

## CHAPTER 2 – THE BBC – HISTORY, ETHOS AND MANAGEMENT CULTURE

### *Introduction*

2.1 This chapter is not intended to provide a comprehensive account of the history, ethics and management culture of the BBC. It is intended only to provide the necessary background against which I will, in due course, consider what BBC personnel knew, ought to have known, realised and ought to have done in the light of any awareness of Savile's activities. The BBC has confirmed the accuracy of the sections below on Early History and Management Structure.

### *Early History*

2.2 The BBC is a body corporate set up by Royal Charter (from 1927). It began as the British Broadcasting Company in 1922 under the general management of John Reith, later Lord Reith, with a licence to operate a broadcasting service until the end of 1926.

2.3 In July 1925, the Government appointed a committee under the chairmanship of the Earl of Crawford to advise on future management and control of broadcasting. Mr Reith (as he was at the time) had, at the invitation of the committee:

“put forward the idea of a public corporation, run at arm's length from the government, but supervised by a board of governors. The corporation would still be run day-to-day by its managers, but instead of representing a company's investors in the drive for profits, the governors would put the public interest first”<sup>23</sup>.

2.4 In March 1926, the committee recommended that the broadcasting service should be conducted in the future by a public corporation “acting as trustee for the national interest”;

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<sup>23</sup> [www.bbc.co.uk/historyofthebbc/resources/in-depth/reith\\_5.shtml](http://www.bbc.co.uk/historyofthebbc/resources/in-depth/reith_5.shtml).

there should be no direct Parliamentary control of the corporation, licence fee funding should be provided for 10 years and there should be a higher proportion of educational content. It also recommended that “every effort should be made to raise the standard of style and performance ... particularly in music” and “that a moderate amount of controversial matter should be broadcast, provided that the material is of high quality and distributed with scrupulous fairness”<sup>24</sup>.

2.5 The British Broadcasting Corporation, as it became, was duly established by Royal Charter for a term of 10 years, commencing on 1 January 1927. Mr Reith became the Corporation’s first Director-General. The recitals to the Charter recorded that the broadcasting service was to be “conducted by a public corporation acting as Trustees for the national interest”, noted that the Corporation should be of “great value ... as a means of education and entertainment” and expressed the desire that the service “should be developed and exploited to the best advantage and in the national interest”.

2.6 The BBC’s Royal Charter was renewed for a further 10 years from 1 January 1937, with the recitals adding the aim of “information” to that of education and entertainment. Mr Reith remained Director-General until 1938 and oversaw the start of the television service in 1936. His real enthusiasm was, however, limited to radio; indeed, he was deeply sceptical about television. The BBC historian Professor Asa Briggs thought that Lord Reith (as he became) saw television as a threat to society which would “corrupt and ruin the nation”<sup>25</sup>.

2.7 Despite Lord Reith’s scepticism and a complete cessation of the television service during the Second World War, television took off in the early 1950s, aided by a huge expansion in the

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<sup>24</sup> *Report of the Broadcasting Committee*, 1925, Cmnd. 2599, March 1926.

<sup>25</sup> [http://www.bbc.co.uk/historyofthebbc/resources/in-depth/reith\\_6.shtml](http://www.bbc.co.uk/historyofthebbc/resources/in-depth/reith_6.shtml)

number of sets purchased just in time for the coronation of Queen Elizabeth II. The BBC enjoyed a monopoly until 1955 when ITV began broadcasting in the London region. By 1973, there were 15 independent television companies. The BBC had launched its second channel, BBC Two, in 1964 and began colour broadcasting in 1967.

### ***Management Structure***

#### *The Governors – 1927 to 2006*

- 2.8 The first Charter provided that members of the Corporation would be referred to as Governors, and appointed a chairman and vice-chairman, as well as a chief executive officer, the Director-General (initially Mr Reith). This structure was retained until 1 January 2007, when the BBC Trust was created.
- 2.9 Throughout this period, the Board of Governors comprised the chairman, vice-chairman, national governors for Scotland, Wales and Northern Ireland, and a number of other governors. The governors worked through a permanent executive staff, headed by the Director-General.

#### *BBC Trust and Executive Board – 2007 to the Present*

- 2.10 Under the new Charter and Agreement in 2006, the Board of Governors was replaced by a new structure which set up the BBC Trust and new Executive Board. This came into effect in January 2007.
- 2.11 The main roles of the BBC Trust are to set the overall strategic direction of the BBC, including its priorities, and to exercise a general oversight of the work of the Executive Board. The BBC Trust must be independent of the Executive Board. It must act in the public interest and, in particular, it must represent the interests of licence fee payers, ensure that the independence of

the BBC is maintained, carefully and appropriately assess the views of licence fee payers, exercise rigorous stewardship of public money, have regard to the competitive impact of the BBC's activities on the wider market and ensure that the BBC observes high standards of openness and transparency.

- 2.12 The Executive Board is responsible for the delivery of services in accordance with defined strategies laid down by the BBC Trust, the direction of editorial and creative output, operational management, ensuring compliance with all legal and regulatory requirements and ensuring compliance with the requirements of the Trust. It is also responsible for making proposals to the Trust in respect of matters requiring the Trust's approval, appointing and holding the management of the BBC and of its subsidiaries to account, conducting operational financial affairs and accounting to the Trust for its own performance and the performance of the BBC and its subsidiaries.

*Board of Management/Management Board*

- 2.13 Below the Board of Governors (replaced in 2006 by the Executive Board) sat the Board of Management (replaced in 2006 by the Management Board). The Board of Management had overall responsibility for the management and running of the BBC.
- 2.14 The make-up of the Board of Management/the Management Board has varied over time, with the addition of new posts and changes to the names of particular roles. In general, it comprised senior management, certain heads of department and above.

*Management of Television – Light Entertainment*

- 2.15 I shall not burden this Report with a description of the management structure which includes all the changes of

structure and nomenclature which have occurred over the past six decades. Suffice it to say that, in the period which is of particular importance to the Savile investigation, the 1970s and 1980s, the head of the television service was known as the Managing Director, Television. He (it was always a man during this period) was a member of the Board of Management. Below him was the Director of Programmes, Television and below him were the Controllers of BBC One and BBC Two. The Channel Controllers commissioned the programmes from the various programme-making departments. This structure is reflected in Appendix 5 to the Report.

2.16 Television was divided into a number of programme groups and departments, covering such areas as planning, presentation, drama, light entertainment, outside broadcasts, current affairs, music and arts, documentary, travel and feature, family, school broadcasting, further education and religious broadcasting. Given the nature of Savile's work in television, the Savile investigation is primarily interested in the Light Entertainment Department.

2.17 Within the Light Entertainment Department, the Head of Department (Bill Cotton from 1970 to 1977) reported upwards to the Managing Director, Television. At that time, Light Entertainment was divided into Variety and Comedy. So, as well as the Head of Light Entertainment, there was also a Head of Variety (a post which, for a period, Mr Cotton occupied in addition to his role as Head of Light Entertainment) and a Head of Comedy. Below that, there would be executive producers, producers, directors, organisers and administrators. Will Wyatt, who spent 35 years at the BBC from 1965 and held many senior roles including Managing Director of BBC Network Television and Chief Executive of BBC Broadcast, told me that the Head of Light Entertainment would have a meeting with the

Controller of BBC One every week and with the Controller of BBC Two every two weeks “to discuss developing plans, current performance and issues”. The Heads of Light Entertainment, Variety and Comedy would, according to Mr Wyatt, be “in and out of each other’s offices all the time”. A table showing the relevant senior roles in BBC Television during Savile’s active period at the BBC is provided at Appendix 3.

