and organised crime, said RIPA could 'absolutely' be used to secretly obtain journalists' phone records in a leak probe (Turvill 2014). By February 2015 RIPA had been used at least 82 times to identify journalists' sources (Turvill 2015).

A profoundly serious issue for journalism is the use of surveillance techniques to prevent journalists acquiring and maintaining confidential sources, especially in the public sector. Surveillance is now so pervasive it makes the development of intelligence sources in the sector very difficult, and consequently the news media's duty to provide critical accountability of power is much reduced. In just a few years, journalists have gone from a situation where they could give a reasonable guarantee of protecting a confidential source, to a situation that they have to assume, at least when it comes to investigations into government, the public sector and the related private sector, that such guarantees are hard to give. The Barack Obama administration has been responsible for more prosecutions of sources than any previous administration. The *New York Times* reporter Jeff Stein has asked whether we are at 'The End of National Security Reporting? [...] The upshot is that federal prosecutors have a wide leeway in getting subpoenas to track reporter's email and telephone calls and compel testimony in court' (Stein 2013). I made the following point in the 'No more sources' article:

²⁷ I have not been able to find any evidence of ethnographic research carried out within the personnel of the UK intelligence community. There may be internal material but it has not been published.

Such is the power of the modern mass surveillance state that I am no longer sure that it is possible to protect one's sources. We live in an electronic world and it is almost impossible to communicate in any other way. One is tracked by one's own phone. If our online communications can be read even if encrypted, what can a journalist promise a source? (Lashmar 2013b).

The negative effect of 'chilling' the flow of information from confidential sources was recognised at least as far back as the Watergate Scandal in the early 1970s. Johnson makes the point that new media coverage of an intelligence scandal needs to be sustained to make an impact. Since 9/11 only *The Guardian* in the UK has a consistent and proactive record of monitoring intelligence agencies. Most news organisations only enter an intelligence related debate once a scandal has broken and entered the public domain. In some cases the more conservative news organisations will attack journalists who reveal intelligence malpractice. Those newspapers tend to support extension of powers. Hillebrand observed that the media have 'an ever-important role to play in scrutinizing the intelligence services and their work' (2012, 690). But the number of news media organisations prepared to exert this scrutiny is diminished.

F) Conclusions

My position on the intelligence agencies and their relationship with the media is that of the journalist operating in the Fourth Estate model. Considering the intelligence services both historically and over the period of my career I look to analyse and make sense of the knowledge and understanding I have acquired of their *modus operandi*. I seek to be as objective as possible and act within the framework of the public interest concept. As a journalist working in a liberal democracy I have sought to protect the interests of the wider public. I subscribe to the view that the UK political system works on the premise that the state is accountable through Liberal Transparency, that is, historically, a liberal and enlightenment norm that opens up the workings of power for public inspection, rationally using the knowledge gained as a force for promoting societal net benefit and happiness.

In calling the intelligence agencies to account through my work, the question arises of what accountability I, as a member of the news media, was subject to. Throughout my career I have been subject to tough editorial regimes that monitor my journalism and an even tougher legal framework. If I acted inappropriately I would be subject to action in the criminal courts under the Official Secrets Act and other related law, action in the civil courts for breach of confidence, defamation, libel and other case law. My employers could have terminated my contract if I acted inappropriately. I have been a member of the National Union of Journalists (NUJ) and subscribe to their code of practice and would be called to account if I breached the code. So I have not been a freewheeling maverick in the last four decades but subject to oversight and accountability for my actions. As a practitioner who now works within the Academy I draw on concepts and frameworks that enable a deeper analysis to be made of this important and powerful part of the state. It has been suggested in the past that my work is 'anti-intelligence' or 'unpatriotic'. It is neither. I recognise that the intelligence services are still not subject to the oversight that is necessary to preserve a democratic state, although in the last two years there have been improvements in accountability. Some intelligence officers have recognised that intelligence agencies do not always act appropriately and have become whistle-blowers and sources. They came to me and others as they wished inappropriate behaviour within the intelligence services to be publicised. As outlined in this thesis and in my paper *Urinal or Conduit* (2013a) I have had contact with the intelligence services as a journalist, but always within the Fourth Estate model.

The UK intelligence services have had many successes in their history undertaking what is an extremely difficult and sometimes dangerous vocation. They have also acted on many occasions illegally, immorally and incompetently, sometimes with the complicity of politicians and sometimes not. They have been subject to repeated betrayal and whistle-blowing with examples such as Philby, Bettaney, Prime, Shayler and Tomlinson. The remit in the UK, as in the US and other liberal democracies, is to protect the state but in practice they have frequently undermined those very values such as the freedom of the press, human rights, civil liberties and the right to a fair trial.²⁸ In the execution of their duty it is understood that intelligence agency staff are sometimes authorised by government to act illegally or immorally in the utilitarian interests of the state to protect public security. As Gill concluded:

The continuing war on terror necessitates vigorous oversight of security intelligence agencies as they operate in a context where it is too often argued, wrongly, that they are more likely to get results if rights are ignored (2007, 34).

Historically, all substantive revelations of intelligence agencies operating beyond their remit have been through the news media. The actions of whistle-blowers, and news of legal actions are first reported in the news media. As stated above there is no example of UK intelligence oversight mechanisms proactively identifying major breaches.²⁹ Regardless of their monitoring roles, the accountability committees and commissioners are reactive and the only debate is whether they are effective once revelation has taken place. The evidence shows that existing official accountability mechanisms, whether parliamentary or Whitehall oversight bodies or inquiries, have a lacklustre record and should not be seen as effective. As Gill said of the ISC, while it may have exceeded expectations in its access to information and being critical of the agencies:

it might also be criticised for timidity because it sees itself more as a part of the Whitehall machine for the *management* of the security intelligence community than as its *overseer* (2007, 32).

Johnson's proposition 38 would seem to be apposite: 'Over time, intelligence oversight committees are apt to become co-opted by the agencies they are assigned to supervise.' (Gill, Marrin and Phytian, 2009, 51). It is my contention that the oversight system is window

²⁸ As in the Matrix Churchill prosecutions of the early 1990s where MI6 withheld key evidence.

²⁹ Even in the case of the Mitrokhin archive published at the behest of the intelligence agencies the ISC investigated reactively.

dressing, deliberately weak and thus only *post facto* where small victories for complainants are allowed. This is in part proven by the lack of investigators, and more importantly, the failure to employ investigators equipped to proactively reveal intelligence failings.

The media's role in investigating the secret state's excesses has always fallen to a relatively small number of journalists and the few news organisations in the UK that have been robust enough to tackle these issues. Some in GCHQ do not see them as the Fourth Estate but as a threat, as profiteers who are little better than terrorists. A GCHQ document in the Snowden cache warned of 'journalists and reporters representing all types of news media represent a potential threat to security'. With a vitriolic turn of phrase it continued: 'Of specific concern are "investigative journalists" who specialise in defence-related exposés either for profit or what they deem to be of the public interest' (Ball 2015). Following Snowden, the tensions between the intelligence services and this tendency in the news media heightened, and in 2015 are as difficult as at any point in history.

Johnson makes the point that the media are the most important body for investigating the intelligence community. The UK experience tends to replicate Johnson's concept of 'shock therapy' of media exposure of intelligence failings in the US. Hard as it is to quantify, I would suggest the 1980s were the high point for revelations of intelligence agency excesses, as many historic scandals were caught in the sweep. As Gill predicted in 1996, the political response has become increasingly sophisticated in countering critics and revelation.

