

IN THE MATTER OF THE LEVESON INQUIRY

**WITNESS STATEMENT OF
NICHOLAS ANTHONY ROBINSON**

I, NICHOLAS ANTHONY ROBINSON, of BBC Television Centre, Wood Lane, London, W12 7RJ, WILL SAY:-

A. Insofar as the matters set out in this statement derive from my own knowledge, they are true. Where matters are not within my personal knowledge, they are true to the best of my information and belief and derive from the sources stated.

B. In order to assist the Leveson Inquiry I have set out the questions asked of me in the letter dated 5 August 2011 and provided my answers beneath them.

1. Who you are and a brief summary of your career history in the media

1.1 I am the BBC's Political Editor. I was appointed to this position in October 2005. Based at Westminster, my role is to provide high quality analysis, and an overview to our coverage, placing political events and the workings of Parliament and the devolved institutions into a broad context. In addition to reacting to events, I advise programmes across the BBC in terms of suggested coverage and stories, portrayal of political events and appropriate programme interviewees, helping to ensure a full diversity of voices. I provide analysis and advice across the whole range of the BBC's television, radio and online output and I have a particular responsibility for the BBC News flagship programmes, including BBC One's Ten O'clock News and Today on Radio 4. I report to the Head of Political Programmes and work closely with the Editor of Political Newsgathering on a day-to-day basis. Though I am an Editor and am responsible for my own editorial output, I do not manage any staff.

1.2 In terms of my career history, I joined the BBC as a production trainee in 1986 and worked on Brass Tacks, This Week, Next Week, Newsround, the Pamela Armstrong Show and Crimewatch. I then joined On the Record as an Assistant Producer and

worked my way up to Deputy Editor until 1992. From 1992 to 1995 I worked as Deputy Editor of Panorama (alongside another Deputy Editor). I then moved in front of the camera and became a political correspondent for the BBC from 1996 to 1997. From 1997 to 1998 I was a presenter on BBC Radio 5 Live and from 1999 to 2002, I was the Chief Political Correspondent for BBC News 24. I then moved to ITV for three years to be its Political Editor before returning to the BBC in 2005 to take up my current position.

2. How you understand the system of corporate governance to work in practice at the organisation where you are employed with particular emphasis on systems to ensure lawful, professional and ethical conduct

- 2.1 In relation to editorial matters, the BBC's Editorial Guidelines that all BBC journalists must follow are the primary system which ensures lawful, professional and ethical conduct at the BBC. The Editorial Guidelines reflect the key editorial requirements of the Charter and Agreement (for example, due accuracy and impartiality) as well as the Ofcom Code. In addition, when new guidelines or policies are brought into effect, training is often required. For example, after the incidents involving fakery in competitions a few years ago, it was mandatory for all staff to complete the Safeguarding Trust training.
- 2.2 In relation to my day-to-day news stories, I discuss them with the Editor of Political Newsgathering. If the story is of particular significance or sensitivity we will discuss it with the Head of Political Programmes, who will also consult the Director of News if the story is of very high significance or sensitivity. In addition, with respect to individual programme lines which my stories are airing on, such as the Ten O'clock News, I will discuss my story with the Editor of the Ten O'clock News, who may in turn discuss it with the Head of the Newsroom and potentially the Director of News, again depending on the significance or sensitivity of the story. My discussions with the Editors and senior editorial management are to make them aware of the output for which they are responsible and for them to approve stories that involve a degree of sensitivity or risk. If there are potential legal issues with my story (such as defamation or contempt risks), I will discuss it with the News Duty Lawyer or the Head of Programme Legal Advice in order to obtain legal advice. I also talk about my political coverage with the Chief Advisor of Politics who is part of the Editorial Policy team at the BBC. This editorial chain of management, in my view, helps to ensure the lawful, professional and ethical conduct of editorial teams

2.3 There are daily editorial meetings at Millbank for the BBC Westminster team and at Television Centre for programme teams. Although I do not attend I am kept informed of their conclusions.

2.4 I also write a blog for the BBC. This is reviewed and approved by the News Editor in Politics and the Online Editor before being posted to the BBC's website.