### *Management of Radio*

- 2.18 Sound broadcasting, as radio was known in the BBC until 1967, was headed by a director who was a member of the Board of Management. The Director of Sound Broadcasting was renamed the Director of Radio in 1967, and became the Managing Director, Radio in 1968.
- 2.19 In 1967, BBC Radio was reorganised with the creation of four main networks with which we are familiar today, BBC Radios 1, 2, 3 and 4. BBC Radio 1 was to provide popular music, with BBC Radio 2 effectively replacing the Light Programme (which had provided light music and entertainment), BBC Radio 3 covering the cultural network and BBC Radio 4 covering education, news, drama and current affairs. The World Service (then known as External Broadcasting) continued to operate separately and a number of regional radio networks were established. The management structure of BBC Radio has changed very little since 1967.
- 2.20 Savile worked regularly for Radio 1 from 1968 until 1987 when he moved to the World Service. For that reason, I shall focus on Radio 1. Johnny Beerling, who was Controller of Radio 1 in the late 1980s, explained that the establishment of Radio 1 was the BBC’s response to the growing audiences of commercial radio stations such as Radio Luxembourg and pirate radio

stations with their programmes of almost continuous popular music. By 1966, the success of the pirate radio stations was having a detrimental effect on BBC audiences, especially among the under 30s. Prompted no doubt by a Government White Paper of 1966<sup>26</sup>, which called on the BBC to recognise the existence of “an audience for continuous music as popular entertainment”, the BBC set up Radio 1. Parliament enacted the Marine & Sea Broadcasting (Offences) Act 1967 on 14 July 1967. Advertising on or supplying an off-shore radio station from the UK became unlawful. The result was the death of pirate radio and the rapid growth of audiences for BBC Radio 1.

2.21 Radio 1 was managed initially by executives who had worked on the Light Programme. Radios 1 and 2 had a joint controller, the first of whom was Robin Scott, with Douglas Muggerridge taking on the role in 1969. Below the joint controller was the Head of Radio 1 (a position assumed by Derek Chinnery at the beginning of 1972). Below the Head of Radio 1 sat three executive producers (in 1970, these were Mr Chinnery, Doreen Davies and Teddy Warrick). By 1972, the executive producers were Ms Davies, Mr Warrick and Mr Beerling. The Head of Radio 1 post was discontinued in late 1978 with the appointment of a single Controller of Radio 1. The BBC introduced the post of Head of Radio 1 Programmes in 1982, a post which was initially assumed by Mr Beerling in 1983.

2.22 After a stint as Director of Programmes, Radio, Douglas Muggerridge became the Deputy Managing Director of Radio in the late 1970s before moving on to be Managing Director, External Broadcasting. Mr Chinnery became the Controller of Radio 1 in 1978 (when separate controllers were appointed for Radios 1 and 2) and remained in that position until his retirement in 1985, when he was succeeded by Mr Beerling,

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<sup>26</sup> White Paper – *Broadcasting*, Cmnd. 3169, London: HMSO, December 1966.

who had been Head of Radio 1 Programmes in 1983 and 1984. He was succeeded in that position by Ms Davies. She retired in 1987. Matthew Bannister became the Controller of Radio 1 in 1993.

### ***BBC Values and Objectives***

2.23 The core values of the BBC are often called ‘Reithian’ values. In fact, although so described, those values would be more appropriately described as objectives. From 1937, they were expressed as the duty to “inform, educate and entertain” and this tripartite aim has been retained in BBC Charters up to the present day. There has, however, been a restatement of BBC values. In a Green Paper published in March 2005, entitled *Review of the BBC’s Royal Charter: A strong BBC, independent of government*, the Department for Culture, Media and Sport suggested that the BBC’s principles set out by Lord Reith to inform, educate and entertain were “no longer sufficient” as a yardstick by which to judge the BBC’s performance<sup>27</sup>. The BBC needed a “more closely defined set of purposes” by which it should be judged<sup>28</sup>.

2.24 The Green Paper led to the inclusion of six “Public Purposes” in the current Charter, in addition to the fundamental objectives of “inform, educate and entertain”. The current Charter, which took effect for most practical purposes from 1 January 2007, states that the BBC exists to serve the public interest and that its main object is the promotion of the following “Public Purposes”:

- Sustaining citizenship and civil society
- Promoting education and learning

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<sup>27</sup> DCMS, *Review of the BBC’s Royal Charter: A strong BBC, independent of government*, March 2005, p. 22.

<sup>28</sup> *Review of the BBC’s Royal Charter: A strong BBC, independent of government*, p. 23.

- Stimulating creativity and cultural excellence
- Representing the UK, its nations, regions and communities
- Bringing the UK to the world and the world to the UK
- In promoting other purposes, helping to deliver to the public the benefit of emerging communications technologies and services and, in addition, taking a leading role in the switchover to digital television

2.25 In 2003, when Greg Dyke was the Director-General, the BBC set out a statement of its values, which are printed on the back of every staff card:

- Trust is the foundation of the BBC: we are independent, impartial and honest
- Audiences are at the heart of everything we do
- We take pride in delivering quality and value for money
- Creativity is the lifeblood of our organisation
- We respect each other and celebrate our diversity so that everyone can give their best
- We are one BBC: great things happen when we work together

2.26 In addition to the public statements about BBC values and objectives, I wanted to hear how, in practice, those values were interpreted by senior BBC staff past and present.

2.27 Sir Michael Checkland, Director-General from 1987 to 1992, said that, to him, the values of the BBC included such matters as integrity in programme making, universal access to

programmes for the audience and impartiality in the reporting of news.

- 2.28 Lord John Birt, Deputy Director-General from 1987 and Director-General from 1992 to 2000, said that the values of the BBC were *“fairness, impartiality, innovation, quality, human endeavour and people going beyond what they thought they were capable of”*. He added that there was a deep commitment to creativity.
- 2.29 Mr Dyke, who was Director-General from 2000 to 2004 and who introduced the modern iteration of the BBC values which is printed on the back of the staff card, said that there was nothing new in that statement of values. They were the old values, given a new prominence. He wanted people to aspire to these values and to be motivated by them. He thought people would be motivated by the idea that the BBC wanted to be the most creative organisation in the world. He said that one of the BBC’s strengths was that it had always been able to make programmes which did not have to be commercially successful. But its greatest strength was the staff’s belief in its ethos. When asked what were the most important aspects of that ethos, he said that they were independence from Government – that is political and economic independence – and also honesty and integrity.
- 2.30 Mark Thompson, Director-General from 2004 to 2012, said that Lord Reith would have included in his image of the BBC a regard for high ethical standards and respectability. Mr Thompson agreed that those values were important and should be maintained. He added that that did not mean that everything had to be serious; far from it. Dance music, light comedy and the stars of the music hall were appearing even in the 1930s. Also, these values or standards did not mean that the BBC could not portray such things as sex and violence, so long as

the treatment had underlying integrity. It was also important to recognise that social mores were changing and that, by the 1960s and 1970s, there were:

*“quite deep debates about values and culture in this country and indeed across the western world. Sexual behaviour which once would have been regarded as completely out of order is regarded as possibly acceptable, possibly normative, and the BBC is both trying to reflect this as a broadcaster and also is wrestling with some of the consequences of it”.*

Mr Thompson added that, although it was sometimes difficult to work out exactly where the line should be drawn as to how to apply appropriate standards, when something was clearly on the wrong side of the line, one had to act. He cited, as an example which occurred during his time as Director-General, the decision to suspend Jonathan Ross and Russell Brand following an incident which occurred on the Russell Brand Show in 2008.

2.31 When asked about Reithian or BBC values, Lord Michael Grade, Controller of BBC 1 and Director of Programmes, Television in the mid/late-1980s, spoke first about programming. He said that the aims were to get high ratings with quality programmes and also to push the boundaries by taking risks on more difficult programming. When asked whether taste and morality came into programming decisions, he said that they did although it was often difficult to draw the line when deciding what was and was not acceptable. The nature of the programme and its audience would be important factors and so would the risk of damage to the BBC's reputation. I should add that, since interviewing Lord Grade, I have read the minutes of many of the Governors' meetings in the early 1970s and have noted how concerned the Governors were about the use of swear words and sexually explicit scenes

or language. It appears to me that the Governors in those days were very concerned indeed about taste and morality.

2.32 Lucy Adams, who joined the BBC as Director of BBC People on 1 June 2009 and left the BBC in 2014, could only speak about the BBC's values in recent years. Asked whether the BBC would be concerned about giving a platform to someone who was not a good role model, she said that this was very important. The BBC took its responsibilities towards the public very seriously "*in terms of the individuals it is enabling to achieve a degree of prominence and celebrity*". I do accept that the BBC wishes and intends to take this kind of issue seriously although the evidence I have received suggests that it has not always succeeded.

2.33 It is not surprising that different people see BBC values in slightly different ways. However, the core values which this group of senior people seem to have regarded as most important were independence, impartiality and the making of high quality innovative programmes which had underlying integrity. Some mentioned concepts such as good taste and moral standards but I had the impression that these considerations were secondary to the core values. Moreover, I had the impression that any concern about good taste and 'respectability' tended to arise in the context of potential damage to the BBC's reputation rather than as a matter of principle.