Government and intelligence have gradually constructed mechanisms that either deliberately or incidentally reduce the capability of critical journalists to monitor the activities of intelligence agencies. I suggest that since 9/11 it has become more difficult to undertake the Fourth Estate role on intelligence. There have been a number of deep rooted structural changes that have changed the dynamic between the news media and the state and in particular the secret state. The difficulties have to do with factors, partly extrinsic and partly intrinsic to journalism. There are the new laws and surveillance on the one hand, elements of the journalistic culture — and especially the press culture — on the other. The media itself has undergone major changes and reflects the greater contemporary emphasis on the neo-liberal. The model that dominates the news media is the political economy one rather than the public service model. A number of the news and current affairs organisations responsible for dogged coverage of intelligence from the 1970s to the 1990s no longer exist or have lost their engagement in public interest stories. For example the current affairs series: *World in Action*,

This Week, the London Programme are all moribund. Coverage of intelligence was always ad hoc but with fewer resources available to interested journalists it is now also inconsistent. Only in 2015 have we begun to understand how much secret surveillance journalists come under once they attract the attention of the UK's 'Secret State'.

The other deep-rooted structural change is in the political climate. The Snowden case has raised serious issues about freedom and national security, privacy, surveillance, technology, accountability, freedom of the press and transparency. Yet government did not encourage discussion. Although there is strong evidence that government and intelligence agencies exceeded their legal remit there is resistance to any in-depth inquiry or debate. I suggest that is in part because a powerful intelligence lobby consisting of current and former intelligence agency directors, defence ministers, police chiefs and intelligence commissioners has emerged in British politics, determined to suppress criticism and to push for greater powers and resources for the police and intelligence agencies. Indeed, the intelligence agencies have become notably more outspoken. Rather than acting as responding public servants, intelligence chiefs now set the agenda within the public sphere as primary definers. Retiring GCHQ director Sir Ian Lobban defended the work of GCHQ in front of a parliamentary committee in late 2014, and his successor Robert Hannigan controversially argued in *The Financial Times* that 'privacy has never been an absolute right and the debate about this should not become a reason for postponing urgent and difficult decisions' (Hannigan 2014). Other intelligence directors have made similar claims: after retiring as chief of the Secret Intelligence Service (MI6) in January 2015, Sir John Sawers claimed that preventing terrorism was impossible without monitoring the internet traffic of innocent people. He said:

There is a dilemma because the general public, politicians and technology companies, to some extent, want us to be able to monitor the activities of terrorists and other evil-doers but they don't want their own activities to be open to any such monitoring (Barratt and Freeman 2015).

Privacy may not be an absolute right but it is a fundamental liberty of liberal democracy, not just another inconvenience to counter-terrorism to be eliminated. The regard for human rights that might have seen the intelligence lobby agonising over this dilemma seems in scant supply at MI5 and MI6, judging by revelations (see Grey 2006) detailing their involvement with the Gadhafi regime in rendition and torture.

As demonstrated by the indicative timeline two (Appendix 5) the high point of UK news media exposés of British Intelligence failings was the 1980s continuing almost unabated in the 1990s. Since the beginning of the 21st century there has been a marked decline in the number of revelatory investigative stories on intelligence generated from within the UK. There are fewer specialist reporters covering intelligence, there have been no major whistle-blowers post the Iraq War debacle and a lack of interrogation of intelligence activities by the mainstream media who have tended to revert to a 'patriotic' approach to coverage of intelligence. Nearly all the major revelations have come from whistle-blowers and leaks outside the UK. Snowden is the subject of the case study of this thesis but he was an American whistle-blower primarily focussed on what he saw as the illegal extension of invasive powers and activities by the US intelligence community. That the release of documents by Snowden also revealed the secret extension of powers and activities of the intelligence services in the other 'Five Eyes' countries, notably the UK, was almost incidental to his intentions. The process of globalisation may bring as many problems as solutions but in the case of Snowden, it has had its benefits, (though the UK Government and intelligence services would say the opposite). Fortunately there has been in recent years the emergence of collegial and international networks of investigative journalists who cooperate to bring significant new information to their audiences (see Lashmar 2013c). Aside from the Snowden revelations, the UK public and media have less idea what is really happening in the UK Intelligence Media than any time since the 1980s. As discussed earlier there have been recent revelations about the excesses of the Security State in the Northern Ireland during 'The Troubles' and these include collusion in sectarian murder. These have taken 40 or more years to emerge in detail, if long suspected (Ware, 2013). A special London based undercover police unit operated in the 1980s and 1990s infiltrating activist groups, and as we now know without proper management or accountability and as a result engaged in a wide range of impropriety (Lewis and Evans 2013). This included long term undercover police officers having relationships, fathering children and then disappearing. There are also questions about agent provocateur operations. This is not within the intelligence community but was close to it. It demonstrates how 'mission creep' inevitably follows where there is a lack of effective independent accountability.

While the general tone of this thesis expresses concerns about the state of the UK news industry and the ability of contemporary journalists to inquire into the intelligence

community there are a number of positive signs. For the 2013 chapter I identified four positive developments. First, in the campaigning sector, where pressure groups, consumer groups, charities and NGOs increasingly are undertaking their own investigative journalism to great effect. Their activities often produce new information and sometimes on the actions of the intelligence community. The NGO Human Rights Watch (HRW) organised a very effective sweeping up of MI6 material within the abandoned Libyan security forces during the civil war that led to the overthrow of Colonel Gadhafi. These revealed the very close links between British Intelligence and the Libyan security services.

Secondly, despite the 2012 crisis of Bureau for Investigative Journalism there is still hope for investigative journalism units funded by donations or subscriptions. Exaro, another UK based philanthropically funded outfit, is performing well on child abuse issues which have revealed the legacy involvement of MI5 officers.

Thirdly, a whole generation of web savvy journalists is emerging who use new investigative techniques to interrogate public interest issues. Datascraping, crowd-sourcing, network effect and using social media have really taken off as powerful tools for investigative journalism.

Fourthly, there is the rise of international of formal and informal networks of investigative journalists. This has led to international cooperation in a number of major stories including WikiLeaks(2011), Snowden (2013) and HSBC leaks (2014). These networks are providing resistance to the impact of globalisation where intelligence agencies operate internationally (Five Eyes), as do privatised intelligence and security companies, arms dealers and multinationals, many of whom exploit offshore tax havens to hide their activities.

I propose the evidence supports the hypothesis. The news media were often effective, if not consistent, in bringing intelligence to account in the second half of the 20th century. Since the start of the 21st century, monitoring the secret state has become more challenging as a result of a changing economic, global and national political environment. Government legislation and technology makes it increasingly difficult for journalists to obtain confidential sources and then undertake their Fourth Estate role. To work in this specialism journalists will need to evolve new methodologies. There are some promising developments such as mass leaks of documentation. It is an urgent task — history shows that if intelligence is allowed to operate without scrutiny from outside government, abuses take place. Never before have government and its intelligence services had such powers and techniques of invasive mass surveillance

available, and thus the potential to control the population as a whole, and those who dissent in particular.



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Appendix One

SUBMITTED PUBLISHED WORKS

Submitted item one. Article: 'How the FO waged a secret propaganda war in Britain,' *The Observer*, 29 Jan 1978. Page 1.

By-line: Richard Fletcher, George Brock and Phil Kelly. Additional research by Paul Lashmar, Tony Smart and Richard Oliver.

This was an exclusive front page story by a research team that had largely been working together from 1976 to reveal the existence of a covert propaganda operation, the Information Research Department, funded from the Secret Vote that had operated 1948 - 1977.

Reason for inclusion: published while I was still a student and marks the beginning of my career-long interest in original research in the area.

My research strategy required reading the existing literature, an extensive range of intelligence autobiographies and histories, examining Companies House records, reading Public Record Office files and conducting interviews with participants. As will be shown, this research project continued intermittently through my career. We had already established the archive of our work that expands to this day.

Submitted item two. Article: 'UK Propaganda machine worked on in peacetime,' *The Observer*, 20 December 1981. This exclusive article continues the IRD theme, identifying four prominent media figures who had been involved in MI6 front propaganda organisations during the Cold War.

By-line: David Leigh. Research by Paul Lashmar.