2.5 If complaints are made about my output, they are dealt with via the BBC's Editorial Complaints Process. I will have input into the responses and often discuss them with the Head of Political Programmes who is the Editorial Complaints lead for the BBC's Political Unit.

3. What your role is in ensuring that the corporate governance documents and all relevant policies are adhered to in practice. If you do not consider yourself to have been/be responsible for this, please tell us who you consider to hold that responsibility and why

3.1 I am responsible for ensuring that my own stories comply with the BBC's Editorial Guidelines. In practice, given that I discuss my stories with the Editor of Political Programmes or the Head of Political Programmes, it is also their role to ensure all policies are complied with. In addition, when working in teams, I contribute to creating a culture and atmosphere in which it is recognised that the BBC's Editorial Guidelines are important and vital to follow. For example, I am sometimes approached by correspondents for advice on stories and I will impart advice that is consistent with the Editorial Guidelines.

4. Whether the documents and policies referred to above are adhered to in practice, to the best of your knowledge

4.1 As stated above, in relation to my own stories, I believe the BBC's editorial policies are adhered to in practice.

4.2 When I work in teams, a huge amount of care is taken to comply with the Editorial Guidelines. In my view, there is widespread recognition that the BBC is unique because it is public facing and accountable to its viewers in a way that differs from other media organisations. The BBC also has an active complaints process which

holds journalists accountable for their stories. In addition, working in the BBC's Political Unit means that we are dealing every day with the nation's governors and legislators, so it is imperative that we follow the BBC's editorial policies in order to ensure our journalism is accurate, impartial and fair.

5. Whether these practices or policies have changed, either recently as a result of the phone hacking media interest or prior to that point, and if so, what the reasons for the change were

5.1 I am not aware of any changes to the BBC's Editorial Guidelines or other policies since phone hacking practices were exposed.

5.2 I am aware that the Guidelines changed after the competition fakery incidents and Safeguarding Trust training was implemented. Though at ITV at the time, I'm also aware the Guidelines, in relation to sourcing, changed after Hutton. We were also issued with an updated set of BBC Editorial Guidelines in late 2010.

6. Where the responsibility for checking sources of information lies (including the method by which the information was obtained): from reporter to business editor to editor, and how this is done in practice (with some representative examples to add clarity)

6.1 As I am generating my own stories, it is my responsibility to check my sources of information. It is therefore important that I verify the information given to me by a source and corroborate it if possible. This will always entail, to different degrees, asking the source about how they came into possession of certain information. The more significant a story the more I would consider it necessary to get a second source.

6.2 I am aware that the BBC's Editorial Guidelines discourage reliance on a single source and that my editor has the right to be told a single source's identity. In practice, whilst I rarely name my confidential sources to the relevant editor, I will discuss broadly the type of person the source is and what checks I have done on the source and the information they have provided to me. Depending on the sensitivity of the story and the seriousness of the allegations I am proposing to make, the questions asked of me by my line manager about my sources will naturally differ. I think it is also fair to say that, given the years of experience I have and the quality of judgements I have made in

the past, there is a certain level of trust between me and my line management about the reliability of my sources and journalism.

6.3 When I was covering the Cash for Honours Inquiry, a confidential source provided the BBC with information about an ongoing police investigation. In order to corroborate it, I spoke to other confidential sources who confirmed that information. This gave me and my line management the confidence to broadcast the story. Due to the sensitivity and high profile nature of the story, the Director of News was well informed about it along with Editorial Policy. We all took the view that it was in the public interest to reveal what we could about whether honours had been offered in return for cash payments.

7. To what extent someone in your role is aware, and should be aware, of the sources of the information which make up the central stories featured in your news broadcasts each day (including the method by which the information was obtained)

7.1 As stated in Q6 above, as I generate my own stories, I am always aware of the sources of the information for the story.

8. The extent to which you consider that ethics can and should play a role in the print and broadcast media, and what you consider 'ethics' to mean in this context'

8.1 In my opinion, ethics should play a role in the print and broadcast media. The BBC, in my view, encapsulates ethics in its Editorial Values as set out in the BBC's Editorial Guidelines – Trust, Truth & Accuracy, Impartiality, Editorial Integrity & Independence, Harm & Offence, Serving the Public Interest, Fairness, Privacy, Children, Transparency and Accountability. The BBC has a clear commitment to these values which encompass the BBC's fair dealing with others particularly in relation to how we must treat individuals who feature in our stories. The Editorial Guidelines provide BBC journalists with guiding principles as to how one should behave day-to-day and I believe this is a good thing.