### ***Management Rules, Styles and Culture***

#### *The Hierarchy*

2.34 Everyone seems to agree that the BBC was and is 'hierarchical'. It has a pyramidal structure. That cannot in itself be a matter for criticism; some sort of hierarchy is necessary in an organisation as large as the BBC. However, several

witnesses described the BBC as very deferential. There again, a degree of deference or at least respect for management is necessary for the smooth and efficient running of the organisation. If every decision is challenged, the organisation will run into the ground.

2.35 That said, my general impression is that most staff (other than those who had been in the higher echelons) felt that the management culture was too deferential and that some executives were 'above the law'. One witness, who for good reason has asked to remain anonymous, told me that, as a personal assistant, she became aware some years ago that her boss (who is dead) was falsifying his expenses and in no small way. She was told that her boss was too senior to be challenged.

2.36 That is an extreme example, but Michael Rix, who, between 1959 and 1995, worked as a cameraman and in the Personnel Department, as well as holding other roles, told me of a rather less serious but telling example of the same phenomenon. He considered that a statement made by a senior executive was not accurate. He raised this with his line manager but was told that it was not appropriate to question senior management, even if senior management was wrong. He had the impression that whoever would have had to raise the matter with the senior executive might face reprisals in his or her career.

#### *Vertical Relationships*

2.37 As I understand it, BBC management structure was and is intended to work on the basis that Heads of Department are expected to run their own departments without close supervision from above. In other words, responsibility is devolved to them. In addition, each manager, and below that level, each producer, is expected to exercise his or her own

discretion to deal with any issue falling within his or her remit unless he or she is in doubt about what to do or feels that the decision is too important to be taken alone. In such cases, the rule is that the issue should be 'referred upwards' to the immediately senior line manager. The impression I have is that most managers found (and I think still find) that, in general, this works well. Sir Michael Checkland explained that one of the consequences of this practice is that the Director-General might be unaware of many things which were happening in the BBC because there were so many filters to be passed through before an issue reached his office.

2.38 I was told about one type of circumstance in which the 'refer upwards by one rung' rule did not work. Several witnesses, including Mr Wyatt, told me that it was not uncommon for a star performer (a member of what the BBC calls the 'Talent', or the 'creative elite') to refuse to accept a decision of his or her producer and to leapfrog that level, going straight to the relevant Head of Department or even to a Channel Controller. Clearly such a practice makes the life of the producer very difficult and undermines his or her position. Chris Lycett, who joined the BBC in 1966 and became Head of Production in BBC Radio 1 in 1991, told me that, from his experience in radio, presenters had direct lines to controllers and would sometimes leapfrog the intervening rungs of management. He explained that presenters were often selected by controllers and would hang on to that relationship. There was then the possibility, in the event of a disagreement with a producer, for the presenter to say *"I'll go and tell the head"*.

2.39 It seems to me that the 'refer upwards' rule of management will work well only if managers actually do take their problems to the next level. It will not work well if, for one reason or another, they decide to keep things to themselves. One reason why a

manager might not take an issue to the next level is that he wishes to retain, consolidate or even expand his power base. Some witnesses described departments as 'fiefdoms' or 'baronies'. If a manager enjoys that kind of power, he might be unwilling to share it. I have the impression that this could have been a problem in the Light Entertainment Department in the 1970s and 1980s, where managers were strong personalities, wielding their power with confidence.

2.40 Another reason why a manager might decide not to take a problem to the next level could be because he did not get on well with his line manager. The perception of some witnesses speaking about the 1970s and 1980s was that some managers could be autocratic, distant, arrogant or even bullying. Two examples will suffice. Caroline Haydon, who worked as an editor and on the production of current affairs programmes in the late 1970s and the 1980s, said that she was aware of "*a couple of people who would wield power by very aggressive techniques, by shouting and belittling people in public*". Robin Smith, a researcher and assistant floor manager on *Jim'll Fix It* between 1987 and 1989, described how he was interviewed for possible promotion by two senior managers, both lying on sofas with their shoes and socks off, watching the television. He painted a picture of two powerful people who felt that they could behave as they liked and did not show any respect to those more junior. Plainly, if those were the management styles or if that was how they were perceived, the 'refer upwards' option would not be used as often as it should.

2.41 I do stress that this was not the universal picture. Some witnesses spoke of having an easy, open relationship with their line managers and felt that they could take an issue up the line without hesitation. For example, Roger Ordish, the producer of *Jim'll Fix It*, did not suggest that there would have been any

difficulty for him in referring a decision up to Jim Moir, his head of department. Also, staff in the Education Departments found their environment wholly supportive, respectful and not at all competitive.

### *Lateral Relationships*

- 2.42 One feature of life in the BBC about which there seemed to be almost universal agreement was the marked degree of separation between various parts of the BBC. To begin with, there was complete separation between television and radio. That separation was associated, at least in the early days, with a strong sense of superiority of one part of the BBC (radio) over another (television).
- 2.43 Alan Hart joined BBC Television in 1959 and later became Controller of BBC One. He said that, in the 1960s, radio and television were “*two entirely different things*”. He remembers going as a guest to a radio quiz show and being greeted with the words “*Ah, Mr Hart, welcome to the senior service*”. He said that, at that time, radio saw itself as established and superior and television as young and as an upstart.
- 2.44 Several witnesses gave similar accounts. I shall not mention them all. B5, a studio manager, told me that there was “*a huge difference in the culture*” between radio and television. People in radio felt superior to those in television but “[even within radio...] *there was a huge feeling of superiority about Broadcasting House [the home of BBC national radio] as opposed to Bush House and the World Service*”. I have the impression, however, that, in later years, it was people in television who felt superior to those in radio.
- 2.45 Ann Rosenberg, who was working in BBC Television’s publicity department in 1973, stressed the separateness of radio and television. She had responsibility for the Light Entertainment

Department. At that time, Jack Dabbs, a BBC Radio producer was on trial at the Old Bailey on charges of accepting favours in return for playing records (a form of corruption known as 'payola'). One might have thought that all parts of the BBC concerned with music and light entertainment would be interested and concerned about such a trial. However, Ms Rosenberg explained that, although she was aware that the trial was going on, that was all. This was because BBC Radio and Television had *"two completely separate cultures"* and *"two completely separate groups of people"*. It was a case of *"never the twain shall meet"*.

2.46 This sense of separation went beyond the division between radio and television. Several witnesses recognised a sense of separation between departments. Some people described the separate parts as 'silos' and the attitude of separation, rather pejoratively, as the 'silo mentality'. When Lord Birt arrived at the BBC in 1987, he found it to be 'highly baronial' and that some parts of television were 'anarchical'. Dame Esther Rantzen described the BBC as *"a set of private armies"* and added that *"they don't necessarily like each other much"*.

2.47 Anne Gilchrist, who eventually became Controller of CBBC, said that one explanation for the sense of separation and competitiveness was the financial arrangements within the BBC. She explained that a department was, and is, rewarded by the amount of successful business it generates. In her view, this generates competition but it also discourages collaboration.

2.48 Other witnesses recognised the existence of separate identities and loyalties but regarded them as the necessary consequence of the need for specialised skills. They compared the BBC with a large university with its separate faculties.

- 2.49 The sense of separation could extend to different entities within the same department and, within a programme-making department, manifested itself as a strong sense of loyalty to an individual programme. Sir Michael Checkland thought that *“the generality of the BBC, its staff, engineers and accountants”* gave their loyalty to the BBC as an institution. However, on the programme side, he thought that *“loyalty was to the programme first and only after that did staff feel a sense of loyalty to the wider BBC”*. That was an impression which I had gained from other witnesses too.
- 2.50 Dr Peter Scott-Morgan undertook some consultancy work for the BBC in 2003. When surveying cultural attitudes within the BBC, he found that not a single consultee agreed with the value statement *“I put the BBC as a whole before personal or sectional interests and work to achieve our common goals”*. He concluded that, not only was there a lack of lateral communication between parts of the BBC but there seemed to be a tacit agreement that one part of the BBC (he called it an island) would not interfere with another. These different islands were highly competitive and protected their own interests, i.e. their programmes. He thought that this degree of internal competition was unhelpful but recognised that it flowed from a *“deep seated core set of motivations which are wonderful”*. This, he said, was because the people involved wanted to make the best possible programmes and *“live and breathe this desire for being as closely as possibly associated with great and wonderful radio and TV”*.
- 2.51 This positive aspect of competition was also mentioned by Mr Wyatt and Mr Hart, both of whom had held senior positions. Mr Wyatt thought that the silo mentality was *“not all bad”*; rather it was *“a positive good thing”* because, in his view, it was born out of a wish *“to excel”*. It would not be good if the

ambition of journalists and producers (who are “quite often individualistic”) to produce high quality work were to be lost. It was important for the competitive spirit to be channelled for the benefit of the BBC.

