

## **CHAPTER 3 – CHANGING ATTITUDES AND SEXUAL MORES**

### ***Introduction***

- 3.1 I have lost count of the number of witnesses who have told me that ‘things were different in those days’. What they were telling me is that attitudes towards sexual behaviour and, in particular, towards some of the sexual behaviour in which Savile indulged, were more tolerant in the 1960s, 1970s and 1980s than the attitudes we have today. To some extent, I accept that this is so. The relevance of this is that, when I consider what staff at the BBC knew about Savile’s sexual activities and attitudes towards sex, I must judge their reactions to that knowledge in the context of the mores of the time.
- 3.2 In this chapter, I will provide a very brief summary of the changing attitudes in society and within the BBC on such matters as sexual mores, the position of women in society and in the workplace and child protection during the period covered by this Report. These are broad topics on which many have written extensively. I shall not attempt to summarise the published and academic work on these subjects. Instead, I shall attempt only to provide a background against which to set my examination of the BBC’s awareness of and attitudes towards Savile’s conduct and character.

### ***Changes in Sexual Mores in British Society***

- 3.3 As Britain emerged from post-war austerity and began to enjoy the rising living standards which came with economic expansion in the late 1950s and early 1960s, there was a rapid change in social and sexual mores, particularly amongst the younger generation. This seems to have been associated, at least in part, with changes in popular culture, in particular the arrival of rock and pop music. In the 1950s, sex outside marriage was generally disapproved of and those who

indulged, particularly women, often acquired a bad reputation. However, by the 1960s, people were becoming more open and accepting of such relationships. During this period, it became possible to read about sex in a way which had previously been impossible. The failure of the obscenity trial of the publishers of *Lady Chatterley's Lover* in 1960 had a liberating effect on what the public could read. Works such as *Room at the Top*, *Saturday Night and Sunday Morning* and *A Taste of Honey* both reflected and also promoted a much more open attitude towards sex.

- 3.4 An important factor in the change in sexual practice must have been the availability of the contraceptive pill from the early 1960s. The Abortion Act 1967 brought a more liberal and open attitude to a practice which is as old as time and which had previously operated on the wrong side of the law and often in dangerous conditions.
- 3.5 Until the passing of the Sexual Offences Act 1967, homosexual activity was illegal even between consenting adults (at that time, those over 21) in private. That Act legalised such activity, although at the time it did little to change general social attitudes towards gay men and women.
- 3.6 Changes were taking place to the fabric of family life. Divorce had increased in the post-war years but the law was still based firmly on the proof of a 'matrimonial offence', including of course, adultery. The Divorce Reform Act 1969 changed that; it became possible to obtain a divorce by consent, once the breakdown of the marriage could be demonstrated by the fact of two years separation. It became possible to obtain a divorce after five years separation, even without consent or proof of a 'matrimonial offence'.

3.7 Young people gained increased autonomy; in 1970, the age of majority was reduced from 21 to 18. At about this time, there was much discussion about whether there should be a reduction in the age at which a woman could consent to sexual intercourse. This had been 16 since Victorian times. The age at which a girl could consent to sexual intercourse was the same age at which she could marry – with, of course, the consent of her parent or guardian. One argument advanced by those in favour of a reduction in the age of consent was that so many young people under the age of 16 were having sex; they were not only willing to do it but were not going to be stopped. At least, that was the perception; whether or not it was true, I am unsure. The police could only prosecute those few cases where a complaint was made. Thus, the law was being widely disregarded. It was argued that, because the law had fallen out of step with social mores, the age of consent should be reduced to 15 or, some said, 14 or even 13. It may be no surprise that Savile himself thought that the age of consent was too high. Lesley Taylor, who worked on *Speakeasy* for a time, told me that, over dinner one evening in the BBC cafeteria, Savile expressed the view that the age should be lowered to about 12 to 14. What were, in my view, wiser counsels prevailed and it did not happen; the age of consent remains at 16 today. It was, I think, recognised that, although some young people will have intercourse under that age and in practice it is difficult to stop them, the law must be able to protect young people if they call for protection and should also seek to protect them from seduction by adults.

3.8 There was, however, still very little understanding or recognition at that time of the extent to which young people could be the victims of sexual predators. Sexual abuse was generally thought to be rare and to occur only in families with poor living conditions. Very occasionally there might be a media report

about a paedophile ring but there was no significant public discussion as there is today of the need to protect children and young people from potentially damaging sexual contact.

3.9 In short, there was, particularly amongst the younger generation, a change in attitude towards sexual behaviour between consenting adults. There was less disapproval of sex outside marriage or indeed outside a relationship. Casual sex was still generally disapproved of although not universally. I do not think there was any general change in the long held view that homosexual conduct was 'unnatural'; it was widely disapproved of. More importantly for my purposes, I am satisfied that there remained strong disapproval of underage sexual conduct with boys. However, the real question I have to address in this Report is whether, in the general population, these more relaxed attitudes towards heterosexual sex outside marriage included a more relaxed attitude towards underage sex and, in particular, a more relaxed attitude towards sex between an older man and a teenage girl.

3.10 Witnesses have told me that, during the 1960s, 1970s and 1980s, attitudes towards the age of consent became very blurred. I have already mentioned that there was a public debate about whether, if a young person of 14 or 15 wanted to have sex, that ought to be unlawful. I entirely accept that an increasing number of people regarded sex between, say, a 14 or 15-year old girl and her 17 or 18-year old boyfriend as acceptable and that the important thing was to help her to avoid pregnancy. But I am not persuaded that there was a general approbation of the idea of sex (albeit apparently 'consensual') between a girl of 14 or 15 and a man of say, 30 let alone 40 or 50.

3.11 There are those who would seek to persuade me to the contrary by pointing to an example of a middle-aged celebrity

who had been in a sexual relationship with an underage girl. The point being made was there was little real sense of public outrage when the relationship was reported in the press. I think it may be that the public were content to think that such conduct was acceptable for celebrities; they lived in a different world. In an interview broadcast on *Channel 4 News* on 2 October 2012, David Hepworth, the journalist and music writer, spoke about the press attitudes in the 1970s towards older men (in show business) having sexual relations with teenage girls. He said that it was not seen as being as sinister then as it would be nowadays. There were “*huge rock names*” who would have girlfriends who were 16 or 17 or “*possibly even younger*”. Nobody was particularly bothered; nobody wrote about it.

3.12 I do not accept, however, that those were the standards of the ordinary British public applicable to their own families and friends. I make two observations. One is that, when in 1971, the *News of the World* ran articles (entitled *The Truth about Top of the Pops* and *Something more for the Yard to Probe*) suggesting that young girls attending *Top of the Pops* were in moral danger as the result of unsupervised contact with older men, the public reaction does not appear to have been to ask what all the fuss was about. People seemed to accept that, if that was true, it was something to make a fuss about.

3.13 The second is that, although I have heard many witnesses tell me that sexual mores were different in the 1960s, 1970s and 1980s, not one of them has told me that he or she personally then thought it acceptable for a man of, say 40 or 50, to have casual sex with a girl of 15. Some witnesses told me that, if the girl was 16, that would have been different because, if she was willing, it would have been lawful and therefore nobody else’s business. But they would add that they personally found it deeply unattractive. Some witnesses told me that they believed

that others did not disapprove of such conduct, but not a single witness said to me that he or she would personally have thought that such conduct was acceptable.

- 3.14 I conclude that, although sexual mores changed in the 1960s, 1970s and 1980s, from what they had been before then, they did not change to the extent that there was general approval of casual sexual intercourse between a young person in his or her teens and a much older adult.

### ***Sexual Mores in Show Business and the Music Industry***

- 3.15 I am prepared to accept, however, that different standards of conduct and attitudes towards sex may well have prevailed in show business and in the music industry. There will have been many famous actors and musicians who led what would be considered 'conventional' lives but there is probably some basis for the general public perception that celebrities have more colourful sex lives than the rest of us.