Reason for inclusion: Original research and shows continuing investigation of intelligence matters, at this stage still as a researcher.

By this point I had been at *The Observer* for three and a half years as a researcher covering a wide range of stories. I had teamed up with the experienced investigative journalist David Leigh. This story gave a sense of the breadth of MI6/IRD media propaganda operations, revealing the role of establishment figures as fronts for news agencies, the colonies and the industry of covert book publication.

The submitted article detailed some of the people involved in the UK covert propaganda operation aimed at third world nations.

Submitted item three. Article: 'Revealed: How MI5 vets BBC staff,' *The Observer*, 18 August 1985. Page 1 and more. This was an exclusive front page story with a spread inside the paper. Known as 'the Christmas tree scandal' the story had a major impact and a number of further articles followed.

By-line: David Leigh and Paul Lashmar.

Reason for inclusion: Demonstrates original research and had major impact.

An adequate summary is provided on the BBC's own online 'History of the BBC' pages:

On 18 August 1985 *The Observer* newspaper published allegations that BBC staff appointments were regularly vetted by the security service MI5. The article, by David Leigh and Paul Lashmar, caused a storm of protest in and outside the BBC, and called into question the BBC's independence. It said that in some cases the use of inaccurate information had resulted in staff being blacklisted.

It was the story cited as the main reason why the judges gave David Leigh and I the award of Reporter of the Year in the 1985 UK Press Awards. In the new investigative team I had quickly been promoted to staff journalist and Leigh and I had been working together for four years. The BBC ceased routine vetting of staff after publication of this story. It later emerged that the security services were increasingly concerned about the sheer number of potential employees being referred to them by the BBC. During the first four months of 1983, they had been asked to investigate 619 different individuals. How many people were blocked from employment in the BBC by MI5 has never been calculated nor correlated to the reasons for that blocking.

Submitted item four. Article: 'Wright to Expose MI5 'Treason,' *The Observer*, 7 December 1986.

By-line: David Leigh and Paul Lashmar.

Reason for inclusion: High quality reporting and impact.

This is a report of the court case over the 'Spycatcher Affair' and is a representative article of a series where, as The Observer's investigative team, we researched and reported on the controversy over a four year period. It centred round the publication of *Spycatcher* by the former, and disenchanted, MI5 officer Peter Wright. David Leigh and I wrote the original story of the *Spycatcher* allegations story (1986) and along with other journalists were injuncted by the British Government. In 1991 we partially won our case against the Government in the European Court of Human Rights.

Submitted item six. Documentary: 'Spies in the Sky', an investigation into Western spy plane overflights operations during the Cold War, for the BBC TV *Timewatch* series (and Arts & Entertainment Channel in the US) Broadcast: 9 Feb 94 and since. This documentary revealed illegal overflights for intelligence by the UK and US. This was the first of three interrelated documentaries for BBC *Timewatch* series that also produced articles, news items and ultimately the book below.

Role: Producer/Originator.

Reason for inclusion: Original research and impact.

I proposed and researched was commissioned by BBC's *Timewatch* series. At the time little was known about spy flights other than the famous 1960 'U2 affair' where CIA pilot Gary Powers had been shot down over the Soviet Union on May Day. As producer of the programme team, with a substantial budget, I was able to engage in substantial original research. It revealed a number of RAF overflights and considerable number of USAF overflights. The Iron Curtain had recently been raised and we were also able to access the Russian archives and many former Soviet service personnel who provided an inside account of the USSR's response to these missions.

Submitted item seven. Book: 'Spyflights of the Cold War', published Sept 1996 by Sutton Publishing Ltd. The success of the first *Timewatch* programme was such that I was commissioned to make two further films. The second on the Korean War, examining claims that Western military prisoners of war had been taken from North Korea to the Soviet Union. The third was a biography of a famous, to some infamous, senior US Air Force chief Gen. Curtis E. LeMay. Elements of all three programmes and much additional research were included in the book.

Role: Author.

Reason for inclusion: Book based on original research material of which a considerable amount was on strategic Cold War intelligence and another substantial elements was new research on the political-military context and the impact of key individuals on that context.

Submitted item eight. Article: 'How MI6 pushed Britain to join Europe,' *The Sunday Telegraph*. 27 April 1997. Page 10. Revealed how IRD ran a covert pro-EEC propaganda operation from 1972.

By-line: Paul Lashmar and James Oliver.

Reason for inclusion: Demonstration of original research and impact.

A secretly-funded Foreign Office department used public money to mount a covert propaganda operation aimed at ensuring Britain joined the European Community. British and American intelligence services had traditionally supported Britain's entry into the European Economic Community as a bulwark against the Communist Eastern bloc.

Submitted item nine. Book: *Britain's Secret Propaganda War 1948-1977*. Sutton Publishing 1998. This was the first book to be written specifically about The Foreign Office's Information Research Department. The narrative is driven by actual accounts of IRD covert operations and includes a number of 'exclusives' (for an example see item eight above).

By-line: Paul Lashmar and James Oliver. Reason for inclusion: Demonstrates long term original research and expertise on intelligence related history.

This book brought together twenty-two years of accumulated research into IRD. For example it revealed Britain's involvement in the overthrow of President Sukarno in Indonesia. James

Oliver had begun working with me as a researcher in 1995 subsequent to his Masters and for many years we worked together on a number of projects.³⁰ The purpose of the book was to draw all the material together in an accessible text, but referencing the information. We were particularly interested in IRD's relationship with MI6 and its role in covert operations. Reviewing the book, the foreign correspondent Hugh O'Shaughnessy says: 'Paul Lashmar, one of Britain's foremost investigative journalists, and the historian James Oliver have produced a fascinating and authoritative study of one agency of state — the Information Research Department of the Foreign and Commonwealth Office — which was responsible for more than its fair share of such strategic blunders. This is a sad tale, splendidly told. Created in 1948 and funded from the clandestine budget of the Secret Intelligence Service, MI6, the IRD had as its' not ignoble task the campaign against Communist influence outside this kingdom, and the battle for worldwide public acceptance of British strategic aims,' (O'Shaughnessy 1999).³¹

Submitted item ten. Article: Paul Lashmar. 'MI6 officers use forged press passes,' *The Independent*. June 14, 1999. The article was exclusive revealing details of MI6 use of forged journalistic cover.

Reason for inclusion: Original research and demonstrate breadth of coverage in the theme area by author.

I had exceptionally good sources in the intelligence community and this was a story in which I was able to develop and put into a contemporary context a long suspected MI6 technique. I was able to get evidence from a number of sources that MI6 officers on undercover missions abroad were posing as journalists, including using false National Union of Journalist (NUJ) cards in the former Yugoslavia. One former British intelligence officer told me that around forty per cent of MI6 officers sent abroad on missions use journalistic credentials and that MI6 had a special unit that produces forged documents. I wrote a follow-up in 2001.

Submitted item eleven. Article: 'How Britain eavesdropped on Dublin,' *The Independent*, July 16, 1999. Page 1 and more. Duncan Campbell is widely perceived as the finest UK investigative journalist on matters relating to electronic spying. His investigations have detailed the work of GCHQ and placed pressure on government and intelligence agencies to maximise their transparency and accountability.

By-Line: Duncan Campbell and Paul Lashmar.

Reason of inclusion: Teamwork on original research on a significant story.

On this story we worked together to reveal how Britain spied on governments of the Irish Republic. This story focussed on a microwave tower³² in the village of Capenhurst on south

³⁰ James Oliver is now (2013) a producer on the BBC's *Panorama* team.

³¹ O'Shaughnessy, H., (1999) 'The Arthur Daleys of diplomacy'. Thursday Book Review. *The Independent*. 18 Feb.

³² Now demolished

of Liverpool and due east of Dublin. This facility was in the line of microwave towers from the UK-Ireland 1 cable (Dublin to Anglesey) leading to BT in London. Irish politicians, led by former Prime Minister Albert Reynolds, demanded an investigation.