2.52 A notable exception to this tendency towards inter-programme separation and protectionism was the Continuing Education Department based in Villiers House in Ealing. Julia Drum worked in that department as an assistant producer in the late 1970s and the 1980s and she described to me the very strong collegiate attitude amongst those working within the department and the frequent sharing of information and research. She thought that these supportive qualities distinguished that department from the world of programme making in Television Centre. She cited a number of reasons why she thought the Continuing Education Department had such a different culture from other BBC departments. These included enthusiasm for, or even adoration of, the subject matter of the programme, the desire to make connection with the audience, including an emotional connection and a real commitment to education as a core value of public service broadcasting. These factors combined, she told me, made people “less egotistical possibly” given that they felt that they were sharing a common cause.

2.53 I was given the clear impression that, all over the BBC, the group of people working on a particular programme would be a very close knit team. That was the view of Gillian Spiller who, as an audience coordinator, saw the workings of a number of different programme teams. No doubt one reason would be the practical arrangements of everyday life. The team would share the pressures of hectically busy days or weeks when a programme was going on air and also the comparatively relaxed periods in between.

- 2.54 There were, however, other reasons for the development of this strong sense of loyalty towards a programme. An individual's professional reputation and career prospects might well depend upon the success of a particular programme. So, everyone on the team would pull together to make that programme better than any competitor. For much the same reasons, there would be a feeling that the programme must be kept on an even keel which would militate against the willingness of a member of staff to complain or raise concerns about anything untoward which was happening within the programme team. Dame Esther Rantzen said that, if a problem occurred within a particular programme, the team would try to prevent news of it going further because of the damage it might do. She gave, as an example, the occasion when Frank Bough was dismissed; the problem had not been contained within the programme and an individual who worked on the programme was heard to say "*What has he done to us!*"
- 2.55 It seems to have been recognised that the poverty of lateral communication within the BBC gave rise to management and cultural problems. When Mr Dyke came to the BBC as Director-General in 2000, he found that management and staff did not get on well; there was a perception among the staff that they did well in spite of management rather than because of it. One of his first and main initiatives was called "One BBC" which was an attempt to make the BBC pull together and – as Mr Dyke put it – "*to stop the people in Newsnight thinking the people in Panorama were the enemy and vice versa*".
- 2.56 Ms Gilchrist told me of her regret at the departure of Mr Dyke in 2004 after the publication of the *Hutton Report*<sup>29</sup>. Ms Gilchrist felt that Mr Dyke had wanted to address the failings of senior management, but this attempt at change had ended when Mr

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<sup>29</sup> Lord Hutton, *Report of the Inquiry into the Circumstances Surrounding the Death of Dr David Kelly C.M.G.*, HC 247, London: The Stationery Office, January 2004.

Dyke left and, as Ms Gilchrist put it, people felt they could “go back to the old ways”. She was not the only witness to express regret at what was perceived as the truncation of Mr Dyke’s attempts to bring about change.

### *Promotion and Recruitment*

2.57 I understand that, at least until the 1990s, almost all vacant management positions were advertised only within the BBC. Even for the most senior positions where this rule did not apply, there would be a very strong feeling that only ‘a BBC lifer’ could fill the role adequately; only such a person would understand the BBC ways. It seems not to have been thought that it might be a good idea to change the BBC ways by bringing in new ideas and/or by achieving a greater degree of diversity of gender and/or ethnicity at a senior level.

2.58 I was told that an important criterion for promotion was creative success; for example winning a BAFTA. Ms Gilchrist thought, however, that creative success did not necessarily guarantee managerial success. Mr Thompson felt that:

*“people ... certainly historically, were promoted to quite senior positions because of past creative success rather than any demonstrated management aptitude, and, again, historically often with very little management training”.*

2.59 I noticed the absence of any significant reference to management training. Some witnesses spoke with warm admiration and gratitude of the technical training they had received in their early days. In that regard, the BBC seemed to provide the gold standard. Yet there was little mention of any management training, not even basic management training or training in such matters as diversity, grievance resolution or child protection. That is not to say none existed. There was some but it does not appear to have been greatly valued.

- 2.60 I was told that management in the programme-making departments usually had a technical background; they would often rise from floor manager, to director, to producer, to executive producer and onwards into more senior roles. No doubt that background had its advantages when it came to understanding the business of making programmes. I doubt, however, that such a pool necessarily provided the best management material.
- 2.61 Another consequence of the bias towards internal promotion was that people who did join from outside found it difficult to obtain promotion because they were not 'one of us'. That was the answer Eben Foggitt, who joined the BBC's Copyright Department in 1987, was given when he asked for, but was refused, the support of a colleague when making an internal job application.
- 2.62 Grenville Williams worked for many years in the BBC's internal Management Consultancy Department. His view was that the presence of so many BBC lifers increased internal resistance to change. He thought that lifers are adept at working within the organisation and dealing with its peculiarities so, for example, the skill of a long-serving cost accountant at the BBC becomes a skill in cost accounting in the BBC way rather than in cost accounting as a discipline.

### ***Pride in the BBC***

- 2.63 Although many witnesses were critical of BBC management and culture, the overwhelming impression I gained from past and current members of staff was one of a deep affection for, and pride in, the BBC. I think they would defend the BBC from external criticism with passion. They were willing to criticise the BBC themselves; they did so, often trenchantly. But, having done so, many would end by saying, in effect, but for all that,

the BBC was a wonderful place to work and they are so proud to have been part of it. A few examples will suffice.

2.64 Mr Thompson said:

*“I think it [the BBC] remains the world’s best broadcaster, by dint of the sheer range of exceptional creativity and programming that it does. And it’s maintained an astonishing kind of eye and ear contact with the British public. There’s no other broadcaster anywhere else in the world which has achieved all of that.”*

2.65 Jim Moir, who was Head of Light Entertainment, thought that the BBC *“was one of the world’s great creations, full of highly talented people amongst whom it was a privilege to work.... It was an uplifting and simultaneously a humbling experience for forty years”*.

2.66 Quentin Mann, for many years a floor assistant and a floor manager, is very proud of having worked for the BBC. He told me that he *“wouldn’t be ... where I am today, without working for the BBC. They taught me everything that I know about television, for which I will always be very grateful”*.

2.67 Sheila Innes, eventually Controller of Educational Broadcasting, described the BBC as somewhere *“you belonged to and loved and would sweat your guts out for ...”*. She told me that people she worked with had *“unquestioning loyalty”* to the BBC.

2.68 David Nicolson worked as a director and producer at the BBC in the 1980s. He said that the spirit was *“absolutely wonderful”*. Everybody *“took a massive pride in what they were doing”* and he felt *“part of a good team of utterly reliable people who were expert in their field”*. He thought that everybody he worked with at the BBC *“loved what they were doing”*.

2.69 Kevin Howlett was a BBC Radio 1 producer from 1981 to 1995. He described BBC Radio 1 as *“a wonderful nurturing place”* and

said that the executive team was “*incredibly supportive*” and gave him “*wonderful opportunities*”.

### **Specific Features of BBC Management**

#### *Audience Ratings and Programme Review Boards*

2.70 In due course, I will have to consider the attitude of BBC management towards the programmes on which Savile was employed. One feature which will be of some importance is the BBC’s use of audience ratings as a means of assessing the success of a programme. At an early stage of the Savile investigation, I was puzzled as to why the BBC, as a publicly-funded broadcaster, should be as interested in, and concerned about, ratings as it seemed to be. Mr Wyatt observed first that, “*once you have got information about [a programme], anybody in their right mind would want to know how many people watched it...*”. I see that. However, he then explained that the thinking was that, in order to justify the licence fee, the BBC had to ensure that every licence fee payer was getting some benefit.

2.71 Ratings were important in connection with decisions on whether a programme was to be continued or axed. This was especially so for light entertainment programmes, such as *Jim’ll Fix It* and *Top of the Pops* on which Savile worked. Mr Wyatt said that they were important “*because, after all, if you are trying to make an entertainment programme for families at six o’clock or seven o’clock on Saturday night, if it isn’t actually entertaining many families, what are you doing it for?*” This view was echoed by Mr Thompson, who said that ratings were quite important for BBC One, particularly, for example, on a Saturday evening because “*there was a very strong sense that the BBC should be offering... family entertainment and should be competing with ITV*”.

