

PRESENTATION BY DAVID JONES

Transparency and Media Relations as a Means of Fighting Fraud and Corruption Affecting the EU Financial Interests

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B-1407 Sofia
www.kempinski.bg

Learning from best practice and problems in the Member States; variations in
approach through Europe
by
David Jones, Head of Communications, Serious Fraud Office, UK
on
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Good afternoon everyone. Some faces that I see are old friends. Others are new friends this week. I will try my best to make this an interesting talk but you will have to be the judge of that.

Before I discuss the topic of variation in media relationship styles or habits in different parts of Europe I would like to quickly mention that when I received from my long-time colleague on this network, Alessandro Buttice, the invitation to attend this seminar in Sofia I was instantly attracted to such an opportunity. I had not visited Bulgaria before, despite its developing attraction as a tourist destination. In the past my main link with Bulgaria, starting about twenty-five years ago has been its wine production. Introduced into the UK market at very competitive prices, yet of very acceptable quality, Bulgarian wine became the house party wine of choice during the 1970s and I was enchanted by exotic wine names such as Mavrud, Gamza, Misket and Dimya. I feel good that over many years I have made a helpful contribution to the Bulgarian economy in my capacity to enjoy its wines. And it was particularly special this weekend to create a new memory of Bulgaria and to enjoy the product of its vines whilst standing in the homeland of its production.

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However, returning to business. I propose to share with you some of my experiences and observations of relations with the media, particularly with the media in Europe, not just the UK, and with one reference also to the media outside Europe. I hope that what I share with you will have some relevance to you in your own tasks in your own countries. Ideally I hope that you will, when I have concluded, raise discussion points, regardless of whether or not you think that my experiences are valid in the context of the operations in your own national jurisdictions.

The debate I shall be addressing is this. Is there a significant difference in the nature of transparency and media relations throughout Europe? Is there a north/south or an east/west "style" or methodology of developing communication strategies or of protocol in the way of interaction between authorities and the press? I do not pretend to have all the answers. I imagine though that Press Officers working for EU institutions, such as OLAF or other mega pan-national bodies such as the United Nations or specialist bodies such as Interpol will have more qualified comments or perspectives as they have a geographically more roving brief. Additionally the executive of the International Federation of Journalists will have its own global perspective acquired through its network of journalists who often face and deal with difficult situations that would be normally outside the perimeters of what we, in democratic and liberal societies have to deal with.

But I suppose, like most of you in the audience today, I have to look at the world through a national lens. When I deal with non-UK journalists, who are writing or broadcasting to non-UK audiences, I have to consider to what extent is their interest relevant to my organisation and to its principal duty to the British public.

Do I consider how much time or attention I should give to helping a foreign journalist? The answer is "Yes, of course I do".

Do I consider to what extent could my assistance cause difficulty for a foreign investigating authority and possibly have diplomatic repercussions? The answer is "Yes of course I do".

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Do I consider whether my (to quote an English expression) "gut feeling", the inner sense that we all develop through experience is as dependable when dealing with foreign journalists? The answer is "Yes, of course I do".

Do I ask myself the question "We are both speaking English but is the nuance behind the question what I believe it to be and is the manner of my explanation and my choice of words clearly understood?" The answer is "Yes, of course I do".

My comfort zone is with the British media. I know it well enough within the framework of business, crime and law coverage and have dealt with many journalists over many years, even when they move from one paper to another, often more than once. Job mobility in British journalism and, to an increasing extent, job insecurity brought about by major technological innovations of news access and changes in how the consumer wants his news to be delivered continues to surprise me.

Even so my many years experience of day-in, day-out, dealing with the UK press and getting to know journalists and editors as close as proper professionalism allows, has given me a sixth sense about many things - a nose to smell developing situations potentially critical of or crucial to my organisation. I still make the occasional error of judgement but normally I feel confident and secure in my UK national environment of journalism.

All this may seem rather limiting but perhaps many of you here today will recognise what I am saying. That is, our individual focus is normally on the requirements of our individual countries. However I am sure that regardless of whether we represent large European countries with long established institutions and commercial practices, perhaps in big economies -- or whether we represent smaller, newer member states with growing economies, ambitious development programmes and integration objectives, we are all inevitably touched by issues that relate to neighbouring countries or foreign trading partners.

The UK is a major global trading economy and an international financial centre and therefore in addition to legitimate business attracts situations or problems that

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involve foreign companies and nationals. Many cases that my organisation deals with have potential to attract foreign press interest. I do not want to overstate the degree of foreign press interest in the SFO. For example the mere fact that perhaps one of the fraudsters in the fraud conspiracy is, let us say, a German national, but if no damage was done by the fraud to German institutions or citizens but instead the damage was solely to British interests, the German press is not likely to get very excited by the story - unless, that is, the German fraudster is some sort of a "celebrity" in his own country.