Submitted item twelve. Article: 'MI6 role in Cayman investigation exposed as Austin Powers farce,' *The Guardian*, 18 January 2003. Page 1 and more. Exclusive story revealing that an attempt to place a former British police officer as an agent in the Cayman Islands had gone badly wrong.

By-line: Paul Lashmar.

Reason for inclusion: Demonstrates original research.

An example of the detailed coverage of intelligence that I provided at that time. First of a series of articles on this story.

Submitted item thirteen. Chapter: 'MI6 and CIA: The New Enemy Within', Paul Lashmar & Ray Whitaker (2003) in (eds) Sifry, M. & C. Cerf, *The Iraq War Reader: History, Documents, Opinions*. Simon & Schuster, Touchstone, New York, pp. 479-81, originally published in *The Independent on Sunday*, 9 February 2003.

By-line: Paul Lashmar & Ray Whitaker

Purpose of inclusion: Demonstrates original research and high impact. Cited frequently in Iraq War scholarship.

I worked with Ray Whitaker from 2001-2008 and we produced many articles. Most included intelligence material. Part of my role was to be the formal point of contact with the intelligence agencies. This was very much a story that I generated, researched and reported with assistance from Ray Whitaker. The information came from my sources and not the formal contacts. This article was picked up and re-published in the reader which has become a standard Iraq War text. The story revealed dissent with the intelligence services over the politicisation of intelligence assessment, based on my contacts.

Submitted item fourteen. Article: 'Revealed: How Blair used discredited WMD "evidence": UK intelligence chiefs warned claim that Iraq could activate banned weapons in 45 minutes came from unreliable defector', *The Independent on Sunday*, 1 June 2003. Page 1. This story coincides in timing and content with the famous Andrew Gilligan report that led to the Hutton Inquiry.

By-line: Ray Whitaker, Paul Lashmar and Andy McSmith.

Reason of inclusion: Part of a series of articles examining the role of intelligence in the post-9/11 'war on terror'. Demonstrates original research and high impact.

This was another key example of the teamwork at *The Independent on Sunday*. The paper took a much more sceptical approach to the Iraq War and the justifications provided by politicians, than did its rivals like *The Observer*.

Submitted item fifteen. Article: 'MI6 helped drugs baron escape from open prison', *The Independent on Sunday*. January 18, 2004. Exclusive story about a criminal released at behest of MI6.

By-line: Paul Lashmar.

Reason for inclusion: Original research and demonstrates variety of stories.

This was typical of my output at the time using my range of intelligence, security and other sources that allowed me to produce exclusive stories on a regular basis.

Submitted item sixteen. Chapter: 'From shadow boxing to Ghost Plane: English journalism and the war on terror', in *Investigative Journalism*. (ed.): de Burgh, H. 2nd edition: 191-214. Routledge, Abingdon, Oxon 2008.

Author: Paul Lashmar.

Reason for inclusion: Significant chapter drawing on critical reflexive practice.

As my career as a journalism practitioner began with investigating the activities of intelligence agencies, it is unremarkable that my attention was drawn to this area early in my work as an academic. This chapter is the first full academic assessment of UK investigative journalism's critical engagement with the War on Terror. The chapter reviews investigative journalism literature through from 9/11, the Iraq Invasion, the Hutton Report, 7/7 and rendition. It also surveys practitioners on the quality of reporting in the period. Editor Professor Hugo de Burgh's 'Investigative Journalism' is considered the core text for the subject in UK universities.

Submitted item seventeen. Peer reviewed paper: 'Urinal or conduit? Institutional information flow between the UK intelligence services and news media'. *Journalism: theory, practice and criticism*. Published online 30 January 2013.

Author; Paul Lashmar

Purpose of inclusion: Peer reviewed paper that reveals reflexive practice, original academic research and scholarship.

This paper examines that relationship between the intelligence services and the media in the UK. It looks at this relationship from different standpoints. It also brings the relationship up to date with the first academic review of the 'accredited' journalist arrangement between the intelligence services and the news media. It also presents a case study to test whether there can be trust between the two distinct professions. I draw reflexively on my own experience including many years as the accredited journalist for the Independent newspapers.

Appendix two

Authored and Co-authored work delineations

This section outlines my role in each of the submissions.

Submitted item one. Article: 'How the FO waged a secret propaganda war in Britain'. The Richard Fletcher, George Brock and Phil Kelly. Additional research by Paul Lashmar, Tony Smart and Richard Oliver. *The Observer*, 29 Jan 1978. Page 1. Role: A researcher on the team.

Submitted item two. Article: 'UK Propaganda machine worked on in peacetime'. David Leigh and Research by Paul Lashmar. *The Observer*. 20 December 1981. Role: David Leigh was the lead on this project. Role: Co-Author with a research by-line.

Submitted item three. Article: 'Revealed: How MI5 vets BBC staff'. David Leigh and Paul Lashmar. *The Observer*, 18 August 1985. Role: Co-author equal status. This was joint research project.

Submitted item four. Article: "Wright to Expose MI5 'Treason'. David Leigh and Paul Lashmar. *The Observer*, 7 December 1986. Role: Co-author with equal status in joint team project.

Submitted item five. Article: 'The Secrets Spread by Smiley's People'. David Leigh and Paul Lashmar. *The Observer*, 26 April 1987 Joint project. Co-author with equal status.

Submitted item six. Documentary: Producer/originator. 'Spies in the Sky', an investigation into Western spy plane overflights operations during the Cold War, for the BBC TV *Timewatch* series (and Arts & Entertainment Channel in the US) Paul Lashmar Broadcast: 9 Feb 94 and since. Role: Producer, originator and team leader.

Submitted item seven. Book: *Spyflights of the Cold War*, Paul Lashmar. published September 1996 by Sutton Publishing Ltd. Role: Sole author.

Submitted item eight. Article: 'How MI6 pushed Britain to join Europe'. Paul Lashmar and James Oliver. *The Sunday Telegraph*. 27 April 1997. Role: Co-author where I was leader of this team project.

Submitted item nine. Book: *Britain's Secret Propaganda War 1948-1977*. Paul Lashmar and James Oliver. Sutton Publishing 1998. Role: Co-author where I was lead on this project.

Submitted item ten. Article: 'MI6 officers use forged press passes.' Paul Lashmar. *The Independent*. June 14, 1999. Role: Sole author.

Submitted item eleven. Article: 'How Britain eavesdropped on Dublin'. Duncan Campbell and Paul Lashmar. *The Independent*, July 16, 1999. Duncan Campbell was the lead on research and I was the staff reporter who worked with him. Role: Co-author with equal status.

Submitted item twelve. Article: 'MI6 role in Cayman investigation exposed as Austin Powers farce'. Paul Lashmar. *The Guardian*, 18 January 2003. Role: Sole author.

Submitted item thirteen. Chapter: (2003) 'MI6 and CIA: The New Enemy Within', Paul Lashmar & Ray Whitaker in eds Sifry, M. & C. Cerf, *The Iraq War Reader: History, Documents, Opinions*. Simon & Schuster, Touchstone, New York, 479, originally published in *The Independent on Sunday*, 9 February 2003. Role: I was the lead on the chapter, which was driven by my contacts.

Submitted item fourteen. Article: "Revealed: How Blair used discredited WMD 'evidence': UK intelligence chiefs warned claim that Iraq could activate banned weapons in 45 minutes came from unreliable defector. Ray Whitaker, Paul Lashmar and Andy McSmith, *The Independent on Sunday*. 1 June 2003. Role: Team had equal roles.

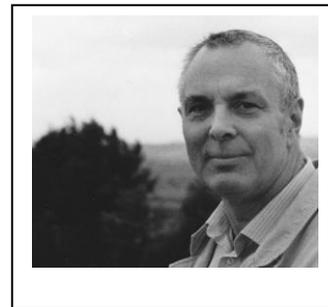
Submitted item fifteen. Article. 'MI6 helped drugs baron escape from open prison' *The Independent on Sunday*. Paul Lashmar. January 18, 2004. Role: Sole author.

