

## **Introduction**

Two separate 'incidents' related to the BBC *Newsnight* programme in November 2012 led to two separate investigations and reports – the Pollard Review into the decision not to broadcast an investigation into allegations about sexual abuse by Jimmy Savile and the MacQuarrie Report into the circumstances around the programme which led to the false identification of Lord McAlpine as an alleged sex offender. They are summarised here in the order in which they were published.

**Summary of the report prepared by BBC Scotland Director, Ken MacQuarrie, who was asked to investigate the circumstances and editorial failings around the BBC *Newsnight* programme which led to the false identification of Lord McAlpine as an alleged sex offender. Published on 12<sup>th</sup> November 2012**

## **Background:**

On Friday 2<sup>nd</sup> November 2012 the BBC *Newsnight* programme broadcast a report on historical allegations dating from the 1970s and 1980s of child abuse at children's homes in Wales. The programme claimed that two victims had alleged that a leading Conservative politician from the Thatcher era had been among their abusers. The politician was not named in the report. The TV broadcast was the result of collaboration between *Newsnight* and the *Bureau of Investigative Journalism* (BIJ), an organisation based at City University that works with media organisations on investigative stories.

Earlier on the day of the broadcast, various names were mentioned extensively on social media and other internet fora in connection with the unidentified high profile figure. On Friday 9<sup>th</sup> November, and following press reports that the politician in question might have been the victim of mistaken identity, Lord McAlpine, former treasurer and deputy chairman of the Conservative Party, issued a statement denying his involvement and setting out his intention to take legal action. That evening, *Newsnight* broadcast a statement apologising unreservedly for having broadcast the original report and announcing various further actions.

## **Findings**

The key findings identified in the MacQuarrie report relate to:

### **The nature of the story**

This was a highly complex story that went from commission to transmission within a short period (from Sunday, 28<sup>th</sup> October 2012 to Friday, 2<sup>nd</sup> November 2012)

### **Editorial Management of *Newsnight***

The *Newsnight* editorial management structure had been seriously weakened since the editor had stood aside and one of the deputy editors had left the organisation. The editorial leadership of the team was under very considerable pressure.

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### **Editorial Approval**

It was not clear whether this story was regarded as Savile-related or not, or when that decision was made and communicated. A clear decision on this does not appear to have been taken until lunchtime on the day of transmission.

As a consequence there was ambiguity around who was taking the ultimate editorial responsibility for the *Newsnight* report, particularly in the days leading up to broadcast.

### **Basic Journalistic Checks**

During the editorial decision-making process, some basic journalistic checks were not completed.

Specifically, identification was not confirmed by photograph with the first victim. The second victim could not be traced in order to provide up to date corroboration. Legal advice was sought but there are differing recollections of what was asked and what was advised. No right of reply was offered to the unnamed individual at the centre of the allegation.

### **Final Editorial Sign Off**

There was a difference of understanding among the key parties about where the responsibility lay for the final editorial sign off for the story on the day.

### **Subsequent events**

Following the screening and consequent events:

- An apology was broadcast on *Newsnight*;
- The BBC agreed terms to settle Lord McAlpine's libel claim for £185,000 plus costs and an apology was made in court;
- Three BBC employees (from *Newsnight*) were subject to disciplinary action;
- Collaborations between the BBC and *Bureau of Investigative Journalism* were put on hold.

The MacQuarrie Report was considered by the members of the BBC Trust Editorial Standards Committee on 14 December 2012. In summary, the Trustees concluded that:

- There had been a serious breach of the Editorial Guidelines relating to accuracy;
- The Trustees found the broadcast allegations were not based on sound

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evidence and had not been thoroughly tested;

- As a result of the inaccuracy, the audience had been misled;
- The combination of the *Newsnight* Report and online speculation had led to Lord McAlpine being incorrectly identified as Mr Messham's abuser;
- The Trustees put on record an apology to Lord McAlpine and the public for a serious failure of BBC journalism.