- 3.16 What was new in the 1960s and 1970s was the cult of celebrity of pop singers and groups and the phenomenon, unknown until about 1960, of the crowds of young people, mainly girls, who would flock around them, often screaming at the tops of their voices. When giving evidence to the Savile investigation, Canon David Winter (who joined the BBC's Religious Broadcasting Department, Radio in 1971 and produced *Speakeasy*) described this phenomenon as "*hormonal hysteria*". It appears to have become received wisdom over the years to believe that those girls (or at least some of them) were intent, not merely on seeing their pop idols or getting an autograph, but in having sexual contact with them. It is said that that enthusiasm or determination would extend not merely to sexual contact with the stars themselves but to anyone associated with the star or group – even including the 'roadies'.

### ***Reaction to Revelations about Savile***

- 3.17 An interesting insight into public attitudes towards the sexual behaviour of celebrities can be gathered from considering the public reaction, or lack of it, towards Savile's own writings about his sex life. In Chapter 6 paragraphs 6.3 to 6.7, I describe some of the things Savile wrote in his autobiography, *As It Happens*, published in 1974<sup>38</sup>. He made it plain that he liked to have sex with lots of girls, not saying, of course, how old they were, but calling them "dolly birds" all the same. He said a number of other deeply unattractive things about himself, not related to sex. The public reaction appears to have done him no harm. *The Guardian* published a review on 16 October 1974 describing the book as "very funny" and making no adverse comment at all. His later book, *God'll fix it*<sup>39</sup>, to which I refer at paragraphs 6.12 to 6.15, appears to have largely gone unnoticed, despite the fact that it contains some surprising and very unattractive admissions about Savile's sexual conduct.
- 3.18 At paragraphs 6.17 to 6.30, I describe the content of a series of three articles about Savile published in *The Sun* in April 1983. These articles appear to be based on an interview with Dan Slater. Savile appears to have cooperated in the production of these pieces and did not deny their essential accuracy, when asked about them later. Nor does it appear that he sued for defamation. In one of these articles, he boasts about how many girls he has sex with on a casual basis and stresses that the girls have to do all the running; he gives them his telephone number and the rest is up to them. It seems to me that Savile was confident that these revelations would not damage his public reputation.

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<sup>38</sup> J. Savile, *As It Happens*, Barrie & Jenkins, 1974.

<sup>39</sup> J. Savile, *God'll fix it*, Mowbray, 1979.

3.19 In general, he seems to have been right in that respect. However, these articles did tarnish his reputation in one important quarter, the Honours Committee. Papers disclosed on a Freedom of Information Act application made by Pannone Solicitors (now Slater and Gordon) which were provided to the Savile investigation show that newspaper coverage, including *The Sun* articles, contributed to several years' delay in the award of Savile's knighthood. It appears that the then Prime Minister, Margaret Thatcher (later Baroness Thatcher), proposed Savile for a knighthood in the early 1980s citing his charitable work and in particular his fund-raising work for Stoke Mandeville Hospital. The Honours Committee recommended that his knighthood should be delayed until completion of the Stoke Mandeville project, expected in 1983. Then, in April 1983, came *The Sun* articles. When considering the 1984 New Year's Honours list, the Honours Committee minutes record that they:

“did not feel that sufficient time had elapsed since Mr Savile's unfortunate revelations in the popular press in April of this year. He is much in the public eye and it is unlikely that the lurid details of his story will have been forgotten.”

I find it surprising that the Committee was apparently willing to recommend Savile when the 'lurid details' would have been forgotten. If his lifestyle made him unsuitable for a knighthood, I cannot see how the lapse of public memory would make him any more acceptable.

3.20 The Prime Minister “regretfully” decided to defer her recommendation. However, she suggested that Savile be considered for the Birthday Honours List of June 1984. To that proposal, the Honours Committee was still resistant, stating that it feared that Savile “might be tempted to exploit his title and that such a high award to him would be liable to bring the

Honours system into disrepute". Sir Robert Armstrong, then Cabinet Secretary, agreed with this view.

3.21 The Prime Minister did not give up. In October 1984, she once again raised Savile's name for consideration. She expressed the view that the press reports of some time ago had by now been generally forgotten and that it would now be appropriate to recognise his work for Stoke Mandeville. Again the Committee objected and the Prime Minister reluctantly accepted that advice. In April 1986, the Prime Minister's Principal Private Secretary asked Sir Robert Armstrong to continue to bear Savile's name in mind for a knighthood. In November 1986, the Prime Minister was "most disappointed" that Savile was not recommended for the New Year's List of 1987 and wondered how many more times his name was to be "pushed aside, especially in view of all the great work he has done for Stoke Mandeville". She asked that the decision be reconsidered but she was again met with refusal. The gist of the decision to refuse was that Savile was a strange and complex man, who deserved praise for his good works. But he had made no attempt to deny the accounts of his earlier life published in the press in 1983.

3.22 Savile's name was reconsidered in April 1988 for the Birthday List but was rejected by Sir Robin Butler (Sir Robert Armstrong's successor) and the Committee. Sir Robin said:

"But my Committee and I still fear that his manner of life – on his own confession – has been such that a high award for him would be an unhelpful signal when we are still having to grapple with an AIDS problem which threatens to intensify; and that a knighthood for him would not benefit the honours system in the eyes of the public."

The disclosed papers seen by the Savile investigation do not reveal the thinking that eventually led to Savile's appointment in the Birthday List in 1990.

3.23 I have included this account because, to my mind, it illuminates the thinking of the time. Members of the Honours Committee were plainly of the view that Savile's self-confessed way of life ruled him out of consideration for some time, although not permanently. It is interesting that the Prime Minister, apparently aware of the nature of Savile's confessions, thought that it was appropriate that he should be honoured, regardless of those revelations. If the Prime Minister and members of the Honours Committee did not think that Savile's promiscuous lifestyle put him beyond the pale, it tells us a great deal about the indulgent attitudes towards celebrity of that time. I do not think that it means that people held similarly indulgent attitudes towards people in other walks of life. I should add that when Savile received his knighthood in 1990, the news was received with general approbation.

### ***Sexual Mores in the BBC***

3.24 The first thing I must say about the BBC is that it was and still remains far too large and disparate an organisation to have a single set of attitudes towards sex and sexual mores. The evidence that I have heard suggests that the culture within, say, the Education Department, was very different from that in, say, the Light Entertainment Department. Because Savile was a disc jockey, presenter and entertainer, the main focus of the Savile investigation has been on the Light Entertainment Department in television and the BBC Radio 1 network.

3.25 A number of witnesses told me that for members of staff to engage in sexual intercourse on BBC premises constituted a dismissible offence. I have the impression that this 'rule' was more honoured in the breach than the observance. No witness told me of an actual case of dismissal. In the programme *Tales of Television Centre* first broadcast on 17 May 2012, there is a light-hearted conversation between Katy Manning, Louise

Jameson and Janet Fielding about the “naughty” things that went on dressing rooms. Ms Manning said that “everybody was doing it on the premises”. Ms Jameson said that they (the BBC) minded you being drunk or late and Ms Manning agreed saying: “Yes, drunk or late but not sex”. Ms Fielding said that nobody could have cared whether you had sex in your dressing room. “No” agreed Ms Manning, “People were bonking all over the BBC”. “What do you think those ‘Bs’ stand for?”, asked Ms Fielding.

3.26 My understanding is that the ‘rule’ against sexual intercourse on BBC premises did not apply to visiting performers who could treat their dressing rooms as their private space, rather like a hotel room.

3.27 I was told that there was an accepted attitude that the things that went on when a team was out on location ‘stayed on location’. In other words, casual sexual encounters took place and were not spoken about afterwards. In addition, Sheila Innes, who worked in radio in her early days at the BBC and eventually became Controller of Educational Broadcasting, told me of a conversation she had had with a man who had worked as a rigger on the *BBC Radio 1 Roadshow*. He told her that, at the end of a day’s work on the Roadshow, there would be a gathering at somebody’s house at which there would be “*plenty of booze and girls*”.