Submitted item sixteen. Chapter: Author. 'From shadow boxing to Ghost Plane: English journalism and the war on terror'. Paul Lashmar in *Investigative Journalism*. (ed.): de Burgh, H. 2nd edition: 191-214. Routledge, Abingdon, Oxon 2008. Role: Sole author.

Submitted item seventeen. Peer reviewed paper: 'Urinal or conduit? Institutional information flow between the UK intelligence services and news media'. Paul Lashmar in *Journalism: theory, practice and criticism*. Published online 30 January 2013. Role: Sole author.

CURRICULUM VITAE

Paul Lashmar



Paul is an award-winning investigative journalist, a research academic and experienced HE course administrator

Overview of career:

Highly experienced UK national journalist with multimedia skill base — staff at *The Observer*, *World in Action*, *The Independent* plus has worked for many other news organisations including the BBC and Channel 4.

‘Reporter of the Year’ in UK Press Awards.

Paul is on staff at Brunel University (NCTJ accredited) and has a number of academic successes including a substantial grant with Technology Strategy Board (TSB), and co-author of a recent well-regarded journalism textbook. His core academic interest centres on the security state and media nexus. NCTJ and BJTC approved.

For examples of his many stories please see: Nexis database and <http://paullashmar.com/page.php?4>

Full Background

Academic:

On 1 September 2009 Paul joined the staff at Brunel University as a lecturer in journalism. He teaches on Brunel University's MA and BA courses including NCTJ provision.

Currently: Subject Lead, Journalism, Course Convenor, MA International Journalism, Course Convenor, BA (Hons) Journalism, UG admissions tutor.

Current:

Entered for REF 2014 — 4 outputs.

External Examiner for BA Journalism at University of Winchester 2013 -

Adviser to *The Centre for Investigative Journalism* (TCIJ) alongside Seymour Hersh, Lowell Bergman, David Leigh, Philip Knightley and many other leading industry figures.

On the steering group that created the *Bureau for Investigative Journalism*

Guest editor *Ethical Space* journal on ethical issues on the intelligence agency and media interface in the light of Edward Snowden's revelations. The Call for Papers can be found [here](#). (Publication 2015)

PhD: PhD on intelligence agencies and news media relations..

PG Teaching Certificate. Paul holds a Brunel equivalent qualification (PDAP) and Fellow of the Higher Education Academy (HEA).

Currently teaching: Newswriting (NCTJ), Audio, Online Entrepreneurial Journalism and work placement modules. Has developed entrepreneurial journalism modules in two universities,

Current research interests:

- * Mass Surveillance
- * Reporting and investigating the security state
- * The security state and media relations
- * Mobile technology and the heritage landscape
- * Positivist portraits and the rise of fascism (mugshots)
- * Moral Panics and the journalist
- * Journalism and war on terror
- * Journalism and organised crime
- * Online media entrepreneurialism

Grants

ESRC funded: CI on *DATA — PSST! Debating and Assessing Transparency Arrangements — Privacy, Security, Surveillance, Trust*. PI Vian Bakir (Bangor) Value: £30,000. Our 2-year ESRC Seminar Series (2015-16) will explore, from multi-disciplinary and multi-end user perspectives, how different aspects of transparency, whether state-imposed, commercially-imposed, peer-imposed, or voluntarily entered into, affect questions of privacy, security, surveillance and trust.

Successful research grants: Initiator and Co-Investigator on TSB funded 'Interactive Social Experience Engine (ISEE) for History and Heritage — A Dorset Prehistoric Feasibility Study', a partnership project between Brunel University and Dorset County Museum. Six month project starting 1 March 2014, value £55,000. Follow-on bid in place.

CI on one current, external multidisciplinary bid to AHRC. PI or CI within Brunel on four unsuccessful grant applications including as PI on a £750,000 AHRC bid.

Impact:

I write for a range of publications when I have time including *Open Democracy*. I am often interviewed by radio and television including various BBC news programme and *Russia Today*.

Phd Supervision:

Currently second supervisor to two PhDs

Publications and Events

Co-authored text book (1): Lashmar, Paul and Hill, Steve, *Online Journalism: The Essential Guide*, Sage. Published Jan 2014

Peer review journal (2): Lashmar, Paul. 2013 'How to humiliate and shame: a reporter's guide to the power of the mugshot'. *Social Semiotics*. Francis and Taylor. Published online 18 October 2013. *REF OUTPUT

Lashmar, Paul. 2013. 'Urinal or conduit? Institutional information flow between the UK intelligence services and news media'. For *Journalism: theory, practice and criticism*. Sage. Published online 30 January 2013 *REF OUTPUT

Chapters (5):

Lashmar, Paul. 2013. 'Journalist, Folk Devil?' in *Moral Panics in the Contemporary World*, edited by Amanda Rohloff, Chas Critcher, Jason Hughes and Julian Petley. Bloomsbury Academic. * REF OUTPUT

Lashmar, Paul. 2013. 'The Future of investigative journalism' in *The Future of Quality News Journalism: a cross continental analysis*. Editors: Anderson PJ, Ogola G, Williams M. NY: Routledge New York 2013

Lashmar, Paul. 2011. 'Blonde on Blonde: Wikileaks versus the Official Sources' in *Investigative Journalism: Dead or Alive*. Editors: Mair J, Keeble R.L. 1st: 107-121. Abramis, Suffolk Sep 2011

Lashmar, Paul. 2008. 'From shadow boxing to Ghost Plane: English journalism and the war on terror' in *Investigative Journalism: Theory & Practice*. Editor: de Burgh H. 2nd edition: 191-214. Routledge, Abingdon, Oxon 2008.*REF OUTPUT

Lashmar, Paul. 2001. 'West Europe and North America', chapter in *Global corruption report*. Transparency International London: Pluto Press pp 138-151

Other format (1): Augmented podcast. Lashmar, Paul (series editor and contributor). Cutting edge analysis of the critical issues facing journalism today: augmented podcasts series for Henry Stewart Talks. Contributed 50 minute analyse of the media and the war on terror. Other contributors to the series include Professor Chris Frost (Liverpool John Moore's University), Prof Dr Damian Tambini (Polis at LSE), Alex Thomson (C4 News), Professor Richard Keeble (Lincoln), Dr Paul Bradshaw (Birmingham City University), Dr Marianne Franklin (Goldsmith's College), Charlie Beckett (Polis at LSE), Professor Ivor Gaber (City and Bedfordshire Universities), Granville Williams (CPBF) and Dr Kari Anden-Papadopoulos (Stockholm University) 2010.

Recent Seminars:

Intelligence and Media relations at the Reuters Institute, Oxford University on Wednesday 14 May 2014 at 2pm in the Barclay Room, Green Templeton College.

Conference papers (8)

Lashmar, Paul. *Reflections in 'a wilderness of mirrors': Creating a framework for ethical relationships between intelligence agencies and the news media* at the International Studies Association annual conference in Toronto, Canada 26-29 March 2014

Lashmar, Paul. *The 'Five Eyes' are watching you: A new paradigm in the relationship between journalists and sources in age of meta-data*. MeCCSA Annual Conference 2014, Bournemouth University 8 -10 January 2014

Lashmar, Paul. *The Khan Question: Trust between the intelligence services and the news media* at Global Media and the 'War on Terror': an international conference, University of Westminster, 12 Sep 2010 - 13 Sep 2010

Lashmar, Paul. *Journalist, Folk Devil? Moral Panics in the Contemporary World* Conference, Brunel University, 10 Dec 2010 - 12 Dec 2010.