- 2.72 Ratings were clearly less important for other programmes. David Simmons, who worked as a presenter and producer for BBC Radio 1 and Radio London during the 1970s, said that “[In Radio] *ratings are everything, unless it’s Radio 3*”. Mr Wyatt said that ratings were not important for things like putting an opera on BBC Two or performing a Shakespeare play. Attracting a big audience was not the purpose of what you were doing. In Mr Wyatt’s view, the BBC had a dual role, which had never been put better than by Sir Huw Wheldon, Managing Director of BBC Television between 1968 and 1975, who said “*the BBC’s job is to make the good popular and the popular good*”.
- 2.73 Mr Hart said that the BBC was “*very ratings conscious*” and that ratings played too big a part in the judgment by which the success of a programme was measured. He felt that programme-makers should have the “*the freedom to fail*” by which he meant that they should be encouraged to experiment and push the boundaries without the fear that they would be penalised if something did not work. He felt that too great an emphasis on ratings would not lead to the provision of the best programmes.
- 2.74 Lest it be thought that I have gathered the impression that decisions about programmes were taken on the basis of ratings alone (which I have not), I must mention what seems to have been an important feature of BBC life, the Programme Review Board. These were weekly meetings which took place separately for television and radio.
- 2.75 The television meeting was chaired by the Managing Director, Television or the Director of Programmes. It was attended by the Channel Controllers, the heads of the London programme departments, possibly some visiting programme heads from the BBC regions, some schedule and resource planners, heads of

resource units, some executive producers and the heads of press and publicity – between 35 and 40 people in all.

2.76 According to Mr Wyatt, the meetings generally started with consideration of the ratings, often comparing the BBC with ITV. Several witnesses found these meetings quite intimidating, especially if they were not regular attenders. The perception of Mr Foggitt was that the meetings were like being summoned to the headmaster's study. If a programme had poor ratings, those responsible for it would be "*seriously berated*" and would be less likely to get the funding they hoped for in the coming year.

2.77 Whatever the perceived importance of ratings, it seems to me that the main purpose of the meeting was to provide an opportunity for criticism of the week's programmes. The meeting would consider whether particular programmes were good enough, were going to be successful and whether they should be continued or axed. There might be a special discussion about a new BBC programme or occasionally about an ITV programme. According to Mr Wyatt, debates at the meetings were "*serious and searching*" and, if a programme for which an individual present was responsible was at the centre of a public row or had gone off the rails, that person would go along to the meeting with "*case prepared, arguments marshalled, wits sharpened and not without some anxiety*". While sometimes a meeting could be "*quite self-congratulatory*", bonhomie could disappear, the meetings could be "*quite tough*" and there could be clashes and impassioned debates about ethical and moral aspects of programmes. Some witnesses told me that they found the discussions stimulating and useful.

2.78 Programme Review Boards operated in much the same way in radio as in television. They took place weekly, were chaired either by the Managing Director of Radio or by the Director of

Programmes (Radio) and were attended by the producers of the programmes which were being discussed, along with heads of the programme departments and chief assistants. A list of programmes to be considered at the meeting was circulated in advance.

2.79 The perception of David Treadway, who attended in the 1980s when he was Chief Assistant at BBC Radio 2, was that the meetings could be combative and competitive and “*no-one would hold back*”. If people thought a programme was “*rubbish*” they would say so. He thought that meetings could also be “*political*” in that some people would talk up a programme which they wanted to support. He also thought that some people used the meetings to make a name for themselves. I would observe that such is human nature.

2.80 My interest in Programme Review Boards lies in the contrast which they reveal between the BBC’s willingness to engage in vigorous criticism of the content and quality of programmes and its reluctance to deal with criticism on issues such as personal behaviour, to which I will come later in this chapter.

### *Press and Publicity*

2.81 When the Review began, I soon became aware of the importance that the BBC attaches to its good reputation. The reputation of an organisation like the BBC depends to a large extent on what is said and written about it in the media. I was interested, therefore, to learn about the operation of the BBC’s press and publicity functions.

2.82 It appears that, although the press and publicity teams shared a department, located at Cavendish Place, the two teams had different functions. The press team was essentially reactive; it would respond to press coverage and, as Gay Robertson (a publicity officer in the Light Entertainment Department in

television between 1970 and 1982) put it, they would play “a straight bat for anything to do with the BBC”. Continuing the cricket analogy, Brian Clifford, who was Head of Information Services from 1988 until the early 1990s, said that the press officer was “the wicket keeper” waiting for trouble and that the press team was essentially static and reactive, on the receiving end of calls and enquiries and was the defensive part of the BBC’s media relations operation.

2.83 In contrast, according to Mr Clifford, the publicity officers were “the bowlers in a cricket match” – in other words a more proactive team, looking for column inches for programmes the BBC wished to publicise. However, Ms Robertson told me that a publicity officer would also try to “preserve the good name of the BBC” and deal with any adverse publicity affecting particular programmes.

2.84 Good publicity was especially important to the BBC around the times when the Charter was to be renewed or the licence fee came up for settlement. At such times, it was important to encourage public support for the BBC because such support would be picked up by the politicians who would make the decisions.

2.85 It was also important for there to be strong links between the publicity team and newspapers. Rodney Collins (a publicity officer for radio in the early 1970s) told me that, historically, the BBC had always had good relations with the broadsheet newspapers but that relations with the tabloids were very different; there seemed to be a sense of hostility on both sides. He saw his job as trying to improve that situation.

2.86 One of the functions of the press office was to prepare and circulate a collection of the newspaper cuttings which would be of relevance or concern to BBC management. In addition, the

office produced a daily news summary which comprised a digest of what had been said in the press over the previous 24 hours or weekend.

2.87 The press office had important links with the BBC's duty office. There were separate duty offices for radio and television. The primary role of the duty offices was to act as the BBC's public interface. Any complaint or enquiry from a member of the public would be received by the relevant duty office. The duty office kept a log of complaints, the relevant parts of which would be delivered to heads of department every morning. Also any complaint which might lead to publicity was referred to the publicity office.

2.88 The press offices (radio and television) also kept their daily logs. Until 1994, these were kept in hard copy and were referred to by press officers as the 'Bible'. They contained information about any important story affecting the BBC. An entry could be initiated by any press or publicity officer and would be added to as the story progressed, so as to include not only a summary of the story itself but also the action being taken or advised and a list of the people who were involved in or aware of it. The press log was a permanent record of the way in which any particular issue had been handled. Because the press log could be seen by a large number of people within the BBC, especially sensitive issues were handled in a more confidential way. The issue would be listed without detail and a note would refer to the person who had the detailed information on that topic. Peter Rosier, who worked as a publicity officer from 1968, said that he would have expected that the press logs would have been kept at the WAC at Caversham. The Savile investigation established that the press logs from May 1971 onwards have been preserved in the WAC. However, the

duty office logs have not been preserved (see paragraphs 1.40-1.43).

### ***The Reporting of Complaints and Concerns – Whistle-blowing***

#### *The Universal Problem*

- 2.89 An important feature of the culture of the BBC during the period with which we are concerned was the reluctance of staff to complain about bad things which happened to them or to raise concerns about bad things which were happening within the organisation. This culture is important because there were a number of staff who could have reported things that Savile said or did but did not report them for one reason or another.
- 2.90 My general impression is that the management culture in the BBC did not encourage openness in these respects and did not recognise the sense of insecurity which inhibited staff from speaking out. However, it is important to say, at this stage, that this culture was not unique to the BBC; far from it. In my view, the difficulty experienced by employees wishing to raise a concern is a widespread, longstanding and intractable problem.
- 2.91 In my view, which is based on the experience gained during a long career in the law, as a barrister, as a judge and as the Chairman of the Shipman Inquiry, the problem is that antipathy to a whistle-blower, unattractive though it is, seems to be a basic human instinct. First, fellow workers of the whistle-blower often regard that person as a tell-tale or snitch and close ranks against him or her, resulting in exclusion and ostracisation. Second, managers are either embarrassed at the truth of the allegation or irritated because they do not think it justified; in either case the whistle-blower may be regarded as a trouble-maker. All sorts of detriments may follow, all of which are likely to be extremely unpleasant and damaging to the whistle-blower's career.

