

9.1.

9.2.

has now left the B.B.C.

9.3.

I had a long interview with

9.4.

I asked

about the use of these records

_____ said that on one occasion _____ had put ^{the} to _____ record in a batch of 50 records from which the presenter _____ was going to select a number. _____ agreed with me that this was unwise.

9.5. I asked _____ about _____ connection

9.6. _____ was taken by _____ to lunch with the businessmen and a proposal was made to _____ that they would pay £5,000 for advice and help in getting records played. Nothing came of this proposal.

9.7. I came to the conclusion that _____ had plainly acted wrongly but, except to a minor degree, had not tried to influence the playing of records in which _____ was interested in _____ programmes. I felt some unease about _____ interview with the two reporters, but in the absence of the transcript of any tape recording of the interview I do not know exactly what was said.

9.8. There was no evidence of any dealing by _____ which I regarded as actually corrupt, but, if _____ had continued in the employment of the B.B.C., I would have felt bound to say that I regarded _____ as a person who might be willing to accept a corrupt offer.

10.1.

10.2.

told me that he was asked by [redacted] to go to meet two people who were going to "set up a record label," and that as [redacted] persisted he eventually agreed in order to help [redacted] out by showing that [redacted] knew some people at the B.B.C. He said that when he arrived he was disconcerted to find Moreno at the flat - "there seemed to be a sort of nasty taste about him somewhere along the line."

10.3.

I asked [redacted] about the conversation reported in the newspaper and I found his explanations very unsatisfactory. I suspect, however, that this ^{was} yet another case of what has been termed "sexual boasting" where led on by the trend of the conversation and a certain amount of drink and, in this case perhaps, by what Moreno was saying, the man concerned exaggerated for the sake of effect what had actually happened.

I put to [redacted] that the account he gave me of [redacted] was very different from that which, so it appeared, he had given to the reporters, and he replied:

"I think if you were around there, and had a couple of drinks pumped into you and they had created this atmosphere and they are dealing with it in a professional way, I mean these guys are not amateurs, they know exactly what atmosphere they are trying to create and I think one would sort of go along with it in a "when in Rome" type of way. It would not come off a tape machine like that, it is pretty compressed. I think that's the only way I can account for it. I'm telling you what happened, because I now don't feel it necessary to exaggerate, neither have I had a drink."

10.4.

It is not necessary for me, however, to reach any decision about [redacted] The important thing is that there was no evidence that [redacted] was involved in any corrupt transaction.

11.1.

11.2. I wrote to Mr. Andrew Bateson Q.C. to ask that I should be supplied with a copy of the statement of [redacted] because this allegation was clearly very serious and [redacted]

[redacted] . After an interval of several weeks Mr. Bateson wrote to say the he had advised that the statement should not be made available to me.

11.3. In the course of my interview with [redacted]

11.4.

I have already expressed my view about the reliability of the evidence of [redacted] (see 4.11), but I thought it was plainly necessary for me to put this allegation to [redacted] direct.

11.5.

told me

- (a) That he did not think he had even met [redacted]
- (b) That there was no truth whatsoever in the allegation that he had received money [redacted]
- (c) [redacted]

11.6.

I accepted what [redacted] told me and it is my present opinion that the story is an invention [redacted]

[redacted]
I have no direct means of assessing the value of testimony.

12.1. In the issue of 14 March 1971 the News of the World published an anonymous letter signed "A B.B.C. PRODUCER (Radio 1)".

12.2. Mr. Crocker wrote immediately to ask for a copy of this letter and on 17 March 1971 Messrs. Allen & Overy sent a copy on the understanding that Mr. Crocker's firm and myself would be "responsible for any further publication". A copy of this letter is set out at Appendix 2. It will be appreciated that when published in the newspaper the names of _____, Tommy Vance, _____ and _____ had been blacked out.

12.3. I saw _____ to ask him about the allegation that he had produced commercial records in the B.B.C.'s time.

12.4.

12.5. With this exception _____ said that he had not entered into any contract for producing records though he told me that he had been present on a number of occasions in commercial studios when records were being produced and from time to time had made comments such as "Possibly a bit more bass."