3.28 What about the attitudes of members of BBC staff to the sexual behaviour of others and, in particular, to the kind of sexual interest which, as a middle-aged man, Savile had in, for example, teenage girls? I think that this varied greatly. As might be expected, senior people have told the Savile investigation that sexual relations between an older man and a teenage girl would be a matter of concern. Dr Stella Clarke, a former governor of the BBC, said that she thought that the

Governors of the BBC would have been very concerned if they had thought that a middle-aged man employed by or contracted to the BBC was having sex with a teenage girl, even if the girl was over the age of 16. Obviously it would be of even greater concern if the girl was under 16 but she was sure that her fellow governors would have been deeply disapproving of a relationship with so large an age disparity.

3.29 Alan Hart, who became Controller of BBC One in 1981, said that he too would have disapproved of such conduct. He was asked, on a hypothetical basis, what he thought the reaction would have been of a junior member of staff who, in the 1970s or 1980s, had found Savile in his dressing room wearing only his underwear in the company of a young girl in her mid-teens. He thought that any member of staff ought to have reported such an event but that, given the times, a junior member of staff would have disapproved but would probably *“have overlooked it and not bothered to report it to anybody else”*. He said that the times were *“fairly free and easy”*. He explained *“I mean we know about pop groups and what they got up to and it was – we all read about it and heard about it as if it was sort of entertaining. So that was the climate of the time”*. He could see a junior member of staff being *“caught up and star struck themselves and therefore not doing anything about it”*. He said that he did not approve of that reaction but he could understand it from a junior member of staff. I recognise that this was his opinion given in answer to a hypothetical question. I acknowledge that not all junior members of staff would agree with that opinion.

3.30 Mr Hart also said that if such conduct had come to the attention of a producer, he would have expected the producer to report it to the Head of Department. The Head of Department should have spoken to Savile, talked to the production staff and to

those people “*responsible for getting these youngsters on and off the premises*” and taken steps to ensure that it could not happen again. If Mr Hart personally had suspected that there was something going on that should not have been going on, he would have reported it to the Director of Personnel or the Director-General.

3.31 Mr Hart was also asked what sort of circumstances of this nature might justify the attention of the Controller. He thought that the Controller should have been told if there was a suspicion of illegal activity or if the circumstances threatened to damage the reputation of the BBC. He added that such information might not have come to the attention of the Controller but could have gone straight to the Managing Director, Television or the Head of Personnel.

3.32 I spoke earlier about the perception that, in the 1970s, many teenage girls were ready and more than willing to have sex with their pop idols. I think there was a feeling among some BBC staff (particularly those associated with Light Entertainment) that sexual contact between celebrities and young girls on BBC premises was almost inevitable. A journalist told me that, while working at the BBC in the 1980s, he had seen a crowd of young girls standing in the corridor waiting to get into the *Top of the Pops* studio. He said that it was hard to tell their ages as they were “*made up to the nines*” but from the conversations he overheard, he had the impression they were there in the hope of “*bedding the presenter*”.

3.33 Quentin Mann, who worked as a floor assistant on *Top of the Pops*, thought that anyone working at the BBC would have been concerned if they had thought that a member of a participating audience under the age of 16 was having sexual contact with an older man. He heard rumours that some of the temporary workers, by which I think he meant the ‘stand-ins’

(men hired on a casual basis to assist on the show and whose duties included supervision of the participating audience) 'picked up' girls they met in the audience. He did not, however, perceive this to be a problem because all members of the audience had to be at least 16. If they were not 16, they would not be allowed in. He did, however, with the benefit of hindsight, appreciate the difficulty of gauging the age of some of the girls and, with some reluctance, agreed that some might 'dress up' and claim to be 16 so as to be allowed in.

- 3.34 Ann Rosenberg, who worked as the publicity officer for Light Entertainment in the 1970s, thought that, if it had been known in the early 1970s that disc jockeys such as Savile had sex with underage girls, the Corporation would have disapproved. She added that, in those days, people were not as aware of the damage which could be caused to underage girls by having casual sex. She thought that people were not as aware of the significance of the age of consent as we are today. There was a *"much more relaxed approach"*. She said that there was *"an acceptance that people in the pop world were men behaving badly or even women behaving badly and it wasn't seen in quite the same way that we see things now"*. She also said that it was generally accepted in the 1970s that bands had 'hangers-on' who followed them around and were sexually available. So far as the BBC was concerned, she thought that their attitude to this kind of conduct would have been that, so long as it was not habitual, *"people were going to turn a blind eye, because the consequences of dealing with it would have been enormous"*. She made it clear that by 'consequences' she meant reputational damage to the BBC. She added that, the culture of the time was such that there was not *"a moral police ... attitude"*.

- 3.35 Gay Robertson, who was a BBC publicity officer in the 1970s and 1980s, agreed with the suggestion that, if faced with press speculation about a BBC personality having had sex with underage girls, the moral welfare of the young girl would not have been a significant concern to senior Light Entertainment personnel. Ms Robertson said that she expected that the producer concerned would have been summoned by management and told *“this is a very poor show, you’d better not let it happen again”* but management’s primary concern would have been the reputation of the BBC rather than the moral welfare of the young girls concerned. She said that that would not have been *“on anybody’s radar”*. She said that the age of consent was *“not a big deal, I don’t think, in those days”*. She thought that the assumption in Light Entertainment would have been that, if the parents let them attend *Top of the Pops*, *“it was how they were brought up”*. If there had been press speculation of this kind, she did not think that management in Variety would have thought *“oh my God, the BBC is conniving at the downfall of girls who don’t know any better”*. They would, however, have wanted to put a stop to it.
- 3.36 Johnny Beerling, who was an executive producer in Radio 1 in 1972 and later became Controller of BBC Radio 1, said that he thought that BBC management would not have been terribly concerned if rumours had come to their attention that Savile was having sex with girls who may have been slightly below the age of consent (although he, personally, being the father of a teenage daughter, would have been concerned). Mr Beerling agreed with the suggestion that, had there been a risk of such rumours becoming public and thereby threatening the BBC’s reputation, the position might well have been different and the BBC would most likely have considered it necessary to take action.

- 3.37 Chris Lycett, who worked as a producer in BBC Radio 1 and later became Head of BBC Radio 1 thought that Doreen Davies (a BBC Radio 1 executive producer in the 1970s and the 1980s) would have disapproved if told that Savile was having sexual relations with teenage girls, even if the girls were over 16. Having met Ms Davies, I am sure he is right. He told me that, if Derek Chinnery (Head of Radio 1 in the 1970s and later Controller of BBC Radio 1) had been given to understand that Savile was having casual sexual relations with girls of 16 or 17, he would have expected Mr Chinnery to escalate the matter to Douglas Muggerridge, Controller of BBC Radio 1 and BBC Radio 2. He was unable to think of any of his BBC Radio 1 colleagues who would have thought it acceptable for Savile to have sexual relations with girls under the age of 16. They would not, however, necessarily have raised it within the organisation unless they had *"firm proof"*.
- 3.38 Jeff Simpson, who worked as a press officer for BBC Radio 1 in the 1980s and 1990s, agreed with the suggestion that, in the late 1980s, the general attitude in BBC Radio 1 would have been quite matter of fact about the notion of a man of about 60 having sex with a girl of 17. Mr Simpson said this was because there was a prevailing macho, masculine culture.
- 3.39 I have heard a great deal more evidence about attitudes towards sexual misconduct than can be related in this chapter. I have attempted to pick out some strands of evidence relating mainly to Light Entertainment and BBC Radio 1. However, one strand which runs through the evidence is that sexual misconduct would be of particular concern if it was likely to cause a scandal and damage the BBC's reputation. My overall impression in respect of both Light Entertainment and BBC Radio 1 is that, although staff disapproved of casual sexual conduct involving teenage girls, some regarded such conduct

as an unavoidable aspect of modern life and felt that there was nothing which could be done about it; the girls were willing and it was up to them. I also have the impression that this attitude was fostered or at any rate allowed to remain unchallenged because there were so few women in senior positions. I think that the dominance of male management created or permitted what has been called a 'macho' culture. This culture was manifest in two ways, in attitudes towards sex and what was acceptable behaviour and also in attitudes towards women in the workplace, to which I will now turn.

