'What's in it for us?'

While the press are often criticised for distorting crime issues, criminal justice agencies can be less than forthcoming in providing information. **David Rose** presents a journalist's perspective.

Towards the end of last year I reported a story for the BBC's Panorama programme about false allegations of child abuse in care homes. My producer and I spent five months researching and making the film, *In the Name of the Children*, and we uncovered issues of grave importance - solid evidence that Roy Shuttleworth, a former care worker from Cheshire serving a ten-year prison sentence for sexual assaults and buggery is innocent, and that this is not an isolated miscarriage of justice.

False claims

Of course, there have been terrible examples of abuse in care homes which have been covered up in the past. But we showed in our film that the 'trawl' method now being employed in more than 90 separate police inquiries is inherently dangerous. By visiting hundreds of former residents, many of them with serious criminal records, and inviting them to make allegations, the police have inadvertently brought forth a mass of dubious and mendacious claims by bogus 'victims' whose sole motive is the prospect of obtaining compensation. We also showed that many of these witnesses, repeatedly interviewed without the provision of audio or video tapes, have been improperly led to make their statements. Some of them turned out never to have met the care workers whom they so vividly accused.

This was not a superficial or sensational piece of work, and it cried out for a serious response from the police. When I first contacted the Cheshire police press office, I was told I could interview the Chief Constable or one of his assistants. A little while later, I telephoned again, expecting to fix an appointment. By now, however, word had got round that we were taking a critical perspective. Not only was the offer of an interview abruptly withdrawn, but when I pointed out that this meant I might include in my script a statement that the police had refused to comment, I found myself the target of an official complaint from the Chief Constable to my boss, Tony Hall, the then head of BBC News, alleging I was acting in a threatening and improper manner.

I have long lost count of the times I have been asked, in response to a request for access to an individual or institution, 'What's in it for us?' It does not seem to have occurred to people that for a theoretically-accountable, publicly-funded body even to make such an inquiry is wrong.

The matter did not end there. In the week before transmission on 26 November, the BBC received a series of increasingly heated communications from the police and the CPS, demanding to know what was in the programme and suggesting it might prejudice pending trials of former care workers. These culminated in a letter from none other than the Attorney-General, Lord Williams of Mostyn, who repeated the demand to watch the programme and warned we might be vulnerable to proceedings for contempt of court. Finally, after assurances that the film did not touch on pending criminal matters, he and his cohorts backed off.

I set out this unfortunate saga in some detail because I think it illustrates a worrying and more widely-applicable point: that criminal justice agencies often seem barely to have considered an appropriate way to inter-act with the media in a modern, democratic state. I have long lost count of the times I have been asked, in response to a request for access to an individual or institution, 'What's in it for us?' It does not seem to have occurred to people that for a theoretically-accountable, publicly-funded body even to make such an inquiry is wrong. It reveals a deeper mindset: one in which the media are not to be engaged with but 'handled,' spun and controlled, and where the automatic response to inconvenient questions (such as mine about child abuse inquiries) is an oppressive mixture of evasion and denial.

Criminal justice institutions are not unique in this respect. But they are, overall, worse. The peculiarities of criminal justice work provide them with a clutch of credible alibis: it always seems to be the more difficult questions which run into the barriers of 'jeopardy to current or future operations,' 'sub judice' or (my least favourite of all) 'we can't discuss individual cases.'

Justified criticism

It's important to understand what this means. The media are often vehemently criticised, especially by members of criminal justice agencies, for the way they report crime and fail to reflect important debates. Some of this criticism, particularly at the tabloid end of the market, is more than justified. As I write, we seem to be approaching an election campaign at a time of unprecedented peace and prosperity, and yet the Prime Minister seems to find it necessary to go along with and even fuel yet another popular crime and disorder panic. The media's role in this is truly baleful.

Yet some of the media's failings originate with the very bodies which attack them. If the papers are full of sensational and inaccurate reports, to some extent this is because it can be so difficult to acquire information about anything else.

BBC Panorama

Former residents of Greystone Heath claimed they had been abused.

Honourable exceptions

There always have been honourable exceptions. As Chief Constable of Thames Valley Police, and later as Metropolitan Commissioner, Sir Peter Imbert instinctively realised that real, unfettered access to people and information would, in the long run, serve only to benefit the institution he served. He had the courage to think long-term, beyond the pain which an awkward disclosure might cause, and also to realise that the flaws in a culture and the practice it engendered might not always be obvious to those whose only reference points came from inside.

In 1982, Imbert gave Roger Graef broad access to Thames Valley to make his BBC series *Police*. One episode showed a detective berating a distressed rape victim. The immediate consequence was a huge public scandal. In the longer term, the incident transformed detective training and police attitudes to the victims of sexual offences. Imbert sensed, and has since often said in public, that this is what should actually happen in a democracy, with the media acting not as passive recipients of spin and public relations handouts but as investigators and catalysts for positive change. There are others who share this insight: among them Charles Pollard, Imbert's successor at Thames Valley, and Martin Narey at the Prison Service, as he fights to change an agency parts of which appal him.

For the most part, alas, criminal justice agencies tend to hide from journalists behind high defensive ramparts. All public bodies profess their commitment to openness with the media, but few follow it through. I have a simple test to determine in which category an agency belongs - is it possible to talk to its staff without the constant presence of a media relations officer? In all but a very few cases, the answer is no. Ostensibly, the PR person is there to 'assist' the public official, chaperon to the shy, blushing debutante. The reality, as everyone involved in such interactions knows, is to make sure that the correct line is parroted, and nothing 'damaging' disclosed.

Of course, I accept there will always be information that cannot be disclosed without real-world damage: to informants, victims and others. But it is a rare reporter, and an even rarer editor, who will publicise such information once its risks have been pointed out.

Meanwhile we persist in our attempts to establish a dialogue. The questions I wanted to ask the Cheshire police on *Panorama* related to ways of improving trawl inquiries in child abuse cases, so that innocent people might be better protected from false accusations, while the prospect of convicting serial abusers were maintained. The case I had investigated dated from 1996: with hindsight, were there things which should be done differently? Had any lessons been learnt?

I'd still like to know the answers. As things stand, I don't suppose I ever will.

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More information on *In the Name of the Children* is available on *www.bbc.co.uk/panorama*

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