12.6. The attendance of B.B.C. producers at commercial studios, which led me to think was quite common, seems to me to raise a difficult problem. On the one hand it is desirable that producers in

this field should take every opportunity of widening their knowledge of different groups and, presumably, of methods of production - In this context mentioned in particular the importance of learning about the production of stereo recordings. On the other hand it is for consideration whether a producer can weigh the merits of two records quite impartially if he has taken part, however informally, in the production of one. Moreover outside observers with knowledge of the facts, and the recording companies involved, might reasonably suppose that the possibility of bias existed.

12.7. It seemed to me ~~that~~ on the evidence before me that himself had not acted improperly, but that this is a problem which requires discussion.

13.1. The name of [redacted] was one of those included in the original of the anonymous letter : see Appendix 2. The allegation was that he "is a song writer and has on occasions included three of his compositions in one programme."

13.2.

13.3.

13.4. [redacted] told me that there is an unwritten rule that a producer is only allowed 8 performances of his work in a month on B.B.C. programmes and that none of such work is to be included in his own programmes. I pointed out, however, that I did not see how such a system could be administered if a producer used a pseudonym and if no one, apart from the Head of the Department, knew what the pseudonym was.

13.5. It is for consideration whether the number of song-writer/producers is too small to make any formal rules necessary, but my own view is that

some regulation is required.

13.6. It seemed to me on the evidence before me that _____ had not acted improperly.

14.1. The allegation against [redacted] in the anonymous letter was that not only had he accepted sex as payola but that he had been all over the world with his expenses paid

14.2.

14.3. I asked him about his trips abroad with

He said that he had gone with the knowledge and approval of the Corporation

14.4. On the facts before me it did not seem that [redacted] had acted in any way improperly.

14.5. [redacted] also told me that on two occasions he had been invited by [redacted] to visit two businessmen who were "interested in the pop field". He said he declined these invitations because he had other appointments but added that [redacted] was a character he was "always wary of".

15.1.

15.2.

15.3.

found [redacted] a frank witness, however, and was disposed to accept his
assertion that he did not know that [redacted] might have any
connection with a record company.

15.4.

I came to the conclusion on the evidence before me that though
[redacted] may well have had some ulterior motive
[redacted] did not and would not have been willing to make
any corrupt bargain with [redacted] for the playing of [redacted] records.

15.5.



16.1.

16

16.3. He told me that he was sure he had not said some of the things attributed to him in the article, and for the purpose of my Inquiry it would have been of great assistance to have had a copy of the transcript of any relevant tapes. [redacted] assured me, however, that he had never had any financial interest in any record which he had played [redacted] and that he had never received nor had he ever been offered any form of payola, [redacted]

16.4. I did not find [redacted] a very impressive witness, and as I felt some anxiety about his explanations, I decided I should see the producer of the programme -

16.5. The evidence given by [redacted] largely reassured me. He told me that he knew that [redacted]

[redacted] and was particularly careful about the selection of the special choice of the week. He told me:

"Usually I tried to choose it myself rather than let him choose it [redacted]"

You could not allow

him too much freedom. On the other hand I could not keep refusing him everything There were certain records he asked me to put in the programme, which he claimed he liked and thought they would be hits. I studied all possible connections which he might have with the record company, the publishers, and all the usual connections and provided there did not seem to be any obvious link, then I would agree."

16.6.

I found myself unable to reach a definite conclusion about () Like a number of other witnesses who saw the "businessmen" he may have been boasting; or he may have been misquoted. I am wholly satisfied, however, that if any record was selected improperly the selection was without the knowledge and in spite of the most careful scrutiny by () I formed the view that () was a very conscientious producer and a man of integrity.

17.1.

17.2.

The allegations against him [redacted] were to the effect that [redacted] had made corrupt bargains with the "businessmen" and that on a number of occasions he had paid for by outside interests.

17.3.

[redacted] told me that he never in fact received any money from the reporters but that he had been "tempted" by their offers. [redacted] also admitted that he had [redacted] at the expense of record companies.

17.4.

I do not think it is necessary for me to set out the details of my interview with him.

18.1.

18.2.

told me that he had been introduced to the "businessmen"

him about the statement attributed to him that

long reply beginning:

. I asked

He gave a

"This, I think, is their interpretation of something

that might, you know, have been said, but I would not have made a statement like that because it is just not true."

A little later he said: "It is taken out of context, that is the only thing I can think of, or they have fiddled it in some way."