### ***Sex Discrimination***

#### *Sex Discrimination in British Society*

- 3.40 Before the 1970s, sexual discrimination was endemic in British life. In general, women were discriminated against; in at least one respect (pension age) the discrimination favoured them. It was the rule in some large organisations, even after the Second World War, that a female employee would be dismissed on marriage. Women were completely excluded from many types of work and were virtually excluded from others by the attitudes of the male majority. There were some types of work which were generally regarded as a male preserve. My own experience was not untypical; in 1957, I was told by a Government Careers Service adviser to "forget about trying to become a barrister; the law is a man's world".
- 3.41 However, in the 1960s, attitudes were beginning to change and, by the early 1970s, the law was starting to reflect those changing attitudes. The Equal Pay Act (EPA) was enacted in 1970 "to prevent discrimination, as regards terms and conditions of employment, between men and women". It followed the strike in 1968 by sewing machinists at the Ford Dagenham plant (quite recently depicted in the film and play

*Made in Dagenham*). The EPA sought to secure that employers gave equality as regards the terms and conditions of employment to men and women employed on like work. The EPA did not come into force until 29 December 1975, to allow employers time to prepare for compliance.

3.42 In the period between the passing of the EPA and its coming into force, a series of papers by the Conservative Government, the Labour Party in opposition and the new Labour Government proposed further reforms. The 1974 White Paper *Equality for Women* expressed the then Labour Government's desire to "give a lead to the nation ... [to] encourage a major shift in the attitudes and actions of individual men and women so as to give reality to the ideals of justice and equality"<sup>40</sup>. The White Paper made it clear that it did not seek to address private relationships, but rather the social questions of the status of women in society, the disabilities and disadvantages imposed upon them and their consequences. The ensuing Sex Discrimination Act 1975 made unlawful certain kinds of sex discrimination and discrimination on grounds of marriage and established the Equal Opportunities Commission to work towards the elimination of such discrimination and promote equality of opportunity between men and women generally.

3.43 Of course, changes in the law do not change attitudes overnight and, forty years on, discrimination on the ground of gender has not been stamped out. It is not necessary for the purposes of this Review to analyse the development of equality and discrimination law in any detail. It is, however, worth noting that, although sexual harassment in the workplace was extremely common, very little was done to combat it. Nothing was done during the years with which this Review is mainly concerned. A woman who wanted to sue in respect of sexual

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<sup>40</sup> White Paper - *Equality for Women*, Cmnd. 5724, Stationery Office Books, 1974, paragraph 124, p.27.

harassment at work (usually alleging insulting conduct or sexual pestering by a male colleague) had to rely on the direct discrimination provisions of the Sex Discrimination Act 1975 and demonstrate that her treatment was different from the treatment which would have been accorded to a man in a similar situation. This was often difficult and rather artificial as the conduct was not discriminatory in the ordinary sense of the word. However, in 1997, the Protection against Harassment Act was enacted with a view to protecting all victims from harassment whatever the source or circumstances of the harassment. The 1997 Act introduced both criminal offences and civil remedies. It became much easier to obtain redress for harassment at work. It was not until 2005 when the Employment Equality (Sex Discrimination) Regulations came into force that there was a specific remedy for sexual harassment at work. The following year, a general statutory duty was imposed on all public authorities to have due regard to the need to eliminate unlawful gender discrimination and harassment and to promote equality of opportunity between men and women. This duty bound the BBC, as a public authority, and has since been superseded by the single public sector equality duty under the Equality Act 2010. Given the timeframe of matters considered by the Savile investigation, I have not analysed the steps taken by the BBC to comply with these duties, which are of recent origin.

### *Sex Discrimination in the BBC*

- 3.44 Legislation is, of course, only one piece of the social context against which Savile's behaviour and the BBC's reaction to it must be assessed.
- 3.45 The culture and history of the BBC have been covered extensively by historians and commentators and it is not the

purpose of the Review to replicate their work.<sup>41</sup> Similarly, attitudes towards women in the BBC have been analysed, not only by historians and commentators but, perhaps more significantly, by the BBC itself in a number of ways from the early 1970s onwards. I wish only to draw attention to a few factors which seem to me to be of interest.

3.46 According to *Women in Top Jobs* by Michael Fogarty and others<sup>42</sup>, the BBC was unusual in its treatment of women in the early days. It adopted a policy of equal pay for women. Also, from the outset, women were not required to leave their posts on marriage and married women were not barred from applying for employment. This may sound unremarkable but, as I have already noted, such rules were common in large organisations. The same authors note that one of the very first set of Governors of the BBC was a woman and that, as early as 1931, there were married women at the head of the Schools and Adult Education sections and women executives in several other departments. The Head of the BBC Talks Department was a woman. It appears that women held a number of important positions during the war.

3.47 However, these promising beginnings were not sustained and, by 1969, there were very few women in senior grades. Only 1% of those in the top grades (known as 'A' and 'A Plus') were women. In the next most senior grades (MP7 and MP6), only 5% were women and in the next grade down, MP5, only 7% were women. These figures give a useful picture of the gender mix in senior management at the start of the Savile era. I acknowledge that the imbalance of women in senior grades was a matter of some concern to the BBC. In 1970, in a report

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<sup>41</sup> See for example Asa Briggs's five-volume history.

<sup>42</sup> M. Fogarty, A.J. Allen, I. Allen & P. Walters, *Women in Top Jobs*, George Allen and Unwin, 1971.

on the General Trainee Scheme<sup>43</sup>, it was noted that, of 93 graduates selected for the scheme between 1954 and 1968, only 7 had been women. Of those selected, it was reported that they had not proved particularly successful. Several reasons were offered for this, including the fact that some women marry at an early age, that women are not as ambitious as men, that the anti-intellectual bias in English society affects the way clever women behave in the presence of men and that “[women] do not seem to possess the same originality, fertility in ideas and ability to present the mundane with journalistic flair as do their male colleagues”. It was also suggested that women were over-conscientious, worked too hard and took criticism of their work too personally. It was said that they allowed their sometimes “extremely complicated” personal lives to affect their work. The impression I have from this report is that the authors felt that the imbalance of women in senior grades was due to inherent characteristics in women (about which nothing much could be done) rather than a problem which ought to be tackled.

3.48 Apart from providing that snapshot of the position of women in the BBC in 1969, I must record some of the evidence I received from those working at the BBC during the 1970s relating to attitudes towards women, in particular within Light Entertainment.

3.49 The first point to make is that some parts of the BBC had an enlightened attitude towards the appointment and advancement of women. For example, Julia Drum, who worked for the BBC from 1978 until 1996, mainly in Education, said that when she joined the Continuing Education Department in 1978, she found that the:

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<sup>43</sup> Controller, Staff Training & Appointments (C.S.T.A.), *General Trainee Scheme Paper*, Board of Management, 1970.

*“gender mix was much more balanced than I understand it was in other departments. We had a woman head of department; we had some very feisty feminist women producers who were ‘Women’s Lib’ types. ... I would say that there was a huge amount of respect between people”.*

I have the clear impression however, that, in other parts of the BBC, it was much more difficult for a woman to progress.

3.50 Caroline Haydon, who worked as an editor and on the production of current affairs programmes in the late 1970s and the 1980s, felt that one of the obstacles to promotion that women faced at the BBC was *“the macho atmosphere”* created, in part, by a tendency to assume that only men could handle managerial positions and that they were more in their comfort zone when working with other men.

3.51 Suzanne Davies, who worked at the BBC from 1965 until 1994, said that it was very difficult for women to get on in the BBC in the 1960s and 1970s both behind and in front of the camera. There was gender demarcation on jobs. Very few women were able to advance. She mentioned exceptions to this position, for example, the journalist Grace Wyndham Goldie in News and Current Affairs and the presenter Joan Bakewell (now Baroness Bakewell DBE).

