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PRIME MINISTER

BBC Panorama: Proposed Programme on
Intelligence Services

I should like to discuss this briefly with WH. PC. I am of course any programme being shown. I would be prepared to use the veto. mb.

At your meeting early in June on the Official Histories of Intelligence I mentioned that the Panorama team were engaged in preparing material for one or two programmes on the intelligence services. You thought that this might be a matter for the Home Secretary to take up with the Chairman of the Governors of the BBC. I sent Mr. Whitmore a minute on this on 18th June; he replied on 20th June.

2. Developments since then can be summarised as follows:-

- (a) There have been continuing contacts between the Legal Adviser to the Security Service (Mr. Bernard Sheldon) and the Director General of the BBC. The Director General's present view seems to be:-
- (i) he does not think he can reasonably prevent some programme on the accountability of the intelligence services; he recognises that this is not a matter on which present or past members of the Services should be asked to comment, and would hope to achieve balance by seeking the views of an appropriately experienced politician (he mentioned Mr. Merlyn Rees and Mr. William Deedes);
 - (ii) he understands the dangers of lending respectability to a campaign by Duncan Campbell, Robin Cook, Robert Cryer and others, and the possible need to expose their motives and associations;
 - (iii) he is minded to say that the programme cannot examine the functions and working of the Services.

Sir Ian Trethowan has told Mr. Sheldon that the fact that a good deal of money is being spent on research will not significantly affect the likelihood of any programme being transmitted. It would not in any event be transmitted before the autumn (it seems to be scheduled for October).



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- (b) The Panorama team, led by Tom Mangold, has approached a great many people for interviews or briefing for these programmes, including Sir Dick White, Sir Leonard Hooper, Sir Brooks Richards (all former Intelligence Co-ordinators), the Head of the FCO News Department, the Director General of the Security Service, the Head of the SIS, and the Director of Public Relations for the Army (for help in connection with Northern Ireland). It is also making inquiries in the United States, Australia and Western Germany about the accountability of the intelligence services in those countries.
- (c) In his approach to the FCO News Department, Tom Mangold asked for non-attributable briefing with a representative of the SIS. When this was refused, he said that we should not delude ourselves into believing that the team would be dissuaded from its intention of making a programme by lack of official briefing: such an attitude could not stop the films, but it would distort them, since it would give disproportionate space to partisan lobbies. He said that the team intended to explore the Anglo-American intelligence relationship; and intended to invite the Foreign and Commonwealth Secretary to be interviewed on the subject of accountability.
- (d) Panorama's interest in the subject clearly stems from the activities of Duncan Campbell. It is not clear whether Campbell is in any sense behind the idea of a Panorama programme. Panorama is believed to have approached one of Campbell's associates in connection with this programme; and Mangold has in the past worked with Steve Weissman, a collaborator of Agee and an associate of Campbell. Weissman is employed on a contract basis by Panorama, but is believed to have been given notice.

3. The Director General says that the commitment of money and effort to research does not significantly affect the likelihood of any programme being transmitted. None the less it must be assumed that, the further the preparation of the programmes progresses, the less likely it is that they will not in due course be shown, or that the contents can be significantly changed. These



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preparations will continue through what remains of the summer if no steps are taken to halt or curtail them. The question is whether the time has come for an approach to the BBC at a higher level than the Legal Adviser to the Security Service; and, if so, what that approach should be.

4. I am to discuss these issues in more detail with senior officials of the Departments and Agencies concerned on 23rd July. But time is running short - the Foreign and Commonwealth Secretary goes to Latin America at the end of the week - and I thought that I should send you this preliminary minute, in case you might like to consult the other Ministers concerned immediately, or to express a preliminary view.

5. My own view, ahead of my meeting, is that the time has come to approach the BBC from a higher level. If the approach is to have any effect, it will have to be made either by or with the express authority of Ministers. It would be possible for you or the Home Secretary (or both) to summon the new Chairman of the Board of Governors. But I am doubtful about that for two reasons:-

- (i) If at this stage we go over Sir Ian Trethowan's head, we may forfeit the goodwill and readiness to co-operate with Mr. Sheldon that he has been showing.
- (ii) This would be the first brush between Ministers and the new Chairman, and he might feel it necessary to demonstrate that he was not the creature of the Government (or swayed by personal friendships with members of the Government).

I believe, therefore, that if there is to be an approach at this stage, it should be from me, acting with your authority and on your instructions, to Sir Ian Trethowan. That would have the additional advantage of keeping open the possibility of a later intervention by you with the Chairman.

6. Before making such an approach, we should need to define the objectives:
 - (a) Do we want to stop the BBC from showing any programme about the intelligence services?



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(b) No Should we be prepared to see go forward a programme dealing strictly with the accountability of the Services and not extending to their functions and working?

7. The Government would be wholly justified in seeking to prevent a programme about the functions and working of the Services, but it is less clear that we should be justified in seeking to prevent a programme genuinely confined to the question of that accountability. This is a matter of which there is bound to be some discussion in Parliament, because of Mr. Cook's Bill on the Security Services; and though the issue of accountability may have come to public notice because of the activities and articles of Duncan Campbell, it is arguably a matter of legitimate public interest. If we were minded not to object to a programme on accountability, however, the difficulty would be to make sure that it was confined to that: on its own it would be a pretty boring and unvisual subject. And its conclusion can be taken as foregone: how can it fail to conclude that the intelligence services ought to be more publicly accountable?