Lashmar, Paul and Niblock, S. *Who wants to be a journalist? Socio-economic imbalance in newsrooms and young people's career aspirations* at Future of Journalism Conference, Cardiff University, 08 Sep 2011 - 10 Sep 2011

Lashmar, Paul. *Blonde on Blonde: Wikileaks versus Official Sources* at MeCCSA annual conference, Lowry Centre, Salford, 12 Jan 2011 - 14 Jan 2011. Published as book chapter. Abramis, Suffolk. 107-121. Sep 2011

Lashmar, Paul. *Virtual worlds in journalism education: using video and audio in distance and blended learning*. Association for Journalism Education (AJE) Annual Conference, City University, 18 Jun 2009 - 19 Jun 2009.

Lashmar, Paul. *Investigative journalism: a case for intensive care?* Journalism in Crisis Conference, University of Westminster, 19 May 2009 - 20 May 2009.

Lashmar, Paul. *Subprime — the death of financial reporting or a failure of investigative journalism?* at 'End of Journalism?' at Technology, Education and Ethics Conference, University of Bedfordshire, 17 Oct 2008 - 18 Oct 2008.

Academic Book reviews:

Peter J. Ling. 'John. F Kennedy' in *The Historian*. No 121: Spring 2014, 4.

Dick Hobbs, "Lush Life: Constructing Organised Crime in the UK". *Crime, Media, Culture* April 2014 10: 91-94,

Robert Dover and Michael S. Goodman (eds) *Spinning Intelligence: Why Intelligence Needs the Media, Why the Media Needs Intelligence* London: Hurst & Co, 2009. 265 pp. £15.99 (pbk) ISBN 978 1850659945 by Lashmar, Paul in *Media, War & Conflict*, ISSN 1750-6352, 08/2010, Volume 3, Issue 2, 230 – 232.

Journal Editor (1): From July 2011, the Honorary Editor of the *Proceedings* of the Dorset Natural History and Archaeological Society (DNHAS), an annual semi scholarly journal that has been published since 1874. First volume under my editorship was published November 2012. Second volume published Aug 2013, the third October 2014 plus monographs.

Conference Organiser:

Oct-Nov 2014

One of the organising team for the 'The State We Are In Now' series of guest lectures at Brunel. Was joint speaker with Anthony Barnett at seminar three.

9-11 Dec 2010

One of the organising team for the successful Moral Panics Conference at Brunel 9-11 Dec 2010

Organised and chaired a panel at the Centre for Investigative Journalism's Summer School in July 2011 at City University on the subject of 'NGOs and investigative journalism'. This featured three major investigators from NGOs and was attended by an audience of some 50 plus conference attendees. The session is available as an audio recording online.

Collegial: External Examiner for MA Journalism at London College of Communication 2010 – 2014

Proposed Jon Lee Anderson, foreign correspondent for the *New Yorker* magazine for Honorary Doctorate at Brunel. Awarded July 2011.

Reviewer for various subject peer-review journal.

Impact and Knowledge Transfer (also Industry links) Gave evidence to the House of Lords Communication Committee on Tuesday 8th November 2011 Their Lordships were inquiring into the future of UK Investigative Journalism and wanted to, in particular, to take evidence from me on the training of investigative journalists in Universities. You can see the video on:

<http://www.parliamentlive.tv/Main/Player.aspx?meetingId=9395>

Consultant to Film Producer Chris Morris for his feature Film *Four Lions* released in summer 2010.

Ian McEwen novel *Sweet Tooth* Jonathan Cape (2012) cites and acknowledges Lashmar, P. and Oliver, J. (1998) *Britain's Secret Propaganda War* Sutton, as primary source.

Previous academic employment:

Associate lecturer at Southampton Solent University from 2007 - 2009.

Part-time staff member on the MA Broadcast Journalism course at University College Falmouth from 2001 to 2007. Part of a small team that developed the course from a PgDip to multi strand vocational Broadcast Journalism MA (validated April 2006).

Part of a small team that developed and launched a MA in International Journalism (validated April 2006).

Fellowship (1): Learning and Teaching Fellowship from University College Falmouth (bursary) Lashmar, Paul. 'Virtual worlds in journalism education: using video and audio in distance and blended learning'. Awarded 2008 and delivered 2009.

'Western Journalists and China in 2008'. Working with Professor Ivor Gaber, toured China in August 2007 organising two day seminars for Chinese journalists and information officers in Beijing, Guangzhou, Chongqing and Nanjing. The courses were a joint partnership between University of Westminster's China Media Centre and Tshinghau University and funded by the British Embassy in Beijing.

Books:

Britain's Secret Cold War Propaganda, co-authored with James Oliver, published Oct 1998 by Sutton Publishing Ltd.

Spyflights of the Cold War, published Sept 1996 by Sutton Publishing Ltd.

Scotland Yard's Cocaine Connection, with Andrew Jennings and Vyv Simson. Published by Jonathan Cape in 1989.

Journalism:

Extensive print, TV and radio experience, especially in investigative journalism. Extensive broadcast experience. On staff of Granada's *World in Action* programme. Produced a number of programmes for BBC's *Timewatch* and Channel 4's *Dispatches* series. A list of my broadcast work can be seen at <http://www.paullashmar.com/page.php?6>

Ex-staff on *The Independent*, *World in Action* and *The Observer*

UK Press Awards 'Reporter of the Year' in 1986.

Paul has reported on difficult and demanding stories from countries including: Brazil, Cameroon, China, Equatorial Guinea, Haiti, Israel (West Bank), Italy, Panama, Russia, Taiwan, and the United States.

June 98 – May 1: Staff investigative writer for *The Independent* responsible for numerous news stories, investigations, features and analysis pieces.

Jan 93 - June 98: Freelance TV Producer & Print Journalist

Sept 95 - June 98 Development Coordinator for Brook Lapping Productions - a leading Independent TV Production Company. When not producing TV investigations, retained to develop ideas for television.

Other freelance work:

From January 1993 – June 1998 worked for *Spitting Image*, *World in Action* and with Duncan Campbell on 'The Hill' (Oct 93) an investigation into the Menwith Hill spybase for C4's Dispatches programme.

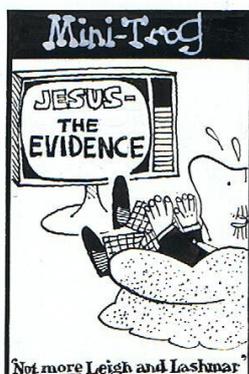
Has written for *The Washington Post*, *The Evening Standard*, *The Daily Telegraph*, *The Sunday Telegraph*, *The Times*, *The Independent Magazine*, *The Independent on Sunday*, *The Observer*, *The Times*, *Esquire*, *Miami Herald*, *Harpers*, *Africa Confidential*, *Africa Report (US)*, *West Africa*, *Virgin Inflight Magazine*, *Private Eye*, *UK Press Gazette*, *British Journalism Review*, *Rough Guides*, *New Statesman*, *History Today*, *BBC History magazine*, *Aeroplane Monthly*, *UNESCO*, *ESRC* website and broadcast for BBC Radio's *From Our Own Correspondent*.

Sept 89 - Dec 92: Reporter, Granada TV's "World in Action" programme.



During that period made 12 programmes including *The Firm* — the investigation into the Queen's secret tax concessions, which initiated the debate over the Monarch's financial status (the Queen agreed to pay income tax in Jan 93). Other programmes include General Noriega's CIA links, Death Squad killings of Brazil's street children, and landlords who abuse social security claimants.

June 78 - Sept 89: Investigative journalist, *The Observer newspaper*. During my last eight years at *The Observer*, formed with David Leigh, the paper's investigative team and produced a long series of exclusive stories.



In 1986 we received the UK Press Awards 'Reporter of the Year' primarily for revealing the MI5's political vetting of BBC staff. Other significant stories included: Mark Thatcher secret lobbying in Oman; The Stalker Affair; Scotland Yard corruption; Nuclear Test veteran deaths; Arms to South Africa; MP, John Browne's secret business interests; The Economic League's secret blacklist.