3.52 A24 worked in the BBC between 1971 and 1977 including in Radio 1. She told me that she did not think that *“women were terribly highly rated”*. She wanted to go into production. There was an annual assessment (which would be called an appraisal today). She was asked how she wanted her career to progress. She told me that:-

*“In the first year, I said what I wanted to do and a year went by and nothing had come of it, and after three years of being asked what I wanted to do, I decided that I was going to have to leave and do something else.”*

- 3.53 A25 did not join the BBC until 1986. She worked in both television and radio. She was told by a colleague about a rumour that Savile was “a *paedo*”. She mentioned that to a female editor. The editor’s response was that it was very tough to get on at the BBC as a woman and that, as a result, A25 might not want to ‘*rock the boat*’ by taking this any further.
- 3.54 Where a woman had succeeded in gaining promotion, however, she might still be met with a sexist attitude. When Ms Innes (whom I mention earlier in this chapter) went to her first Programme Review Board (for further detail on these meetings see paragraphs 2.74-2.80), in the mid-1970s following her promotion, she received a note of ‘welcome’ from a Head of Department, now deceased, who wrote “*Very good. If you had been black and had only one arm, you would have gone straight to the top*”.
- 3.55 Within Light Entertainment, the evidence was that, in the 1970s, the roles open to women were generally very limited and were confined to more junior positions. In general, women worked in administrative positions and as floor assistants, production assistants and researchers. They rarely worked in technical roles. Very rarely did women advance up the programme-making hierarchy to become producers, let alone occupy more senior management positions. According to Dame Esther Rantzen:-

*“women weren’t allowed to work in Light Entertainment...because, being the fragile creatures we are, we would not have been able to take the rude words that occasionally emitted from people’s mouths”.*

Beryl Hoda, a production assistant in the Light Entertainment Department in the 1970s, explained that Bill Cotton would not allow women to become floor managers because:-

*“it wasn’t...the right role for a woman because cameramen were a rough lot, they might swear and it wasn’t right for a woman to be on the floor...They were to be kept in their place in the gallery”.*

Ms Innes said that, although Mr Cotton was a delightful man to work for, his attitude towards equality was *“what’s all this nonsense about equality then?”* Ms Innes added that this remark had not bothered her as much as perhaps it should.

3.56 Anne Gilchrist, for a short time a researcher on *Jim’ll Fix It* but later Controller of the CBBC Channel, said that it was very difficult, as a woman, to make one’s way in the light entertainment genre.

3.57 This view of Light Entertainment as a male-dominated environment in the 1960s and 1970s is consistent with historical analyses of the BBC during this period and contemporaneous reports within the BBC.<sup>44</sup>

3.58 Even in Personnel Administration, the roles open to women were restricted as it was not thought appropriate to have women administering male engineers.

3.59 I was told that BBC Radio 2 was a ‘male preserve’ and BBC Radio 1 much more so. David Treadway, who was Chief Assistant BBC Radio 2 in the 1980s, observed that most of the decisions in BBC Radio 1 and 2 were taken by men. He mentioned some notable exceptions to this rule, for example Ms Davies at BBC Radio 1 and Frances Line, who was Mr Treadway’s predecessor as the Chief Assistant at BBC Radio 2 before moving to the same position at BBC Radio 4; she later become Controller of BBC Radio 2. At one stage, it was made

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<sup>44</sup> See S. Franks, *Attitudes to women in the BBC in the 1970s: Not so much a glass ceiling as one of reinforced concrete*, Westminster Papers in Communication and Culture, Vol 8, Issue 3, December 2011, esp pp. 128-129; H. Sutherland, *‘Trousered’ and ‘Sexless’ at the BBC: Women Light Entertainment Makers in the 1970s and 1980s*, Journal of British Cinema and Television 10.3, 2013, pp. 650-663; D. Moran, *Limitations to the Recruitment and Advancement of Women in the BBC*, BBC, 1973.

clear to Mr Treadway that his BBC career might benefit from him joining the Masons, which he declined to do. He felt that one needed to be *“in the right club”*.

3.60 Mr Beerling was adamant that, in his time as Controller, BBC Radio 1 was not male-dominated. He explained that he tried to improve the position of women in BBC Radio 1, for example by changing the role and title of secretaries to Radio Programme Assistants. Also during his time, he introduced seven or eight female presenters. However, he had to acknowledge that there were very few female producers and executive producers between 1985 and 1993. Later, in correspondence with the Savile Investigation, he pointed out that, at the most senior level, which comprised the Controller, the Chief Assistant and three executive producers, there was one woman (Ms Davies) so that the gender proportion was 20%, which he thought could not be described as ‘very few’. However, when the producers were included, only one of whom was a woman, the proportion of women must have been very small, as I think Mr Beerling had accepted when giving evidence.

3.61 Liz Kershaw described arriving at BBC Radio 1 as a disc jockey as a shock. She said:

*“I felt I’d walked into a rugby club locker room. ... There was no notion that any ... girls [secretaries] could ... ever get on the air if they had any ambitions in that department, or that they could rise ... up the ranks of management and, for myself, it was a real no man’s land, because you were neither one of the girls or one of the boys. And in fact the boys, i.e. the male DJs, very, very overtly in some cases and very subtly in others made sure you knew exactly where your place was, that you had infiltrated their gang, that you really had no business being a DJ, being a girl ... it was their world and you weren’t really that welcome”.*

- 3.62 To some extent these accounts reflect the nature of the times. It is of interest that the BBC was aware of these problems during the 1970s.
- 3.63 In 1971, *Women in Top Jobs* had commented on the BBC's treatment of women.<sup>45</sup> The BBC launched its own investigation into the reasons for inequality, resulting in Douglas Moran's report *Limitations to the Recruitment and Advancement of Women in the BBC*<sup>46</sup>. The report included accounts of discriminatory attitudes towards women coming from senior members of BBC staff, including some in Light Entertainment Television and in Radio<sup>47</sup>. This caused the BBC to start compiling statistics on women's progress in the organisation and a decision was made that, henceforth, all jobs would be open to women.<sup>48</sup> Annual reports were produced each year on women in the BBC and, in 1984, Monica Sims was asked to report on the shortage of women applicants for top jobs in the BBC. Her 1985 report, *Women in BBC Management*, made 19 recommendations.<sup>49</sup> What is apparent is that, although management were taking greater interest in the representation of women, Light Entertainment was slow to change. Also, I have the impression that there was no attempt by senior management to change the attitudes of middle management, the level at which most problems would be raised.

#### *Sexual Harassment within the BBC*

- 3.64 In this respect too, the Savile investigation has focused on the treatment of women within the Light Entertainment Department and BBC Radio 1, the areas in which Savile worked most

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<sup>45</sup> *Women in Top Jobs*, Part Three, Women in the BBC, p. 155.

<sup>46</sup> D. Moran, *Limitations to the Recruitment and Advancement of Women in the BBC*, BBC, 1973.

<sup>47</sup> *Limitations to the Recruitment and Advancement of Women in the BBC*, pp. 23-24.

<sup>48</sup> *Attitudes to women in the BBC in the 1970s – not so much a glass ceiling but one of reinforced concrete*, p. 130.

<sup>49</sup> M. Sims, *Women in BBC Management*, BBC, 1985, pp. 9-10.

frequently. The impression I have is that sexual harassment was common in those departments, more common than in many other parts of the BBC. Women found it difficult to report sexual harassment. Generally, the attitude of the male managers was thought to be unsympathetic and, of course, there were very few female managers.