8. It must not be forgotten - the BBC will be acutely sensitive to the point - that the Government has the power to ban any programme. This power is conferred on the Home Secretary by the BBC Charter. It has been used to prevent the BBC from broadcasting certain types of programmes at certain times, (e.g. political programmes in the two weeks before an election), but it has never been used to ban a particular programme. Its use, or the threat of its use, to ban a programme about the intelligence services would of course produce a tremendous hoo-ha, inside the BBC, in the Press and in Parliament, about censorship. But, if we were convinced that the programme was likely to cause grave damage to the intelligence services, it might be right to risk the hoo-ha and use the power.

9. The threat of its use would be an element in the tactics of handling the BBC. They will believe - rightly - that the Government will be very reluctant to use the power. They may even calculate that the Government would not in the last resort bring itself to do so. If they believe that, the threat to use it may



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simply lead them to call the Government's bluff. Even if they believe that the threat is for real, the effect of making it may be to make them feel that they can simply shuffle the responsibility off on to the Government. But the BBC will not want the Government to exercise the power, if they can avoid it: they would see it as the first step down a slippery slope of Government exercise of veto on programme content; once the Government had banned a programme on the intelligence services, it would (they would calculate) be easier next time to ban a programme on - say - the Provisional IRA; and the BBC would know that, whatever hoo-ha is aroused, no Government was going to deny itself the power of veto which successive BBC Charters have given successive Governments.

10. So for both parties - the Government and the BBC - the power of veto has many of the qualities of the nuclear deterrent.

11. If Ministers want to try to prevent the BBC from showing any programme about the intelligence services, it will be helpful to know, before any meeting with Sir Ian Trethowan, whether they are ready to exercise the power of veto, if necessary.

12. If we are content to settle for a programme about accountability only, it should not come to the point of having to decide whether to exercise the power, but the BBC ought to be given the clear impression that we have not excluded the use of the power.

13. If there is to be a higher-level approach to the BBC now, it might take one of the following possible courses:-

Either

- (a) The activities of Duncan Campbell, and the interest and activity they are generating (particularly in circles whose political motivation is suspect) have some effect on the morale and effectiveness of the intelligence services. But they are very much minority stuff, and so long as all this is confined to the columns of the New Statesman, The Leveller and left-wing papers of that kind, and to a small group of left-wing MPs, the damage is containable. ~~THE~~ BBC Panorama

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programme would be a very different kettle of fish. It would give respectability to the activities of Campbell; it would spark a much wider curiosity about the intelligence services; other MPs and other newspapers would feel obliged to jump on the bandwagon; and the resulting damage to the morale and effectiveness of the Services could be very serious indeed. That of course is what Campbell and others are aiming at; and it is very much in the national interest that they should not succeed. Please give up any idea of any programme about the intelligence services.

Or

- (b) We know that the Director General is conscious of the potential dangers of showing programmes about the intelligence services, and recognises the limits within which any such programmes should be confined, if damage to the effectiveness of the Services is to be avoided. But the activities and attitudes of Tom Mangold and his team strongly suggest that they do not see themselves as bound by any such limits. We see very considerable dangers in his team being allowed to pursue the sort of inquiries in which they appear at present to be set. We recognise that the accountability of the intelligence services is a matter of legitimate public interest; but could the BBC produce a programme which was interesting enough to be worth showing if it was really confined to the question of accountability? What guarantees could the Director General give us that it would be so confined? If the BBC were minded to go ahead with such a programme, it would clearly not be a matter on which present or past members of the Services could be asked to comment; but we should like to discuss with the Director General how it could be made a balanced presentation. We might be able to help in the selection of people who would balance the campaigners for much greater public accountability.

14. I should like to discuss the matter with the heads of the agencies at my meeting on 23rd July: they may feel that even a programme confined to the question of accountability would be damaging, and if that is their view Ministers



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ought to know it before taking a final decision. But it would be helpful before then to know if you and your colleagues have any preliminary view; and, if you think that we should try to prevent any programme from being shown, Ministers would be ready to use the power of veto if necessary.

15. If we eventually decided to follow the second line - paragraph 13(b) - either as the preferred choice or as a fall-back to complete prevention, there would be further questions for consideration; whether the Government could or should co-operate by giving interviews (the Home Secretary or the Foreign Secretary) and by background briefing; and whom we might suggest as people to approach as possible contributors (Lord Carr, Lord Dacre and Professor Howard come to mind; and Lord Carr could certainly be given discreet support and briefing).

16. We should also have to consider the Government's position on the unavailability of certain of the Services.

17. I am sending copies of this minute to the Secretaries of State for the Home Department, Foreign and Commonwealth Affairs, Defence and Northern Ireland.

RA

(Robert Armstrong)

Prime Minister.

Are you ready to take a preliminary view on how views can be taken into account at Sir Robert Armstrong's meeting tomorrow?

21st July, 1980

If so, do you want to prevent any programme being shown? Or would you be ready to enter for a programme confined to the accountability of the intelligence services, provided it could be guaranteed that the limits set would be fully observed?

Are you prepared to use the veto, if necessary; and for the PoB to be made aware of the threat?

RAH
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Do you agree that the form of any further approach to the PoB should be by Sir Robert Armstrong to the Director-General?