With David Leigh wrote the original story of the Spycatcher allegations (1986) that was injunctioned by the British Government. In 1991 we won our case against the UK Government in the European Court of Human Rights.

Separately broke many other exclusive stories including: The West Midlands Serious Crime Squad (1988), Racism in the Army (1986), extreme right-wing infiltration in the Conservative Party (1983), Boeing jet manufacture faults (1989). Left *The Observer* in late 1989 as protest over owner Tiny Rowlands increasing interventions in the paper.

Among Paul's credits he is identified as the 'original pioneer' of data journalism in the UK in the 1990s. *Currently holds the Centre for Investigative Journalism record for earliest use of computer aided reporting (CAR) in the UK for producing league tables of local authorities based on their performance indicators. This spread was run by The Observer in 1997 and repeated in 1998 for the Independent.*

Writing has always ranged much wider than investigative journalism and has included substantial numbers of articles on archaeology, travel and business journalism.

Music Journalism:

Resumed writing on music in 1985 when on staff of *The Observer*. As well as jazz, blues and rock including Eric Clapton, Bruce Springsteen, Deep Purple, AC/DC, Kinks, Willie Nelson, Loose Tubes. Wrote the first mainstream media articles about the new Acid House scene in 1987.

One of the first writers to cover the embryonic World Music scene, I wrote the first mainstream media articles on Salif Keita, Nusrat Fateh Ali Khan, S.E.Rogie, Baaba Maal, Orchestra Reve and Mahlathini. I have also written on music for *Esquire*, *Folk Roots*, *Straight No Chaser* and *Global Beat* magazine.

Education

1966-70 St Egberts College, Chingford, Essex. 4 'O' Levels

1970-73 Redbridge Technical College, Essex. 3 'O' Level & Ordinary National Diploma (OND) in Sciences.

1975-78 North East London Polytechnic. Diploma (later Degree course) in Communication Design

Other employment:

1973-74 Production Controller/Supervisor, Phonodisc Ltd, Ilford, Essex.

1976 & 1977 (Summer), Trainee, Swindon Viewpoint Cable Station (Pioneering public access station). Experience of camerawork, interviewing, directing, editing. (Have recently discussed with Elvis Costello releasing a 30 minute video I made of his 18th concert with the Attractions — unseen for 35 years).

Personal:

Professional Memberships: Association of Journalism Educators (AJE); Frontline Club; NUJ; UCU

Status: Married with two teenage children.

Contact details:

10 High Street Fordington,

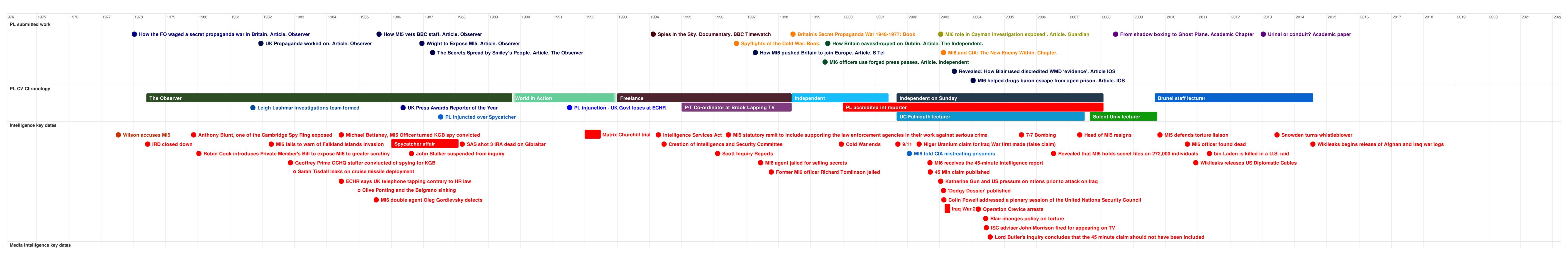
Dorchester,

DT1 1JZ

07713-635-079 (m)

E-mail: paul.lashmar@brunel.ac.uk

For full CV details please see: www.paullashmar.com



Cathy Massiter reveals MI5 surveillance

Waldegrave Initiative MI6 officially acknowledged

Shayler MI5 and Tomlinson MI6 affairs

Gilligan broadcast

Observer journalist David Rose apologises for supporting Iraq War

Guardian starts Snowden publication

Zircon - BBC Affair

Hutton Inquiry

Stephen Gray's investigation into Rendition

Spycatcher court case Australia

PL examples of related non-submitted output

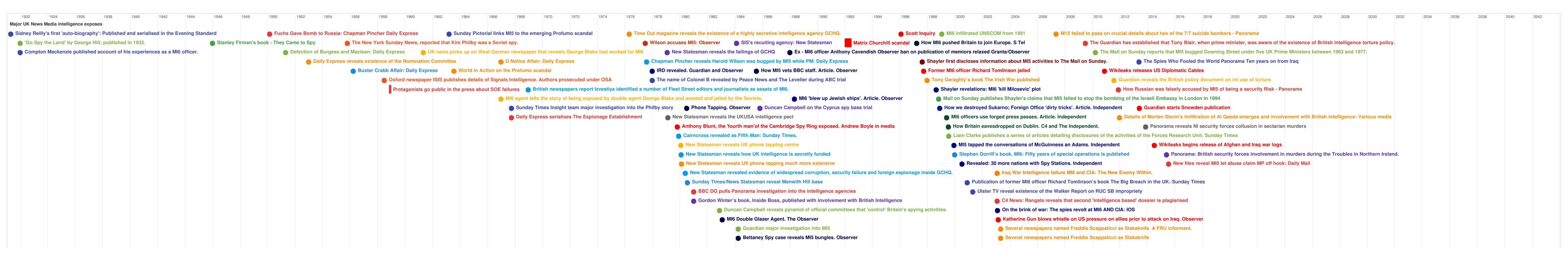
- Phone Tapping. Article. Observer
- UK Agents stage Third World Plots. Article. Observer
- MI5 bid to blacklist Anna Ford. Article. Observer
- The night the RAF 'bombed' Russian. Article D. Tel
- MI6 AGENTS UNMASKED ON THE NET. Article. Independent
- THE WMD FIASCO: WHEELS FALL OFF THE MOBILE LABS'. ARTICLE. IOS
- "The Media and war on terror" Augmented podcast
- Police suicide link MI6. Article. Observer
- Secrets Act used to hide GCHQ scandals. Article. Observer
- Scotland Yard's Secret Cocaine Conspiracy. Book
- Covert in glory. Feature. New Statesman
- MI5 WAS FEUDING WITH MOSSAD WHILE KNOWN TERRORISTS STRUCK. Article, Independent
- Playing with Fire. Documentary. German TV
- "Blonde on Blonde: Wikileaks versus the Official Sources". Book Chapter
- MI6 Mata Hari. Article. Observer
- MI5 in Legal Moves. Article. Observer
- MI6 'blew up Jewish ships'. Article. Observer
- Russia's Secret War. Documentary. BBC Timewatch
- MI6 SPREAD LIES TO PUT KILLER IN POWER; Article. Independent
- The plot Bigger than 7/7? Worse than 9/11? Article. IOS
- The 'Five Eyes' are watching you: A new paradigm in the relationship between journalists and sources in age
- Boss Man flies home. Article. Observer
- The Stalking of Stalker. Feature. Observer
- Baiting the Bear. Documentary. BBC Timewatch
- SECRETS CHARGES AGAINST EX-ARMY OFFICER DROPPED. Article. Independent
- MI5 stood by. Article. Observer
- Havers in dock over spy trial. Article. Observer
- Eden vetoed U2 spy flights. Article. Guardian
- FBI STEPS UP HUNT FOR SHOE BOMBER'S TASKMASTERS. Article. IOS
- MI6 Double Glazer. Article. The Observer
- Thatcher defies MI5 storm. Article. Observer
- Robot subs take film of sunken Gaul. Article. Independent.
- THE ENEMY WITHIN; SIX MORE ARRESTS AS SECURITY SERVICES WARN. Article. IOS
- IRA war of the air waves. Article. Observer.
- Special Branch raids BBC. Article. Observer
- MI6 'kill Milosevic' plot
- INTELLIGENCE OFFICER NAMED IN FINUCANE MURDER. Article. Independent
- The hunt for the London terrorists; Article. IOS
- Big Brother. Feature. Observer
- Zircon Leak. Article. Observer
- How we destroyed Sukarno; Foreign Office 'dirty tricks'. Article. Independent
- 'TRYING TO HIT AL-QA'IDA IS LIKE TRYING TO HIT JELLY'. Article. IOS
- Bettaney Spy case reveals MI5 bungles. Article. Observer
- MI5 file on 'nerve gas' Briton. Article. Observer
- FO tried to hire Benn as propagandist
- AL-QA'IDA PLANNED TO HIT NUCLEAR PLANTS'. Article. IOS
- MI5 spy linked to Moscow killing. Article. Observer
- GCHQ taps into varsity research. Article. Observer
- MI6 OFFICERS USE FORGED PRESS PASSES. Article. The Independent
- BRITISH BOMBER HAD LINKS WITH AL-QA'IDA. Article. IOS
- MI5 double agent defects. Article. Observer
- MI6 linked to Contra sabotage
- SPY SCANDAL: THE DOUBLE LIFE OF A QUIET OLD LADY. Article. Independent.
- Surveillance UK; Airports are getting back to normal. Article. IOS
- Secret Service cash soars. Article. Observer
- Gibraltar witness committed perjury. Article. Observer
- SPY CHIEFS IN TROUBLE FOR NOT INFORMING MINISTERS. Article. Independent
- Security stepped up for Britain's top Muslims. Article. IOS
- Lax GCHQ 'a security disaster'. Article. Observer
- Court gags reports on MI5. Article. Observer
- WIDOW OF MP DENIES HE SPIED FOR RUSSIA. Article. Independent
- ATTACKS ON LONDON: HOW MANY MORE ARE OUT THERE?; Article. IOS
- Test back MI5 'dirty tricks' allegations. Article. Observer
- WODEHOUSE SECRETLY IN PAY OF THE NAZIS, SAY MI5 FILES. Articles. Independent
- On 7/7 anniversary, Jeep passenger appears in court over bomb attacks
- Ex-MI6 chief breaks silence
- SPY WHO EXPOSED MONEY LAUNDERERS FACES DEATH, Article, Independent
- Fourth Edition Al-Qa'ida's voice threatens once more. Article. IOS
- Observer spy ban relaxed. Article. Observer
- TAPPED CONVERSATIONS OF MCGUINNESS AND ADAMS. Article Dec 1999
- COOK REFUSES TO DENY BRITAIN BUGGED DUBLIN. Article. Independent
- 'STASI SPY' LECTURER GETS 18-MONTH SUSPENSION. Article. Independent
- OUTCRY AS MI6 FILE ON GADDAFI IS POSTED ON NET. Article. Independent
- MPS GO TO COURT OVER PERSONAL MI5 FILES. Article. Independent
- INTERNET LEAK PROMPTED MOVE AGAINST SHAYLER. Article. Independent
- STUDENT QUESTIONED OVER LINKS TO SHAYLER. Article. Independent