- 3.65 Tina Ritchie, who, in the early 1990s, worked as a newsreader on BBC Radio 1, described hearing of *“a lot of sort of bottom slapping of women in the office”* at Egton House, which contrasted with her experience in current affairs at Broadcasting House. She attributed the contrast to:

*“these incredibly famous men ... surrounded by people who did exactly what they wanted because they were incredibly famous. It is sort of one feeding the other, and everybody surviving slightly on a culture of fear, because one word from a presenter and you would be in trouble, which is why I didn’t say anything”.*

- 3.66 One witness, who worked in BBC Radio 1, said there were lots of *“wandering hands, comments about your body...chaps just felt it was perfectly fine to put their hand on your bum...and other places.”* Another who also worked in BBC Radio 1 described how a colleague would put his hands up the front of her jumper while she was working. When she complained to her manager, the reaction was to ask her if she was a lesbian. In the witness’s view, *“if it didn’t come from the top, [this culture] was supported and endorsed and allowed to continue from the top”.*

- 3.67 Mr Beerling accepted that there were *“touchy-feely people who would always go and put their arm around a girl”* but said that challenging such behaviour did not feature high on his list of priorities. He thought that the young women were *“strong enough to stand up for themselves and [could] give as good as they got, and probably would have done”.* He was anxious to

stress, however, that he himself never received a complaint of sexual harassment either directly or through any of his executives. On that basis, he roundly rejected the suggestion that anyone could have regarded him as 'unsympathetic'. I stress that no witness complained that he personally had been unsympathetic but the fact that, of his own admission, challenging 'touchy-feely' behaviour was not high on his priorities, may have meant that women did not feel able to bring a problem of that nature to him. Mr Beerling also wished to say that, having worked in BBC Radio 1 from 1967 to 1993, he thought that everyone was pretty content and he would compare the network to a big happy family. I do not doubt that that was his perception but it was clearly not the perception of some of the women working there.

- 3.68 C41 was a record promoter who frequently visited BBC Radio 1 producers at Egton House. At that time (late 1968 to early 1970) there were very few female record promoters and she found that some (but by no means all) of the BBC Radio 1 producers treated her with a complete lack of respect. She believes that that was because she was a woman. She said that the place was *"very male oriented and, looking back, I believe now that women were looked upon as objects to be used rather than serious minded persons, if you like. It took me a long time to get anyone to take me seriously"*. She felt that she had to get it across to the producers that *"I am coming in here, I am promoting a record. I'm not here with a key to some bedroom somewhere and I'm not here to throw myself over your desk, I am here to promote this record"*. She said that the atmosphere at *Top of the Pops* was similar. However, apart from a single incident when she was assaulted by Savile on the staircase at Egton House (see paragraph 5.57), she did not experience any inappropriate physical touching.

3.69 In Chapter 2, I described the evidence about reports of sexual touching and harassment made to the Personnel Department which were treated inappropriately and came to nothing. Those reports are also of relevance to this chapter but I do not propose to repeat them.<sup>50</sup>

### **Child Protection**

#### *Child Protection in British Society*

3.70 Since Victorian times, British society has recognised the need to protect children from sexual abuse, although it is only fairly recently that it has appreciated how much protection is needed. According to the text *Child Abuse: Law and Policy Across Boundaries*.<sup>51</sup>

“The single unifying term ‘child abuse’ encompassing all child maltreatment emerged in the late 1960s and early 1970s. In the 19th century no single term was used to designate adult-child sexual contact. ‘It could be called unlawful carnal knowledge, incest, criminal assault, an outrage, an unnatural act, a slip.’ Similarly the child protectors of the 1880s and onwards used several terms, predominantly ‘child cruelty’ and ‘child neglect’, to define the types of evil which they were intent on preventing and punishing. Even when the term ‘child abuse’ began commonly to be used in the 1970s, it was used primarily to refer to the physical assault of children. The term became all-encompassing in the late 1980s when the problem of child sexual abuse became more widely recognised. The, now common, use of the term ‘child abuse’ gives the impression of a universal consensus about what acts and omissions are abusive; however this is far from true.”

3.71 From the 19th Century, the criminal law sought to protect children from sexual abuse. The Criminal Law Amendment Act

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<sup>50</sup> Report, paragraph 2.99 onwards.

<sup>51</sup> C. Hoyano & C. Keenan, *Child Abuse: Law and Policy Across Boundaries*, Oxford University Press, 2007, p. 7.

1885 provided for offences of carnal knowledge of a girl under 13, and from 13 to 16. Later, a range of offences from rape to unlawful sexual intercourse, gross indecency and indecent assault, to name but a few, covered sexual acts against children.<sup>52</sup> The Sexual Offences Act 1956, a consolidating statute, provided for offences in relation to children (girls) under 13 and children (girls) under 16, with heavier penalties for the former. There were separate offences of buggery and what was then termed “gross indecency” between men. Further offences of indecent conduct were provided for in the Indecency with Children Act 1960, which used an age limit of 14 years. There was (and still is), however, no legal definition of “paedophile” in English law, although there were various offences (some of which I have mentioned above) under which those who sexually abused children could be prosecuted.<sup>53</sup>

3.72 It has been said that child sexual abuse was rarely reported in Britain until the late 1970s.<sup>54</sup> Critical to the emerging awareness of the prevalence of child sex abuse was Mrs Justice Butler-Sloss’s (later Baroness Butler-Sloss) *Report of the Inquiry into Child Abuse in Cleveland 1987*<sup>55</sup>. The inquiry arose from the unprecedented rise in the medical diagnosis of child sexual abuse in Cleveland in May and June 1987, principally at Middlesbrough General Hospital. The inquiry lasted 74 days from August 1987 to January 1988 and the report was presented to Parliament by the Secretary of State for Social Services in July 1988. The report noted that:

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<sup>52</sup> There is a useful list at p.5 of the *Report of the Inquiry into Child Sexual Abuse in Cleveland 1987*, E. Butler-Sloss, Cmnd. 412, London: HMSO, 1988.

<sup>53</sup> See House of Lords Written Answers: HL Deb 14 Oct 1997: Column WA113; HL Deb 11 Oct 1999: Column WA19.

<sup>54</sup> A. Brook, *Implications of the Cleveland Inquiry: Child sexual abuse demands cooperation*, BMJ, 16 July 1988, Vol. 297, p.151 citing chapter from P. B. Mrazek & C.H. Kempe, *Sexually abused children and their families*, London: Pergamon, 1981, chapter 4.

<sup>55</sup> E. Butler-Sloss, *Report of the Inquiry into Child Sexual Abuse in Cleveland 1987*, Cmnd. 412, London: HMSO, 1988.

“child abuse, the non-accidental injury of a child, received increasing attention in this country in the 1960s, and followed upon its recognition in the United States. Public awareness of its nature and frequency grew in the 1970s...A parallel can be drawn between the reluctance to recognise physical abuse in the United Kingdom in the 1960s and the reluctance by many to accept the reality of certain aspects of child sexual abuse in the 1980s”.<sup>56</sup>

- 3.73 The report challenged the view that child sexual abuse was a new phenomenon of the 1980s but noted that, for many, there remained difficulty in accepting the reality of child abuse. But, the report recorded:

“Tardieu in Paris in the 1860s wrote at length on rape, incest and anal interference of young children. Parliament passed the Incest Act in 1908 as a result of concern expressed about children during the 19th century and crimes of incest and sexual assaults upon children within the family have been a regular feature of the criminal lists at the Assizes and continue to be so at the Crown Courts throughout the Country”.<sup>57</sup>

- 3.74 The report urged great caution as to the statistics available of the prevalence and incidence of sexual abuse.<sup>58</sup> It included a general recommendation that people recognise the extent of the problem of child sexual abuse and the need to receive more accurate data of the abuse which is identified.<sup>59</sup>

- 3.75 The *Cleveland Report* was followed, in October 1992, by *The Report of the Inquiry into the Removal of Children from Orkney in February 1991* by the Right Hon Lord Clyde<sup>60</sup>. This looked at the removal, by social workers to places of safety, of nine

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<sup>56</sup> *Report of the Inquiry into Child Sexual Abuse in Cleveland 1987*, paragraph 1, p.4.

<sup>57</sup> *Report of the Inquiry into Child Sexual Abuse in Cleveland 1987*, paragraph 8, p.5.

<sup>58</sup> *Report of the Inquiry into Child Sexual Abuse in Cleveland 1987*, paragraph 7, p. 5.