In the absence of the transcript I was unable to reach any decision as to what [redacted] in fact said. I was inclined, however, to accept his statement that he did not in fact have any such arrangement.

18.3. [redacted] told me that it was absolute nonsense for [redacted] to have suggested that he took any part in the selection of records. When I questioned him further, however, he said that

18.4. Although [redacted] was not an impressive witness I was inclined to accept that he had not taken part in any underhand dealings. He dismissed [redacted] when he found out what he had been doing and as far as I know, though I did not see [redacted] has never suggested that [redacted] was personally involved.

18.5. On the evidence before me I did not think [redacted] had taken any improper steps with regard to records

Miscellaneous

19.1.

19.2.

Tim Knight The main story in the article in the issue of 21 February related to sexual payola and made particular reference to the parties at the flat of Tim Knight. Knight did not answer my letters asking him to come and see me and I was not able to form any firm view about these parties. The accounts in the article may well have included some measure of sexual boasting - that was certainly my impression of [redacted] account in the newspaper - but in the absence of evidence that these parties were in fact used to influence the selection of records I do not think that for the purpose of my Inquiry the Tim Knight parties are of particular significance. The transcripts of the tapes may of course disclose much more than I know at present.

Top of the Pops

20.1.

20.2.

20.3. I obtained a considerable number of statements from persons connected with this programme and interviewed the producers including Johnny Stewart (A.S. Lorn), Brian Whitehouse, Stanley Dorfman, Colin Charman and Melvyn Cornish. I also interviewed Mr. W.F. Cotton, the Head of Light Entertainment Group (TV), and Arthur Birks, the BBC Central Services Manager (TV).

20.4. The starting point of my investigation, however, was

20.5.

20.6. In the absence of any other evidence I would have found it impossible to accept [redacted] explanation, for he was an unimpressive witness, but after interviewing the producers and, in particular, Mr. Birks I came to the conclusion that though it is possible that isolated instances of immorality may have occurred [redacted] the picture of "Top of the Pops" was a figment [redacted]

20.7.

20.8.

When I questioned Dorfman about the matter I asked him:

"Q. Does that in any sense put you under any obligation to him?"

A. No, not at all. The fact is that [redacted] and has most of the artists one wants

anyway; there's no obligation at all because frankly we want what he's got rather than or equally to we've got what he wants. It is a fairly mutual thing;

20.9.

20.10

20.11

A programme such as "Top of the Pops" does, however, present certain problems in that it introduces into the labyrinthine T.V. Centre a substantial number of teenage girls. I was very impressed with Mr. Birks and with the care with which he evidently tackled these problems, but the following points appeared to me to be worth further attention:

- (a) I got the impression that there was some uncertainty as to the division of responsibility for "participating audiences" between the production staff and those responsible for security. It seems to me that there should be some clear guidance as to who is to be ultimately responsible for the behaviour and control of audiences of this kind.
- (b) I understand that the control of visitors to the BBC Club has been tightened up in the last year or so.

There are obvious disadvantages in having the Club in the T.V. Centre itself and it is important that the stricter control should be maintained.

(c)

Samantha McAlpine

21.1. On 4 April 1971 the News of the World published on the front page a story about a girl called Samantha McAlpine who had committed suicide on the previous Tuesday. The article referred to revelations alleged to be contained in her diary and told to the reporter by the girl's mother. In a passage attributed to the mother it was stated:

"I read how Samantha had become friendly with
----- and stayed the night at his home. The man was
a disc-jockey.

"The diary said he had given Samantha a pill that
made her feel as if she was floating in a cloud.

"I was very disturbed by other references in the
diary, which mentioned many names.

"Then I saw references to ----- (another D.J.,
equally famous). Some of the passages were so
shocking that I would rather not repeat them to you.
But the police know what they said."

The article then referred to complaints by the mother as to how the
B.B.C. had dealt with her when she tried to make enquiries.

21.2. I questioned [540] and Billy Cotton about this matter.
[540] ~~had~~ told me that the girl had come to see him on several
occasions and had invented stories for the purpose of getting access
to him. He said she seemed to him in a sort of fantasy world but
that she had not made any sexual advances of any kind.