But even so, I get a steady trickle of foreign press calling me up. So how do I see this influencing the way that I interact with the foreign press? Do I apply different considerations when dealing with journalists depending on which part of Europe, or the world, that they represent? Yes, of course I do and the best way to explain this is to give some examples:

North/South

Firstly, I will readily admit that to my discredit, I am fluent in only one language. My second mother tongue - Welsh - an obscure language which I allowed to fall into disrepair as a rebellious teenager is not worth mentioning though as I get older I lament even that loss. I feel impoverished when dealing with some foreign journalists for whom their English is not so strong in grammar or in vocabulary. And the fault of this possibly being a barrier to transparency is not with them but with me. So you see there are still dinosaurs on this planet. But the reality is that there can be times when it is so easy to misunderstand a question and it is often too easy for me to use an English phrase or expression which when translated is not quite what was said or meant.

Inevitably this can sometimes create limitations on the amount of assistance or information I can feel easy about giving to some journalists. It is not always possible or practical to have the questions by email to get them translated and then get a reply back suitably and expertly translated. Three weeks ago a late night call from a Madrid journalist to my mobile number concerned the arrest and extradition

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from Spain to the UK of a serious criminal in a drugs and money laundering case. It proved difficult for the journalist and for me. (Not only was I brushing my teeth at the time but I had to speak quietly during the conversation so as not to disturb my sleeping family. And yes! Just in case you are wondering, I did have my mobile phone with me in the bathroom at 11.00 at night. I call that dedication!)

To the Spanish journalist I tried to explain the complex arrangement in the UK for the various agencies that deal with different types of crime. It happened not to be an SFO case but the Spanish journalist was desperate to locate an official information source. He needed some explanation and possibly thought I was not keen on giving him any help at all. In other words I thought, that he thought, I was being deliberately unhelpful or unprofessional simply because it was late at night. To give him credit he was not assertive at all and did not explode in frustration but he wanted to engage in a detailed, almost, academic discussion about the extradition process and the kind of assistance given by the Spanish authorities in this particular case. Unfortunately I had to refuse to comment as I had no authority to discuss a case belonging to another British agency.

I give you this one small, perhaps lightweight, example to illustrate what I think may be a north/south barrier to understanding. I have experienced other examples. Is it language? In part it may be that those Latin countries, with a historically strong global language imprint of their own and possibly a different approach to inquisitorial practices and attitudes to officialdom adopt a different psychology in the world of media reporting. The bottom line in that example is that after I had put the phone down I had this nagging feeling that absolute clarity had been elusive. It was not a feeling I enjoyed. I must say though that I have yet to be harangued or bullied by any journalist I have spoken to from a European Latin country and that includes the EU's newest "Latin" country, Romania with which I had a lot of dealings in the summer.

Another example is an Italian journalist seeking information about some investigation assistance and property searches. My organisation seized private documents from the office of a London-based associate of an Italian politician whose financial affairs were being scrutinised by a magistrate in Milan. We sent the

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documents to Italy. I had received information from the Milan magistrate that the journalist was interested in suggestions that the SFO had made some legal errors with the process of evidence collected. I was therefore expecting some searching and tough questions, yet none came in my subsequent discussion with the journalist. I declined to provide an SFO expert to discuss the issue with the journalist (because of the impending court case in Italy) and I was quite surprised that there was no vigorous cross-examination of me, no pressure to be open to objective scrutiny, no suggestion of trying to hide some failings. I almost sensed a shrug of shoulders and a passive acceptance of my explanation for non-cooperation.

Still on the subject of the north/south divide, I recall a case with a Danish connection. It was a prominent Danish businessman, infamous in Denmark for a major tax fraud. This Dane also had a home and business in the UK and through complex accountancy stole £3 million from the pension fund of a manufacturing company in Scotland that he controlled. During our investigation and subsequent prosecution I received many and regular calls from the Danish press. So much so that communication between us was free-flowing and an easy trust was developed. It is well known that Danes not only speak English from a young age but also watch British television programmes. I think also that a similar sense of humour exists and an ability or willingness to get to the point straight-away. It applies also to some other northern European countries.

Perhaps in such situations there is a style difference in dialogue and comprehension when looking at north/north communication compared with north/south communication. But I am no expert on classical history or on national psyche but is this possibly something to do with the intellectual advancement of the ancient Romano-Greek civilisations of the Mediterranean compared with the rough necks of the North Sea and Baltic region? Is it possible that if you scratch a logical and liberal and eco-friendly Scandinavian you can find underneath the skin a Viking that takes no prisoners?