- 2.92 It seems to me that organisations both large and small find it almost impossible to inculcate a culture where people feel able to report a complaint or raise a concern without fear of adverse consequences for themselves. The National Health Service has produced some high profile examples. Perhaps the best known was the fate of the man who tried to draw attention to the failure of the Paediatric Cardiac Surgery Department at Bristol Royal Infirmary. He was ostracised and his life made so miserable that he eventually emigrated. His vindication came years later in 2001 in the report of Sir Ian Kennedy following the public Inquiry into children's heart surgery at the Bristol Royal Infirmary 1984-1995.<sup>30</sup> The recent Inquiry into Stafford Hospital has provided further examples.<sup>31</sup>
- 2.93 The National Health Service may have attracted more adverse publicity than other organisations but the problem seems to be universal. The need to protect employees from the adverse consequences of blowing a whistle was recognised in the UK in the 1990s and, largely as a result of pressure applied by the charity Public Concern at Work, protective legislation was passed in the form of the Public Interest Disclosure Act 1998. It came into force in 1999.
- 2.94 There is no doubt in my mind that this legislation has helped but it has not eradicated the problems faced by whistle-blowers, and, pessimistic though it may sound, I doubt that there ever will be a complete solution. That is not to say that employers should not strive to create a culture where responsible whistle-blowing is rewarded rather than punished.

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<sup>30</sup> *Learning from Bristol: The Report of the Public Inquiry into children's heart surgery at the Bristol Royal Infirmary 1984-1995*, CM 5207, The Stationery Office, July 2001.

<sup>31</sup> *Report of the Mid Staffordshire NHS Foundation Trust Public Inquiry*, HC 898 I-III, London: The Stationery Office, February 2013.

### *Whistle-blowing in the BBC*

2.95 In the 1970s and 1980s, the period with which this Review is mainly concerned, the BBC had no whistle-blowing policies; I doubt that many organisations had. Nor did it appear to me from the evidence I heard that the BBC had applied its mind to the problems of reporting complaints and raising concerns; nor had most other organisations. The BBC now has such a policy but my Terms of Reference do not require me to investigate how satisfactorily it is working. I must, however, mention that I was saddened that a few witnesses to the Review asked for an assurance that their names would not be published in my Report before they were willing to say something critical of the BBC. The reason, I suspect, was that they feared some form of reprisal. One person, who no longer works for the BBC, asked for anonymity because her spouse still works for the BBC and she was fearful for her spouse's position. I would have hoped that this atmosphere of fear would have been much reduced now that whistle-blowers have legal protection and the BBC has a whistle-blowing policy. However, I was told in 2013 that the atmosphere of fear still existed at that time largely because obtaining work in the BBC is highly competitive and many people no longer have the security of an employment contract. There is a feeling of insecurity among freelancers or those on short term contracts. In effect, people told me that they could easily be dropped and there would be plenty of others ready to take their places. This impression was confirmed by the report of the BBC's Respect at Work Review dated 2 May 2013.

### *Complaining in the 1970s and 1980s*

2.96 A number of witnesses told me that, because of the hierarchical structure of the BBC, the right (or only) way to make a complaint or raise a concern in the BBC was to a line manager. However, many members of staff felt that that was not a

suitable means of complaining about a fellow member of staff, particularly in relation to bullying and sexual harassment. One reason given was that staff feared that making a complaint would give the impression to their line manager that they could not handle such problems themselves; they did not wish to be thought to be 'namby'. Even quite experienced and successful people did not feel able to complain. A19, a freelance presenter who worked regularly for the BBC, has been reported in the press as saying that she suffered sexual harassment from a BBC executive in the 1980s but did not report it because she was advised by colleagues that, if she did, she would probably not work for the BBC again. She is reported to have said that she needed the work and therefore kept quiet.

2.97 C13, who worked in studio management, said that there was no way of dealing with intrusive and unwelcome sexual behaviour at the BBC; *“there was no road to resolving it; quite frankly”*. Nick Wright, who worked as a floor assistant in the 1960s, said that there was *“no clear channel”* for reporting inappropriate behaviour and *“there was clearly no culture of complaining or reporting”*. A24, who worked in Radio 1, as well as other parts of the BBC, said that she did not complain about *“wandering hands [and] comments about [her] body”* because *“there was just a culture of grin and bear it, and it just seemed pointless”*. She told me that she felt that no one was really going to listen to her or do anything about it if she did complain and she was concerned that, if she did complain, she might be viewed as *“a trouble-maker”*. Joanna Buick, who was one of a very few women working in Technical Operations in the 1980s (she was a sound engineer) had reason to make a complaint about sexist behaviour but, as she said, there were no channels available to her to report such behaviour.

- 2.98 Although it was possible, in theory, to make a complaint through the Personnel Department, in practice it was very difficult. Until the 1990s, there was no Human Resources Department in the modern sense. The Personnel Department appears to have been a management administration function. One witness, who also worked in studio management, told me that she would never have thought of complaining to the Personnel Department. As she put it *“there obviously was a personnel office but ... they tended to deal with ... corporate things and ... employment, recruiting, that sort of thing”*. In addition, C13 said that *“the personnel people would not have been interested”* in her complaint which was about Savile. Gillian Spiller, who worked for the BBC in various capacities between 1960 and 1999, eventually as an audience coordinator, said that Personnel *“weren’t a particularly good place to go to, because they were on the side of management...”*.
- 2.99 I heard of several examples of the failure of the Personnel Department to deal adequately with complaints in the 1970s, 1980s and even into the 1990s.
- 2.100 While on attachment to the Personnel Department in the late 1970s, Michael Rix received a call from a man he had placed in the Drama Department who told him that he was about to leave the BBC because he felt he was not going to make progress. He had rejected a homosexual advance from a more senior person. Mr Rix spoke to a senior colleague in Personnel who said that he was aware of the situation but that nothing would be done.
- 2.101 In 1981, A15, who worked as a production assistant at BBC World Service in the early 1980s, went to the Personnel Department with a colleague who wished to report an incident of sexual assault. The female member of the Personnel

Department told the colleague that making a complaint would be *“not making the right decision”*. After some meetings between the colleague and the Personnel Department, the colleague decided not to pursue the allegation. A15 told me that she, too, was assaulted later but did not complain because she felt no one would listen to her.

- 2.102 A16, who as a member of the Secretarial Reserve since 1989 has worked in many parts of the BBC made a report of bullying to a personnel officer in the early 1990s, only to be told that there was no point in taking action if she wanted to stay with the BBC. She was told she would be branded as difficult if she took her complaint up. A16 dropped the complaint as she did not want to lose her job.
- 2.103 A17, who worked at the BBC for 15 years from the late 1970s, reported a sexual assault to her personnel officer who asked her *“if she had a chip on her shoulder”*. She knew there and then that the complaint was going nowhere, so she dropped it.
- 2.104 A18, who worked for the BBC for 30 years from the 1970s, was assaulted by a male director. She was encouraged by a female colleague to go to the Personnel Department, only to be told that there was nothing the BBC could do because the individual who had assaulted her was freelance.
- 2.105 I learned of another case, involving misconduct by a senior member of staff in the 1980s. Female members of staff wished to complain that this man was harassing them by inviting them to take part in sexual games which many would regard as perverted. When they complained to the Personnel Department, they were told that nothing could be done. It appears that one of them then took her story to the press who published a piece about him. After that things moved quite quickly and the man departed from the BBC, apparently of his

own accord. Later he sued the publication which had published the piece about him. The publication pleaded justification. In due course, he abandoned the libel action.

2.106 As with so many aspects of the evidence about BBC culture and practice, there are exceptions to the general trend of the evidence. A8 trained as a camera operator in 1980 and, on completion of the course, was assigned to a particular camera team to complete her training. A more senior colleague subjected her to a campaign of sexual harassment which greatly upset her and shattered her self-confidence. Towards the end of her first six months, the colleague had to write a report on her competence which would determine whether she remained in employment with the BBC. Over a period of time, he made it plain that, unless she would have sex with him, he would write a bad report. She felt that she had nowhere to turn, in particular because the colleague was also a trade union representative. However, fortunately for A8, she met a new personnel officer, named Nina Shields, who had recently been assigned to cover Technical Operations. Ms Shields took up A8's case with senior management (described as being on '*the seventh floor*' as opposed to the '*fourth floor*' which connoted middle management) and the problem was resolved – at least to a point. A8 was moved to a different team under the tutelage of a colleague who could be relied on to treat her properly. From that time onwards, her career progressed normally. However, no action was taken against the sexist, abusive colleague.