- **AL-QA'IDA SUSPECTS IN BELMARSH PRISON ARE KEY TO UK TERROR THREAT.** Article. IOS
- **FIRST IRAQ. NOW KOREA. EVERY DAY WE EDGE CLOSER TO WAR.** Article. IOS
- **RICIN MADE FOR USE IN RANDOM KILLING SPREE'.** Article. IOS
- **TERRORIST SLEEPERS' SLIP INTELLIGENCE NET.**Article. IOS
- **ON THE BRINK OF WAR: THE INTELLIGENCE BATTLE - AL-QA'IDA.** Article. IOS
- **ON THE BRINK OF WAR - WEAPONS OF MASS DESTRUCTION.** Article. IOS
- **ON THE BRINK OF WAR: THE SPIES' REVOLT MI6 AND CIA:** Article. IOS
- **FOCUS: TERRORISM - WHAT DO THEY KNOW?:** Article. IOS
 - **THE SAUDI CONNECTION: FOCUS: TERROR.** Article. IOS
 - **LABOUR MPS CHALLENGE BLAIR OVER IRAQ'S WMDs.** Article. IOS
 - **NO REVIEW FOR MI6 OVER ARMS SEARCH.** Article. IOS
 - **INTELLIGENCE CHIEF ACCUSES BLAIR OF CREDIBILITY GAP' OVER WMD.** Article. IOS
 - **SADDAM DESTROYED WEAPONS IN 1990S'.** Article. IOS
 - **HIDDEN, DESTROYED OR NEVER THERE - WHAT HAPPENED TO THE WEAPONS?.** Article. IOS
 - **BLAIR'S AFRICAN URANIUM CLAIM AN UNLIKELY DEDUCTION'.** Article. IOS
 - **AL-QA'IDA TRAINED OVER 100,000 TERRORISTS.** Article. IOS
 - **THE DEATH OF DAVID KELLY: THE EXPERT'S DOUBTS.** Article. IOS
 - **BOGUS IRAQI DEFECTORS MAY HAVE DUPED ALLIED SPIES.** Article. IOS
 - **BRITAIN'S SECURITY SERVICES BELIEVE IT IS ONLY A MATTER OF TIME.** Article. IOS
 - **MASSACRE IN MADRID: THE 13TH BACKPACK.** Article. IOS
 - **QUESTIONS OF TERROR: THE HOME FRONT.** Article. IOS
 - **TERROR IN BRITAIN: THE TERROR TIMEBOMB.** Article. IOS
 - **THE AL-QA'IDA AGENT RECRUITING YOUNG MUSLIMS.** Article. IOS
 - **JACK' IDEMA AND THE BOUNTY HUNTERS OF KABUL.** Article. IOS
 - **JOHN SCARLETT, HIS COVER BLOWN.** Article. IOS
 - **9/11 THE LEGACY: LIFE WILL NEVER BE THE SAME AGAIN.** Article. IOS

● THIS IS THE TOWER AT CANARY WHARF. Article. IOS

● THE 7/7 TERROR CELL: REVEALED: Article. IOS

● TERROR IN THE UK: THIS MAN TALKS OF WAR. Article. IOS



● Ex MI5 officer Miranda Ingram details life in the Security Service: New Society
● GCHQ boosts arms sales: New Statesman

● Spycatcher affair - first revealed by World in Action

● MI5 double agent defects Observer

● Clive Ponting and the Belgrano sinking

● Secret Service cash soars. Article. Observer

● Cathy Massiter reveals MI5 surveillance: C4

● The Stalker Affair. Observer and other media

● Spycatcher court case begins in Australia: Observer and Guardian

● New Statesman reveals Zircon - after BBC is raided

● Colin Wallace: Test back MI5 'dirty tricks' in NI allegations. Observer

● New Statesman revealed the existence of ECHELON,

● Death of the Rock expose - This Week Programme, Thames TV

● Civil Servant reveals domestic surveillance targets: World in Action

● Gilligan broadcast
● Blair used discredited WMD 'evidence' IOS

● BBC Panorama investigate the intelligence failure in Iraq

● Sunday Times says Africa Uranium documents are faked.

● Sunday Times: Stephen Grey breaks rendition story

● Blair War Leak: Michael Smith DT and ST

● Guardian: Duncan Campbell debunks the "ricin plot"

● 'Downing Street Memo' Michael Smith in the Sunday Time

● Binyam Mohamed rendition story. The Guardian

● First story on the use of UK airports for rendition: The Guardian

● BBC2 reveal MI5 surveilled M S Khan before 7/7