8.2 I am aware that working for the BBC I operate under more scrutiny particularly because of the regulation by the Trust and Ofcom (save for on matters of accuracy and impartiality) as well as being publicly funded by the licence fee. As the BBC is publicly

funded, I think it is right to maintain a different set of standards and values at the BBC as opposed to other media organisations. As for the print media, I think that it should be free to do what broadcasters cannot do but within reason and that will require a more effective regulator than what the PCC is at the present time.

9. The extent to which you felt any financial and/or commercial pressure from anyone within your organisation and whether any such pressure affected any of the decision you made (such evidence to be limited to matters covered by the Terms of Reference)

9.1 I have never felt any financial or commercial pressure from anyone within the BBC.

10. The extent to which you had a financial incentive to provide exclusive stories (NB. It is not necessary to state your precise earning)

10.1 I have no financial incentive to provide exclusive stories for the BBC. Though one of my objectives is to produce original stories for the BBC, it is one of many objectives that I am expected to achieve.

10.2 Like other BBC journalists I have received small bonuses in the past for performing well generally (when bonuses were paid by the BBC), however, such bonuses were not paid only because I had provided exclusive stories only.

11. Whether, to the best of your knowledge, your organisation used, paid or had any connection with private investigators in order to source stories or information and/or paid or received payments in kind for such information from the police, public officials, mobile phone companies or others with access to the same: if so, please provide details of the numbers of occasions on which such investigators or other external providers of information were used and of the amounts paid to them (NB. You are not required to identify individuals, either within your organisation or otherwise)

11.1 I have no personal experience or knowledge of the BBC using, paying or having any connection with private investigators in order to source stories or information. Similarly I have no knowledge of the BBC paying or giving payments in kind for information from the police, public officials, mobile phone companies or others save in relation to legitimate expenses (see 16 below).

11.2 I am broadly aware that for current affairs investigations private investigators have been used by the BBC as confirmed by Mark Thompson, the BBC's Director-General, in an interview with The Times but I have no direct knowledge of such arrangements.

12. What your role was in instructing, paying or having any other contact with such private investigators and/or other external providers of information

12.1 Not applicable – please see my answer to Q11.

13. If such investigators or other external providers of information were used, what policy/protocol, if any, was used to facilitate the use of such investigators or other external providers of information (for example, in relation to how they were identified, how they were chosen, how they were paid, their remit, how they were told to check sources, what methods they were told to or permitted to employ in order to obtain the information and so on)

13.1 Not applicable – please see my answers to Q11 to 12. Also, I am not aware of any policy or protocol that exists at the BBC which specifically addresses the use of private investigators, though if they were engaged to assist on an undercover investigation I believe the Editorial Guidelines on secret recording would be relevant.

14. If there was such a policy/protocol, whether it was followed, and if not, what practice was followed in respect of all these matters

14.1 Not applicable – please see my answers to Q11 to 13.

15. Whether there are any situations in which neither the existing protocol/policy nor the practice were followed and what precisely happened/failed to happen in those situations. What factors were in play in deciding to depart from the protocol or practice?

15.1 Not applicable – please see my answer to Q11 to 13.

16. The extent to which you are aware of protocols or policies operating in your organisation in relation to expenses or remuneration paid to other external sources of information (whether actually commissioned by your organisation or

not). There is no need for you to cover 'official' sources, such as the Press Association