East/West

Where exactly to position the east/west question is not so easy for me to discuss. Is there one? Where do our friends from Romania fit in this equation? A Latin based

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language and with cultural links with the Romance countries of Europe. My experience of dealing with the Romanian media, relates to a major story there this summer. My telephone line was almost melting with the activity of calls and a number of television camera crews coming from Bucharest to the UK to try to get interviews.

The story was about the supply to the Romanian navy of two ex-British navy warships and a contract to re-equip these frigates - renamed Regale Ferdinand and Regina Maria - to a modern fighting standard. The re-equipment contract, over £100 million, with a British company is still under investigation in the UK for possible corrupt payments which is suspected to have involved Romanian officials. The Romanian press sought facts only, perhaps understandable at the time of breaking news when the picture is still cloudy. Their focus was naturally on implication for Romanian official action.

They were amongst the most polite journalists I have had to deal with despite the fact that the scandal hit a raw nerve in Romania and that a major British company allegedly participated in a corrupt act and I refused to comment on any assistance or cooperation my organisation was giving the Romanian authorities for their investigation. Even so, after the deluge of calls came the calm and surprisingly I have not heard a question since from the Romanian media about the progress of our investigation.

The Romanian example is in stark contrast with another alleged corruption at high government level. I stray outside Europe for a moment but it does highlight how far openness in Europe has come and how the public have an expectation for the media to be investigative on their behalf.

There is a high profile case in the UK relating to the supply of defence equipment to the government of Saudi Arabia. It's a huge contract to re-equip and re-train the Royal Saudi air force. There is an allegation that a British arms company secretly arranged for the member of the Saudi royal family - who was the Saudi minister of defence at the time - to be richly rewarded for signing the contract I must stress here that the allegations are firmly denied.

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Despite much press interest in the UK and some in European countries with significant arms industries and also in the USA, the Saudi press was silent. By that I mean that they asked me no questions. I don't know if there was any reporting at all of the case in Saudi Arabia but it seemed very unfamiliar to me not to get press calls from a country where a high profile official was reported in other countries to be at the centre of the affair. A free and impartial press will hunt for further and better particulars behind a story. It's a matter of both professional pride and commercial imperative for the press and a matter of providing an important service to the general public.

I don't know if there is a stereotypical profile in east of Europe of media practice and habit between a journalist and a government press officer. No doubt it would be a mistake for me to assume that my experience with journalists in Bosnia on a corruption case there involving the electricity power industry would be a safe model for dealing with a Polish journalist on a similar case in Warsaw.

There may be some characteristics of press relations that differ from country to country in Europe or from north/south, east/west, that has been maintained through historic, cultural and social evolution. Despite the growth of second language proficiency in the major languages there are remain variables in the quality of explanation and comprehension which may continue to influence our behaviours in communication.

Even so, the enlargement of the EU in recent years from 15 to 25, soon to be 27 has introduced an irresistible new dynamic where all member states will not only gradually better understand the communications culture in each country, but will create a need to. The private sector is far ahead of the public sector in this. Multi-national companies are breaking down the communications barriers with slick marketing and advertising messages and getting the media hooked on reporting the significant social and commercial revolutions that are going on. What we are doing in this room this week is, in a more modest way, helping to remove the stumbling blocks of understanding. Ten years ago it would have been inconceivable to me that I would ever need to explain to a Bulgarian or a Lithuanian journalist, (just to

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pick two) what my organisation is doing to contribute to the anti-fraud fight in their country. Now such a call will come as no particular surprise.

In conclusion I would like to say to our joint hosts the following;

To OLAF I acknowledge their tireless task over the recent years in bringing together press officers and public information officers from official bodies throughout Europe. For participants like me with a precision crafted nose for my own country's media it is a valuable eye-opener to see some perspectives from diverse European heritages.

To the Ministry of Interior I acknowledge your kind assistance with this seminar and offer my congratulations on the forthcoming entry of Bulgaria into the Community. Now I wait in anticipation of cooperating with you on a joint fraud case though a Sofia taxi driver told me that there is practically no crime in Bulgaria. So until I get that call from you I shall relax with a glass of Mavrud in my hand and thereby continue to contribute to foreign income earnings of the Bulgarian economy.

As I said at the start, do not look to me for a comprehensive insight into the subject of variations across Europe in communication styles, I just give my personal perspective and I am happy to take any questions or hear some responses or alternative opinions.

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