21.3. Cotton, together with his assistant, [540], interviewed
[540] on [540] 1971 following a telephone complaint from

Mrs. McAlpine. [s40] told me that he was satisfied with [s40] explanation and his denial that he had ever taken any girl home from [s40]

21.4. In addition I had before me statements from [s40] and Rex Moorfoot. The latter had a telephone conversation with Mrs. McAlpine on [s40] when she told him she did not wish to take the matter further. I was also supplied with copies of contemporary memoranda signed by [s40] and Moorfoot and also a memorandum of [s40] 1971 from [s40]

21.5. I came to the conclusion:

- (a) that on the evidence before me the complaint by the girl against [s40] was probably an invention; and
- (b) the the B.B.C. appeared to have dealt properly with the complaint.

Christmas Presents

22.1. I have been supplied with a copy of the B.B.C. Staff Regulations (1962, Revised). The relevant provisions are as follows:

"21. PRESENTS TO STAFF

Staff are warned that in no circumstances are they permitted to accept presents of any kind at any time from firms or persons with whom they may have business dealing on the Corporation's behalf. This rule, however, does not apply to articles of small value sent out by firms as advertisements, but the receipt of such articles must be reported to the Head of Establishment.

Goods sent on free trial may be accepted on behalf of the Corporation provided that the consent of the Head of Establishment is obtained.

22. GRATUITIES

Gratuities or Christmas boxes may not be offered to or accepted by any member of the staff."

22.2. It has become apparent during the course of my inquiry that the regulation as to the receipt of presents is widely disregarded as far as presents at Christmas are concerned.

22.3. It seems to me that consideration should be given to the introduction of a new regulation and of steps to ensure that the new regulation is observed. If small presents are allowed at all I think they should be restricted to articles of stationery such as calendars, desk diaries, blotters, desk pads and ball point pens which are clearly marked with the name of the company or firm concerned. The receipt of bottles of drink and of articles such as tape-recorders, even on a 'general issue'

basis appears to me to be open to objection.

General Supervision

- 23.1. During my Inquiry I was impressed by the fact that with a few exceptions none of the producers I saw seemed to have had any guidance on first joining the B.B.C. about how to deal with pluggers or the other pressures to which they might be subjected in the course of their work. It also appeared to me that, though one appreciates the need for the artistic independence of producers, they were more isolated from their superiors and less inclined to look for help from their superiors if a difficult problem arose than I would have expected.
- 23.2. I think consideration should be given to whether it would be possible for senior producers and executive producers to keep a closer watch on how the problems of plugging and entertainment are in fact dealt with by the younger producers and production assistants. It is my impression that, with some exceptions such as Miss Anna Instone, the degree of supervision exercised by the senior staff in these difficult fields could be tightened up without in any way becoming burdensome.

Conclusions

24. My preliminary conclusions are as follows:

- (1) In my view the evidence before me falls a very long way short of justifying the allegation of widespread corruption, and it is my belief - though I cannot be more positive in view of the incomplete state of my knowledge - that no evidence which would justify this charge exists.
- (2) There is evidence that some individuals have, in comparatively minor respects, disregarded the rules about outside work. I regard this outside work by itself as beyond the main orbit of my Inquiry and I have not included the details in this Interim Report. I have not found evidence, however, that this outside work has led to the improper selection of records.
- (3)
- (4) I came to the conclusion that before the publication of the articles the rules as to entry into the BBC Club were not being enforced with sufficient care. *This matter has been tightened up and appears now to be satisfactory. This stricter control should be maintained.*



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8th March, 1971

Messrs Cooke and Kempson,

I wouldn't like to be in your shoes for all the tea in China. I predict that within two months you will be six feet under or behind the bars of Wormwood Scrubs.

For obvious reasons I wish to remain anonymous, but I will disclose that I am a BBC Producer (Radio) and not amused by the way you have smeared not only myself, but many of my colleagues as well. If you are going to tell the proper story I suggest you hit some of the guilty ones:

..... who has produced more commercial records in the BBC's time than those you name.

TOMMY VANCE & who are 'King of the Orgies'

..... producer who is a song writer and has on occasions included three of his compositions in one programme.

....., who has not only accepted sex as payola but been all over the world all expenses paid, but publicised the fact

I suggest you both spend a little more time chasing the right people.

Yours faithfully,

A BBC PRODUCER. (RADIO 1)

Messrs Cooke & Kempson,
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Bouverie Street, E.C.4.