2.107 I heard from both Ms Shields and A8. They had not seen or heard of each other for over 30 years but their recollections of this incident tallied closely. Ms Shields told me that management had been aware that A8's colleague had a reputation for sexual harassment but were not prepared to take

action against him, possibly because of his talent and ability and possibly because of his position in the trade union. Ms Shields also told me that she broadly agreed with the description of the general run of personnel officers which other witnesses had given me: they were inactive, and rarely made the effort to get to know the employees for whom they were responsible. She wished to do the job differently but this did not meet with official approval. She failed to achieve promotion on several applications and, after five years with the BBC, she moved on.

- 2.108 Reports continue to appear in the press of female BBC employees who had reason to complain about the sexual conduct of male colleagues. These reports lend further support to the evidence received by the Savile investigation that, sometimes, the attitude of male managers towards such complaints was to dismiss them as trivial and to suggest that the woman complaining was making a fuss about nothing.

*Complaining about the 'Talent'*

- 2.109 If it was difficult in the BBC to make a complaint about another member of staff, it is not hard to imagine how much more difficult it must have been to make a complaint about a member of the 'Talent' such as Savile.
- 2.110 The first reason why this would be so was because of the deference or even adulation which was, and still is, accorded to celebrity in our society. The second reason was because of the attitude within the BBC towards the Talent. The general perception of the witnesses I heard was that the Talent was accorded privileges, treated with kid gloves and very rarely challenged.
- 2.111 Dr Scott-Morgan used an expression which I think encapsulated the general attitude towards the Talent. He said

that they were *“more valuable than the values”*. By this he meant that a member of the Talent could be so influential in the BBC or so important to the success of a programme that he or she could get away with conduct which flew in the face of the values of the BBC. Managers would not challenge them. He said that there was a feeling of reverence for the Talent and a fear that, if a star were crossed, he or she might leave the BBC. Mr Hart made the same point. He said that he was *“quite sure that [the BBC] would be prepared to overlook certain things for fear of losing Talent”*.

- 2.112 One of the features of life in the BBC which I noticed with some surprise was that it was commonplace for presenters and entertainers (the Talent) to bring guests with them to the studios. These guests might be invited to the star's dressing room where there would be drinks and food. They might watch the show and be entertained afterwards. In effect, the show was a social occasion for the star. I am not suggesting that all entertainers did this but I have the impression that quite a lot did. Savile certainly did. It was common for him to entertain guests in his dressing room. Some of these seem to have been people that he wanted to 'treat', possibly to thank them for their support for a charity. But I have also heard that he often had an entourage of middle-aged men, whom some people described as his 'henchmen'. I am also quite sure that he invited teenage girls to watch his shows and to spend time in his dressing room. The fact that it was normal practice for members of the Talent to have guests meant that no one questioned who Savile had with him. I do find it strange that what should have been a place of work was treated by some of the Talent as a place to entertain. So far as I can make out no attempt was made to stop this. Having drawn attention to this as a privilege accorded to the Talent, it is only fair to point out that it seems to have been quite common practice for BBC

employees to bring friends and relatives (sometimes quite young people) onto the premises. They would be allowed to watch shows, go to the Green Room and drink in the Club. It seems that the BBC did not see anything unusual (or potentially dangerous) in these practices.

2.113 It could be quite difficult to control the conduct of a member of the Talent if there were a disagreement within a programme-making team. There were several reasons for this. Helen Gartell, who worked in the Light Entertainment Department from 1969 to 1987, said that some producers protected their stars because the producer's career depended upon his or her association with the programme and the star. If a complaint were made, the Talent would probably not be removed; instead the complainant would be moved to another position. However, she also said that, although the BBC was deferential towards the Talent, they would not be allowed to get away with something that was clearly wrong.

2.114 There was evidence about how some members of the Talent used to get their own way. Anne Gilchrist said that, if certain members of the Talent did not like a member of staff, that member of staff would be removed. She recounted how, in 1985, she had done a six-month attachment as a researcher on *Jim'll Fix It*. She knew she had done well but, at the end, she received a letter telling her that she would not be asked back on to the programme because Savile had not taken to her. She also thought that another way in which some members of the Talent were protected was that some producers would not give them "*difficult feedback*" so as to avoid the Talent becoming unhappy with the producer.

2.115 Through the evidence of Patricia Houlihan, who was involved in setting up *Jim'll Fix It* in 1975, I heard a hearsay account of the view of Mr Cotton of the Talent. Mr Cotton told Ms Houlihan

that the presenter was “*fifty per cent of the product*” and that half of the energy invested by the BBC in a programme had to go to making sure that the presenter was right, happy and working well. The other half could go into the content of the programme.

2.116 There were a few witnesses who did not agree that members of the Talent were privileged or protected; they thought that the Talent lost their star status as they walked through the studio door and were simply part of the creative team without any special privileges or kid glove treatment. Charles Garland, a floor manager on *Top of the Pops*, spoke about a “*world famous star*” who was being petulant and would not leave his dressing room. Meanwhile, a full orchestra was waiting in the studio. Mr Garland said that the head of department sent a message to tell the star that a car was waiting to take him home. The BBC did not pander to the star’s whim. He went and the orchestra was stood down, presumably at some expense. I am not sure who won that one. Mr Garland did not name the star concerned and I do not know whether he was a regular member of the BBC Talent. I have the impression that it was regular members of the Talent who were protected from criticism.

2.117 Mr Moir’s view was that a programme was always bigger than the individual fronting it, however important that person might be. He said that the fundamental strength of a show lies in the strength of the “*format, the idea, the editorial idea that drives it*”. To back up his view, Mr Moir referred to a number of successful shows, with strong ideas behind them, which survived a change of presenter – he mentioned the *Generation Game* (fronted successfully by, among others, Sir Bruce Forsyth and Larry Grayson) and *Opportunity Knocks* (fronted successfully by Hughie Green, Bob Monkhouse and Les Dawson). Mr Moir

acknowledged that, to the watching public, the Talent “*carry this carapace of wonderment and celebrity*”. However, he said, “*celebrity ... stops at the workplace door and, when we are in rehearsal, we are co-workers. The Talent is still being respected, but we are co-workers*”.

- 2.118 This view of the Talent was rare. Mr Moir agreed that he might have reached this view from his position as a senior manager and that a more junior person might have a different perception, although he added that, personally, even when he was more junior, he had viewed the Talent as co-workers. I accept that this opinion was genuine but I think it was exceptional. I have the clear impression that most people in the BBC held the Talent in some awe and treated them deferentially; they appeared to have the ability to influence careers and were themselves untouchable. It would be a brave person indeed who would make a complaint against such a person.

#### *Different Management Lines*

- 2.119 In the absence of an effective Personnel or HR Department, the only route for a complaint for most employees was through line management. Staff working directly for a programme-making department would be part of a line of management which ran through the producer (or possibly the editor), maybe to an executive producer and from there to the head of department. There could, however, be staff also working on a particular programme who were not in the same management line. For example, a floor manager or assistant floor manager or a floor assistant (the terminology is quite confusing) working on *Top of the Pops*, would not report to the programme producer but to his or her own line management in the Studio Management Department. Similarly in radio, a studio manager who might work regularly on *Savile’s Travels*, would report not to the producer of that programme but to his or her own line manager

or supervisor in the same department. That was because the provision of floor management or studio management was a central service provided to a programme. Similarly, cameramen and sound engineers had their own management structures; as, so it appears, did audience supervisors. It follows that a problem occurring on, say, *Top of the Pops* could be reported (if at all) up a number of different strands of line management.

- 2.120 The effect of this seems to me to have resulted in fragmentation and a lack of communication about complaints or concerns, particularly those relating to a member of the Talent. For example, a complaint about a member of the Talent made through the supervisors of studio management (such as for example that described in paragraph 5.61) might well be seen as an isolated matter and, not being serious in itself, could be treated as having little importance. A complaint against a member of the Talent by a cameraman or sound engineer might well be treated as a request not to work with that celebrity again rather than a complaint which should result in action being taken against the celebrity; the manager receiving the complaint would have no jurisdiction over the member of the Talent.