<sup>59</sup> *Report of the Inquiry into Child Sexual Abuse in Cleveland 1987*, Recommendation 1, p. 245.

<sup>60</sup> Right Hon Lord Clyde, *Report of the Inquiry into the Removal of Children from Orkney in February 1991*, Edinburgh: HMSO, 1992.

children of four families residing in the island of South Ronaldsay in Orkney. The details of the individual cases are not relevant to my investigation but the report confirms the Cleveland Inquiry's observations that society had been slow to recognise and accept the reality of child sexual abuse despite it being no new phenomenon: "What is new is the recognition by professionals and more slowly by the public of its existence and its prevalence"<sup>61</sup>. The report recommended, among other things, that steps be taken to increase public awareness of the problem of child sexual abuse and of the difficulties inherent in the work of investigation of child abuse.<sup>62</sup>

- 3.76 The BBC played an important role in the development of public awareness of child abuse in the mid-1980s, through the programme *Childwatch* which was devised and presented by Esther Rantzen. She told us about her thinking at the time. She explained that, prior to starting work on *Childwatch*, she was unaware of the extent of child abuse:

*"Like everyone else, I thought that this was a rare crime, you know, sensational headlines every three or four years. The journalist in me said, 'That's the tip of the iceberg... if that happens, what else happens, that we aren't discovering, that we aren't reporting?'"*

- 3.77 Ms Rantzen arranged for a survey to be conducted through her programme *That's Life*. She invited viewers to write in with their experiences of abuse and neglect while young and a helpline was set up for 48 hours. The response was overwhelming. The *Childwatch* programmes which followed, drawing on these responses, had two important effects; first they opened the eyes of the British public to the prevalence of sexual abuse of young children and second, they led to the

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<sup>61</sup> *Report of the Inquiry into the Removal of Children from Orkney in February 1991*, paragraph 15. p. 270.

<sup>62</sup> *Report of the Inquiry into the Removal of Children from Orkney in February 1991*, recommendation 3, p. 353.

provision of “ChildLine” a confidential helpline for young people which provides an advice and counselling service; it is still in operation and is run by the NSPCC.

3.78 Dame Esther spoke warmly of the support given by the BBC to her work on *Childwatch*. She said “*We took [child abuse] out from under the carpet*”. She said that the BBC, through Will Wyatt, the Head of Department, and others gave steadfast support to the show. Within some parts of the BBC, however, there was some caution because of a concern (also expressed in the press) that, in publicising its very unpleasant message, the programme might cause children to invent stories.

3.79 In the light of the findings of the *That’s Life* survey, the main focus of concern at this time (the late 1980s) was child abuse within the family, which, as the *Cleveland Report* noted,<sup>63</sup> was thought to be the most common form. In addition, the survey led to awareness of abuse in other circumstances, such as children’s homes, the world of sport and the church. Dame Esther explained what *Childwatch* was intended to achieve:

*“What the message of Childwatch never was is: children wherever they go are in danger. That was never the message. The message was: give children permission to speak. Take the subject out from under the carpet. Let’s talk about it. You can’t solve a problem unless you talk about it.”*

3.80 I do not intend to discuss the more recent developments in child protection which have occurred well after the period covered by this Review.

#### *Child Protection in the BBC*

3.81 It was not until 2004 that the BBC introduced a child protection policy applicable to the whole organisation. When it did, the

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<sup>63</sup> *Report of the Inquiry into Child Sexual Abuse in Cleveland 1987*, paragraph 5, p. 4.

policy was brief. It applied to all young people under the age of 18. It did not provide a route for raising concerns. The policy has since been revised. This formal policy is not relevant to my consideration of child protection during the years when Savile was active at the BBC.

3.82 From what I have seen, child protection does not appear to have been at the forefront of the minds of BBC managers in the 1970s or 1980s. In 2012, when Derek Chinnery was interviewed by *Channel 4 News* and was asked whether child protection was on his radar in the late 1970s when he was Controller of BBC Radio 1, he said that the question put him in an awkward position. That was because if he said “no” it would sound as if he did not care. He explained that there was no reason why he should have needed to place any special consideration on protecting young children. He was running a radio station on which he employed presenters such as Savile. When presenters came in, he would talk to them about the programme and then they would do their job.

3.83 To modern ears, this attitude may sound uncaring. However, in the context of the time, when few people were aware of the prevalence of sexual abuse, it would not be surprising if a man in Mr Chinnery’s position had never applied his mind to the possibility that one of his disc jockey presenters might use his celebrity and position at the BBC to attract and groom young girls for sex. In fact, Mr Chinnery’s personal position was not entirely straightforward. In the early 1970s, he had been made aware of rumours that Savile misbehaved sexually with young girls. It had not been rumoured that such misbehaviour took place on BBC premises. Mr Chinnery had spoken to Savile about the rumours but Savile had asserted that they were untrue. I accept that, at the time Mr Chinnery spoke on

*Channel 4 News* in 2012, he had forgotten about that incident: see paragraphs 11.14-11.33.

3.84 I have previously mentioned the work done in the late 1980s by Ms Rantzen (as she then was) and the BBC in raising public awareness of the problem of child abuse and the provision of ChildLine. At the time, neither Ms Rantzen nor the BBC considered the possibility that there could be child abuse risks within the organisation. Dame Esther told me that she had gone through the ChildLine files and was satisfied that they had never received a call relating to abuse by a pop star or disc jockey. According to an article in *The Sun* in 2012, Shy Keenan reportedly mentioned to Ms Rantzen that she had heard rumours about Savile's sexual misconduct. It does not appear from the article that Ms Keenan thought that the misconduct was in any way related to the BBC. Dame Esther explained to me that she has no recollection of this conversation. She said, of the department within which she worked at the BBC:

“Obviously it didn't occur in any of our minds that any child could come to harm with us ...: even as a journalist, I don't think there was ever a bit in me that said, 'And the obvious conclusion from Childwatch is that Light Entertainment should take more care'.”

3.85 Quite apart from any general child protection policy, in respect of children employed by the BBC, it had to comply with various statutory requirements including the Children and Young Persons Acts 1933 and 1963 and the Children (Performances) Regulations 1968 which were concerned mainly with licensing, limiting hours of work for children, providing chaperones and such like. Later there was the 1994 EC Directive: Protection of Young People at Work. In 1992, it appears that the BBC intended to prepare a Code of Practice for Children in Productions. I have seen a draft of such a document but not a final version. The draft covered such matters as health and

safety. There was no reference to child protection as we think of it today.

3.86 The Programme Contracts and Legal Departments encouraged compliance with the statutory requirements which applied to any department wishing to employ a child. However, documents I have seen suggest that, although the BBC took these administrative requirements seriously, some programme-makers found them irksome and sometimes failed to comply.

3.87 The Savile investigation heard of only one incident of abuse by Savile which involved a young person performing on the BBC. That was C47 who, at the age of 15, was abused by Savile in his dressing room while they were both working on a show being recorded in Manchester (see paragraphs 5.187-5.191). C47 had come to the studios with his parents but, on arrival, they went to the cafeteria, leaving him to prepare for the show. He was not supervised by anyone from the BBC. He met Savile during the rehearsal and was later abused when Savile invited him into his dressing room. I have been unable to discover what arrangements the BBC had made for C47's welfare while on the premises. The BBC had a statutory duty to provide a chaperone for child performers but if, as often happened, a parent accompanied the child, the parent could act as chaperone. I do not know whether the BBC had arranged for C47's parents to act as his chaperone. It seems quite likely that they had, and that the parents had taken the view that their 15-year old son did not need them to be with him all the time.

3.88 We also spoke to C56. She appeared on *Jim'll Fix It* in 1984, when she was eight years old. Her fix involved a three-day trip abroad. However, C56 was not accompanied by a family member or friend during this trip. She travelled with the director, a man, and a researcher, who was a woman. They all stayed in a hotel, with C56 in a single room. This was the first

time she had ever stayed in a hotel room by herself and she had to look after herself. She remembers “*being quite sad* [and] *lonely*” and probably a little frightened. I should stress that C56 was treated kindly by the director and the researcher and she made it clear that, even at eight years old, she was not actually unused to doing things alone. Nonetheless, it appears to me to have been inadvisable for the BBC not to have arranged for her to be accompanied by someone she knew well on a trip such as that.