**Summary of the report prepared by former Head of Sky News Nick Pollard, who was asked to investigate the decision by the BBC *Newsnight* programme not to broadcast an investigation into allegations about sexual abuse by Jimmy Savile. Published on 18<sup>th</sup> December, 2012**

**Background:**

In December 2011 the BBC 2 *Newsnight* programme decided not to broadcast a report alleging sexual abuse of minors by Jimmy Savile, who had been a leading presenter of BBC entertainment programmes. The Pollard review cost £2 million pounds and reviewed in excess of 10,000 documents. Redacted versions of key evidence were subsequently also published. The report itself runs to 186 pages and is more wide ranging in relation to BBC processes than is reflected here.

The source of the story was a BBC reporter, Meirion Jones, who had had a long-running interest in the Savile story. His aunt had been the head of Duncroft School, the establishment at the heart of the BBC investigation, (see the report into Operation Ornament, summarised in NOTANews Issue 70 July/August) for around twenty years until 1980 and he had visited there as a boy, with his mother.

In early 2011, Mr Jones found an account by a former resident on a publicly accessible website referring to sexual assaults at Duncroft by a man named only as 'JS'. Mr Jones realised that this was a reference to Savile. The account matched hints from other residents, now adults, on another social media site, *Friends Reunited*, that they had had similar experiences.

Mr Jones told the enquiry that Savile's death on 29<sup>th</sup> October 2011 had prompted him to begin an investigation and, on 31<sup>st</sup> October he had suggested investigating Savile and the Duncroft connection to his editor, Mr Rippon.

At the outset the investigation was solely into abuse by Savile. The *Newsnight* team did not know then whether the police had ever investigated Savile. Shortly afterwards an ex-Duncroft resident told a member of the *Newsnight* investigating team that the police had investigated Savile a few years earlier but that charges had not been pressed. There was mention of a letter from the

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police confirming that Savile had not been prosecuted only because he was old and infirm.

However, on 9<sup>th</sup> December 2011 the CPS provided Mr. Jones with a statement that the CPS reviewing lawyer had advised Surrey police that no further action should be taken due to lack of evidence. The CPS added that 'As this is the case, it would not be correct to say that his age and frailty was the reason for no further action being taken'.

Questions surrounding action (or inaction) by the police and Crown Prosecution Service (CPS) had, by this time, come to figure prominently in the *Newsnight* investigation. However, when the letter mentioned to the investigative team was found not to have existed, this became the central reason why the editor Mr Rippon says he dropped the story.

During this period the Pollard report concludes that it seems likely that the *Newsnight* team heard that the BBC was planning to broadcast a Christmas special edition of 'Jim'll Fix It'. However, contrary to some suggestions in the media, Pollard does not consider that any 'conflict of interest' for the BBC had been a contributory factor in the *Newsnight* story being dropped. Indeed the report concludes that no inappropriate managerial pressure or consideration influenced the decision of Mr Rippon not to run the Savile story.

However, Mr. Rippon's decision to drop the Savile story is described as seriously flawed, partly due to his failure to examine the evidence gathered about Savile's concerning behaviour.

Pollard is also highly critical of the BBC as an organisation stating that 'when the affair broke in October 2012, the BBC's management system proved completely incapable of dealing with it' (p22). The report shows that there was chaos and confusion and that the efforts to get to the truth behind the Savile story proved beyond the combined efforts of senior management, the legal department, the corporate communications team and anyone else for well over a month.

In particular, crucial information about the basic facts of the case was not shared. Even when concerted efforts were made to understand the basic facts, no-one seemed to grasp what should be done with the information. Efforts were hampered, in part, by an apparent adherence to rigid management chains and a reluctance also to bypass them.

The BBC's problems were exacerbated by a woeful inability to respond accurately to concerns that were expressed throughout the media about the decision to drop the investigation and the reasons for it.

### **Final comment**

Ultimately a number of senior managers were moved or removed as a result of this the events leading to these two reports. Most high profile was the

departure of George Entwistle as BBC Director General on 10th November 2012 having only taken up the role on 17<sup>th</sup> September 2012. His resignation, after only 54 days in post, made him the shortest serving Director-General in the history of the BBC.

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