#### *Not Reporting Savile*

- 2.121 In the context of potential complaints about Savile, I will describe in Chapter 5 why several people who suffered at Savile's hands were not prepared to make any complaint. Perhaps the most stark example is C5 whose account is to be found at paragraphs 5.68-5.70. While on a BBC training course, she was almost raped by Savile in his caravan but, after discussing the matter with colleagues, decided not to make any complaint either to the police or to the BBC. She did not want her parents to know what had happened and she feared that a complaint might damage her career in the BBC.

2.122 Other staff told us that, if they had become aware of a problem relating to Savile, they would not have reported it. For example, Robin Smith, who worked on the production team of *Jim'll Fix It* in the late 1980s and had some concerns about Savile's apparent promiscuity, said that he would not have reported his concerns because he was trying to build a career in the BBC and he feared that, if he made a fuss, he would have been "eased out of the way". In contrast, Helen Pennant-Rea, who worked with Savile on *Speakeasy* in the 1970s and who saw nothing to concern her, said that if she had, for example, learned of Savile's sexual interest in teenage girls, she would have reported her concerns upwards, if necessary to the Head of Religious Broadcasting. I accept her evidence but many others would not, in my view, have had the confidence to make such a report.

*Comment*

2.123 I have concluded that, during the Savile years, the culture in the BBC and the BBC's management style did not encourage the reporting of complaints or concerns. It was particularly difficult to make a complaint about a member of the Talent. But it was difficult even to complain about the conduct of a fellow member of staff. Given the hierarchical structure, the impracticability of complaining to anyone other than a line manager and the weakness of the Personnel Department, the only option for a victim of inappropriate behaviour during the Savile years was to put up with it or leave. By and large, they chose to stay because, in many respects, the BBC was a wonderful place to work.

*Respect at Work Review*

2.124 I have read the report of the BBC's *Respect at Work Review*, dated 2 May 2013, which has examined the culture and

practices at the BBC in more recent years in respect of such issues as sexual harassment, the handling of complaints and concerns, bullying and whistle-blowing. I draw attention to passages in that report which correlate closely with evidence which I have received.

- 2.125 The report mentions pride in the BBC as the first key theme.<sup>32</sup> Like me, the *Respect at Work Review* found that, although sometimes quite strongly critical of the BBC, employees of all types and tenure expressed a deep pride in the organisation; they felt it was a privilege to work for the BBC. They felt pride in the BBC's contribution to society and in the quality of programmes put out. Like me, it found that employees were deeply defensive when the BBC was criticised from outside. Like me, the *Respect at Work Review* was made aware of the sense of pride and loyalty which employees said they felt to the immediate team within which they worked. Like me, it heard strong approval of the attempts which Mr Dyke had made during his years as Director-General to improve the management culture. The *Respect at Work Review* wondered whether this approval was based on nostalgia for a bygone era. I did not have that impression.
- 2.126 Fear was the *Respect at Work Review's* second theme: fear of complaining, fear of reprisal, fear of losing your job, fear of getting a reputation as a trouble-maker, fear of not being promoted if an employee or of not being used again if a freelancer.<sup>33</sup> My Report is also littered with examples of all of these problems emanating from the 1970s and 1980s and one witness to whom I spoke (who I will not name) said that it was a "*melancholy fact*" that nobody who ever criticised the BBC remained in the BBC. I note in particular the *Respect at Work Review's* finding that there was a common perception that the

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<sup>32</sup> *Respect at Work Review*. Report 02/05/2013, BBC, pp. 18-19.

<sup>33</sup> *Respect at Work Review*, pp. 19-22.

Human Resources Department 'worked for management' and did not provide support for employees who wanted to make a complaint or raise a concern.<sup>34</sup> The perception was that, if a complaint or concern was raised, it would give rise to a 'black mark' against the person's name. The evidence I received was to the same effect.

2.127 The *Respect at Work Review* noted that witnesses were anxious to secure a promise of anonymity before they were prepared to speak to it.<sup>35</sup> I noted a similar concern. Whilst the fact that most of the people who came forward voluntarily to speak to the Savile investigation were former employees was to be expected (given the period during which Savile worked at the BBC), it was nonetheless noteworthy that very few current employees offered their evidence.

2.128 The *Respect at Work Review* noted that there were very few complaints of sexual harassment.<sup>36</sup> Statistics are not available for the 1970s and 1980s but, even if they were, I would not regard them as being reliable as the evidence I heard was that people did not complain for a variety of reasons which I have already set out above. I note that the *Respect at Work Review* found that, on the rare occasions where sexual harassment did arise, there was still difficulty in the reporting structures. It found that there was no safe and confidential route to report the problem. As I have noted above, that seems to have been a problem for a long time.

2.129 The *Respect at Work Review* reported that many employees felt that the 'Talent' were treated differently and did not have to adhere to the rules which apply to others.<sup>37</sup> They appeared to wield power over the organisation and those who try to manage

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<sup>34</sup> *Respect at Work Review*, p. 35.

<sup>35</sup> *Respect at Work Review*, p. 17.

<sup>36</sup> *Respect at Work Review*, pp. 10 and 27.

<sup>37</sup> *Respect at Work Review*, p. 25.

them. I received evidence to the same effect and it would appear that this is a long-standing problem.

- 2.130 The *Respect at Work Review* reported its findings in relation to bullying and other forms of inappropriate behaviour unrelated to sexual harassment or sex discrimination. I have received very little evidence of such conduct because witnesses who wished to speak about such matters were held back with the intention that they would be interviewed later during my Review. However, as I explain at paragraph 1.15, my Terms of Reference were changed so that I was no longer responsible for investigating these topics. These were instead considered by GoodCorporation whose conclusions were published by the BBC Executive Board in July 2015.

*The GoodCorporation Review*

- 2.131 Although the report of the *Respect at Work Review*, published in 2013, suggested that very little change had occurred in the culture of the BBC since the 1980s, the report of the GoodCorporation Review dated June 2015, suggests that the BBC's efforts to establish good whistleblowing practices are beginning to bear fruit.
- 2.132 The report states that there is now a clear message from senior management encouraging employees to raise their concerns. A large majority of those interviewed by the GoodCorporation said that they would be confident to raise a concern with a line manager or with someone else in a position of responsibility. However, awareness of the whistleblowing policy (which provides for a dedicated line of reporting and investigation rather than reporting to line managers) remains extremely low outside the senior management team. This shows that more work needs to be done. The GoodCorporation also made a number of other recommendations.

### ***BBC Clubs and Alcohol at the BBC***

- 2.133 One of the features of life at the BBC which many witnesses were anxious to speak about was the presence of a licensed bar on all BBC premises, known as the BBC Club. In many ways, this was seen as an attractive feature of life because there was always somewhere to go to wind down after a long day's work. However, it appears that, because of the availability of alcohol on the premises, a great deal of drinking went on. I shall not describe this in any detail because I do not think that the drinking culture has much, if any, relevance to issues I have to determine in the Savile investigation. However, because so many witnesses wanted to speak about it, I shall summarise the position as it was described to me.
- 2.134 Until the late 1980s, most BBC managers had drinks cabinets in their rooms. The cabinets were replenished at public expense. Many informal meetings would be conducted with the aid of alcohol. Even early morning coffee might be laced with a spirit. I heard accounts of executives and managers being the worse for wear in the afternoons or at evening engagements. On the whole, senior executives did not drink in the BBC Clubs.
- 2.135 A lot of alcohol was drunk at Controllers' lunches which occurred on Wednesdays. I understand that little work was done afterwards.
- 2.136 I heard of managers who would meet in the Club when it opened at either 11.30am or noon and would remain there, drinking, until it was almost time for last orders in the 'waitress service' restaurant. Late lunch would also be accompanied by alcohol. Some staff found that, if they wanted a decision from their managers, they had to see them before the drinking began; it would be no good afterwards.

- 2.137 One possibly useful feature of the drinking culture was that, if a programme team drank together, it helped to foster team spirit but the disadvantage could be that, if a manager was part of the drinking group, boundaries could be blurred. Another good feature (at least for those who liked drinking) was that the Clubs were seen as providing chances to meet and exchange ideas with people from other parts of the BBC.
- 2.138 I must stress that all the witnesses who gave evidence about the drinking culture agreed that by no means was everyone a part of it. Some people would hardly visit the Club for weeks on end, while they were working on a particular series but then, when the series was over, there would be a period when they were under less pressure and visits to the Club could be frequent and long. It seems that, while it lasted, the drinking culture was part of the BBC's 'work hard, play hard' ethos. The drinking culture appears gradually to have come to an end in the early 1990s.