3.89 In addition to the employment of children, for example as actors or performers, the BBC used children and young people as unpaid participants and also as audience members. As one might expect, children frequently participated in children’s programmes. I have not examined the arrangements made on those programmes because they fall outside the scope of this investigation. Savile did not work regularly on programmes made by the Children’s Department; he made only guest appearances; no complaint about Savile’s conduct has been received by us about anything which occurred on a programme produced by the Children’s Department.

3.90 The main focus of the Savile investigation’s consideration of child protection arrangements has been in connection with the programmes on which Savile worked regularly, *Top of the Pops*, *Jim’ll Fix It* and, to a lesser extent, BBC Radio 1 programmes including *Speakeasy*. In Chapter 9, I will deal in some detail with the shortcomings in the arrangements for the protection of teenagers participating in *Top of the Pops*. In Chapter 10, I will deal with the arrangements made for children and young people taking part in *Jim’ll Fix It*. The production team of this programme tried to make sensible arrangements but, in the event, these were not ‘Savile proof’. I will deal with BBC Radio 1 in Chapter 11.

3.91 Children also came to the BBC to watch other programmes as members of a non-participating audience. Tickets were arranged through the Ticket Unit. Child members of an audience came to the BBC with a parent or other adult and, as with audience members of any age, were subject to control and supervision by a dedicated team of BBC employees. We have received no complaints or concerns about such children.

3.92 As the Savile investigation has progressed, I have become increasingly aware of an unusual feature of life in the BBC, which to modern eyes and ears gives rise to real concern. I have heard of at least three examples of children being brought to BBC premises by relatives or supposed friends and spending time there without appropriate supervision and, in some cases, no supervision at all. One was Leisha Brookes who, at the age of nine, was brought to Television Centre on a number of occasions by a friend of her parents named Sillitoe who worked at the BBC. In her evidence she said that nobody questioned her presence either at the security barrier or while in the building. Another was C8, whose grandfather worked at Television Centre. C8 used to come to work with his grandfather on occasions, either on Saturday mornings or during school holidays and did odd jobs. He met Savile, who took him around the building and introduced him to various stars. Savile also took him to a room where he was abused. A third example is C45 who had a relative who worked as a security officer at Television Centre. From the age of about 12, she would go to work with him and would be taken to see various shows such as *Dad's Army*, *The Generation Game* and Cliff Richard's show. She says that she met other children of her own age and a little older who had been brought into the BBC by their relatives. As she got older, she and these other young people used to go around the premises on their own. Sometimes she would go to the Green Room between

rehearsals and recordings of *Top of the Pops* and sometimes to the dressing rooms of pop stars to get autographs and have a drink of orange squash. She would then sometimes meet her relative later in what she described as the Bar, by which she meant the BBC Club. When she was about 13 she met Savile, who abused her in his dressing room on two occasions.

- 3.93 I can understand that staff would wish to be able to bring their relatives to see their place of work but there seems to have been little control over what appears to me to have been a dangerously lax situation.
- 3.94 The third category of child involvement – that of work experience – was not one that I anticipated being relevant to Savile. But we heard from C1 who at the age of 15 was raped by Savile at his flat, after he had met her in the BBC canteen where she was on work experience: see paragraphs 5.3; and 5.232-5.238.
- 3.95 I also heard evidence from a woman who, in the 1980s at the age of 15, undertook one week’s work experience at the BBC. Her account of what happened to her fell outside my terms of reference and I have not investigated it. However, while her account is not as serious as what happened to C1, if true, it suggests that she, like C1, does not appear to have been closely supervised.
- 3.96 The incidents I have referred to in this section occurred in the 1980s, at which time it appears that the BBC probably did not have any formal policy governing work experience. The earliest work experience policy document disclosed to the Savile investigation by the BBC is dated March 2009. However, it seems likely that there were earlier policies which have not been located. The 2004 Child Protection Policy refers to the existence of a “central work experience scheme which provides

forwardly planned and structured work experience placements. There are 'Work Experience Providers' Guidelines and 'Good Practice' documents which support the scheme". The BBC has been unable to say when this scheme came into existence. It seems to me unlikely that this scheme existed in the 1980s. If it did, it would appear that the scheme provided little protection for young girls such as C1.

3.97 As I have previously explained, I was not required to consider the suitability and efficacy of the BBC's current child protection policies and practice. When the Savile scandal broke, the BBC decided to review (and alter where necessary) its own policies and procedures. Those policies and procedures were then independently evaluated by the GoodCorporation. Its report, published in July 2015, stated that, overall, there was a clear commitment to and recognition of child protection and safeguarding within the BBC. There was also a good awareness of the processes needed to keep children safe. Considerable effort had been made to update policies and procedures. Concerns were generally being managed correctly. However, the report recommended that further work should be undertaken to ensure a uniform and consistent approach; there was a need to ensure more consistent communication, training, guidance and application of policies. Chaperoning systems were working well but screening processes required some improvement. More needed to be done to ensure that child protection and safeguarding controls were operated in independent production companies. Documents disclosed to the Review by the BBC shortly before publication demonstrate that the BBC has heeded these recommendations.

## *Discussion*

- 3.98 In this chapter I have looked at the changes in our society to sexual mores and attitudes towards sex discrimination, sexual harassment and child protection over the years in which Savile worked at the BBC. Much has changed for the better. Sex discrimination and sexual harassment are now recognised as social evils whereas fifty years ago they were accepted as normal incidents of life. My investigations suggest that, so far as these matters are concerned, the BBC has been and remains a reflection of our wider society.
- 3.99 Our perceptions of family life and our attitudes towards sexual behaviour have also changed radically during the past 50 years. In some respects, change has been enlightened. There has been a gradual acceptance of homosexual relationships and marriage. Such matters are outside my Terms of Reference, although it is perhaps worth mentioning that I have the impression that, within the BBC of the 1970s and 1980s, homosexuals (or at least male homosexuals) were more readily accepted as such than they were in society at large.
- 3.100 Attitudes towards extramarital and casual relationships between heterosexual adults are also outside my purview, although here again, I feel that I should say that I have the impression that extramarital affairs and casual sexual relationships were very common and accepted as normal in the BBC throughout the period covered by the Savile investigation.
- 3.101 Our knowledge and understanding of the need for child protection has changed radically. Until the late 1980s, the sexual abuse of children was barely acknowledged to exist; it is now widely discussed. Our understanding of the circumstances in which this can occur and the devastating effects it can have on victims has grown and continues to increase almost daily. I

have not detected anything in the attitudes of the BBC which differs significantly from what I perceive to have been and currently to be common in our society as a whole.

3.102 I have focused on our perception of sexual activity between an older man and a young girl in her mid-teens. This is the kind of conduct which Savile indulged in for decades, using his dominant position as an older man and as a celebrity. In the 1950s, I am sure that such conduct would have been regarded as wholly unacceptable. I do not think that most peoples' attitudes towards such conduct has changed much over the years although nowadays we may express our objections in terms of concern about the emotional and psychological damage to which the child is exposed.

3.103 However, I do think that, beginning in the 1960s and continuing over the next two decades, there was a relaxation in our attitude towards such behaviour insofar as it affected other peoples' teenage girls, if not one's own. ('I would not let **my** daughter do that but...'.) I think the perception was that young girls were determined to run after pop stars and disc jockeys and, if their parents let them do that, there was nothing that 'we' could do to stop it. If that 'running after' resulted in sexual contact, so be it, even if the girl was still under 16. I think that this attitude was particularly prevalent in show business and that would include at least some parts of the BBC. Nowadays, we are much more conscious of the damage which can be done to a young person who enters into an unequal relationship with an older, powerful, charismatic man for whom the relationship is casual and unimportant. We are now far more disapproving of such relationships. To that extent I do accept that 'things were different in those days'.