- 16.1 As Political Editor, I know there is a section in the Editorial Guidelines which deals with payments to MPs and politicians (10.4.7-10.4.8). For example, MPs and politicians should not be paid for appearances or contributions in which they are speaking as a member of their party or expressing political views. They can, where appropriate, be paid a limited and realistic disturbance fee and/or any reimbursement for genuine expenses. For non-political output, MPs and politicians may be paid for contributions where they are appearing on the basis of their expertise outside politics or of their celebrity.
- 16.2 I am also broadly aware of other sections in the Editorial Guidelines which provide guidance as to payment of expenses to other categories of contributors, such as criminals, victims of crime and witnesses, to be reimbursed by the BBC.
- 16.3 I do wish to emphasise that I do not pay sources for information and nor does the BBC allow me to. For example, if the BBC had been offered the disc of information about MPs expenses (which the Telegraph broke stories about), I would not have been able to pay for it. I would have tried to persuade the source to pass it to the BBC for no fee on the basis that it was in the public interest to do so, but I could not have and would not have paid for the information. I also do not pay MPs and politicians for interviews that I conduct for news stories save for reimbursing their genuine expenses which would be arranged by a production manager on the relevant programme's behalf.
- 16.4 I regularly take sources - politicians, advisers and officials - out to lunch or dinner. The costs involved are claimable on expenses.
- 17. The practice of your organisation in relation to payment of expenses and/or remuneration paid to other external sources of information (whether actually commissioned by your organisation or not). There is no need to cover 'official' sources such as the Press Association**
- 17.1 Please see my answer to Q16 above.
- 18. In respect of editorial decisions you have made to publish stories, the factors you have taken into account in balancing the private interests of individuals**

(including the fact that information may have been obtained from paid sources in the circumstances outlined under paragraph 11 above) against the public interest in a free Press. You should provide a number of examples of these, and explain how you have interpreted and applied the foregoing public interest

- 18.1 Though the Editorial Guidelines have a whole chapter on Privacy, and I am generally aware of the need to balance the private interests of an individual against the public interest in publication, the stories I broadcast tend not to be about the intimate private lives of individuals. As Political Editor, I focus on all sorts of political coverage and where it involves individuals, it is usually about that individual's decisions in a political, public facing sense as opposed to a story about their private sex life for example.
- 18.2 An example of a story which involved an individual's private life is the MPs' expenses scandal. Clearly there were personal or private issues involved there. At the time when all these stories were breaking, we set up a system whereby we would not broadcast a story about an MP without attempting to contact them first which is in accordance with our fairness/right of reply Guidelines. Where we couldn't get hold of an MP before broadcasting the story, we would say so. In these instances, we weighed up the nature of the private information against the public position of the person in question, the fact that the information was already in the public domain (through the stories in the Daily Telegraph) and the strong public interest factor that MPs were potentially abusing the expenses system or, in some cases, perhaps had committed criminal offences. In almost all cases the MP involved confirmed or, at least, did not challenge the accuracy of the Telegraph's information about their expenses - what was at issue was the interpretation of that data. In my view, the public interest in the story clearly outweighed the confidentiality of the finances or private life information of the individuals involved.
- 18.3 Another example of a story that raised issues of privacy related to the former Leader of the Liberal Democrats, Charles Kennedy's drinking problem, which I reported on in January 2006 after he admitted he had a problem. I described it at the time as 'Westminster's worst kept secret?' as I had known for some time that Mr Kennedy drank a lot but I did not know that he had a problem for which he was undergoing treatment. As I wrote in my blog, I took the view that until and unless Mr Kennedy failed to perform his public duties properly or his own MPs decided his drinking was a reason to rebel, this would remain Westminster chatter. Prior to admitting he had a problem, Mr Kennedy and some of his aides had denied such allegations. In the

summer of 2005 the BBC received information that Mr Kennedy was undergoing treatment for an alcohol problem. This was put to Mr Kennedy's office who issued a flat denial. With that, and without any independent evidence, we decided not to run the story. It was not until a few months later when Mr Kennedy was faced with a parliamentary revolt and a warning that ITN were to run anonymous allegations that he was undergoing treatment that we felt able to report the story, and at that point, Mr Kennedy confirmed he did indeed have a problem.

19. Whether you or your organisation, to the best of your knowledge, ever engaged in or procured others to engage in 'computer hacking' in order to source stories, or for any reason

19.1 I am not aware of the BBC ever engaging in or procuring others to engage in computer hacking either to source stories or for any other reason.

20. If you cannot answer these questions, or take the view that they could be more fully answered by someone else, you must nonetheless provide answers to the extent that you can, and to the extent that you cannot you must provide the inquiry as soon as possible with names of those who would be able to assist us further.

I confirm that the contents of this statement are true.

Signed



Date

14/10/11

Nicholas Anthony Robinson