

A paedophile scandal foretold

Sir Jimmy Savile, child sexual abuse and the BBC

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Trial by media and scandal amplification

In recent decades in the UK, there has been a decline in public deference to authority, trust in government, the credibility of expert knowledge, and confidence in criminal justice. Simultaneously, the communications marketplace has undergone technological and economic transformations that are forcing radical adaptations from traditional news media, particularly the press, in order to survive. Two interconnected adaptations are the rise of ‘trial by media’ and the commodification of ‘scandal’.

‘Trial by media’ (henceforth TBM) is a market-driven form of multi-dimensional, interactive, populist justice in which individuals are exposed, tried, judged and sentenced in the ‘court of public opinion’ (Greer and McLaughlin, 2011). The nature and target of such trials can be diverse, ranging from the hounding of public figures deemed to be professionally, politically and/or morally ‘suspect’, to pre-judging the outcome of legal proceedings against ‘unknowns’. In each case, the news media behave as a proxy for ‘public opinion’ and seek to exercise parallel functions of ‘justice’ to fulfil a role perceived to lie beyond the interests or capabilities of formal institutional authority. Due process and journalistic objectivity can give way to sensationalist, moralising speculation about the actions and motives of those who stand accused in the media spotlight. Judicial scrutiny of ‘hard evidence’ yields ground to ‘real time’ dissemination of disclosures from ‘well placed sources’. The default position is ‘guilty until proven innocent’, and the burden of proving innocence correspondingly rests with the accused. The outcomes of TBM vary from a chilling of public sentiments towards the ‘accused’, through irreversible ‘spoiled identity’, public apology and official resignation, to criminal prosecution.

TBM is legitimated commercially by increased circulation and web traffic, professionally by journalistic plaudits and awards, and politically by its potential to destroy private lives and public careers (Culture Media and Sport Committee, 2010). TBM can thus be used by newspapers simultaneously to further commercial and ideological agendas. The political and commercial force of ‘trial by media’ over individual-level transgressions is enhanced still further when it can be connected with system-level notions of institutional failure and ‘scandal’ (Greer and McLaughlin, 2011; 2012a; 2012c). A ‘scandal’ takes shape as rumours and allegations of moral and/or legal transgression harden into accusations and complaints that are expressed publicly (see also Thompson, 2000). If the alleged transgressions are sufficiently newsworthy and the negative social reaction sufficiently intense and widespread, the individual(s) or institution(s) at the centre of the ‘scandal’ will be subject to ‘trial by media’. The process of ‘trial by media’ may expose further transgressions or uncover scandalous connections to other actors or institutions, simultaneously consolidating and amplifying the significance and implications of the original scandal. Current political, economic and cultural conditions coalesce in the creation of a journalistic field that promotes the connection of individual transgression with institutional failure, and the association of one scandal with another. The result is a fluid and continual process of news consolidation and amplification which, under the right conditions, gives rise to what we call a ‘scandal amplification spiral’ (Greer and McLaughlin, 2012b).

Living in denial: Child sexual abuse and institutional scandal

Cohen (2001) identifies three main techniques of denial that can be used by individuals and institutions facing potentially scandalous situations: literal denial (nothing happened), interpretive denial (something happened, but not what you think) and implicative denial (it may have happened, but it's not our responsibility). What is striking about child sexual abuse is the extent and effectiveness - the completeness - of the cultural and political denial that kept it hidden from public and official view until remarkably recently. The 'problem' of child sexual abuse was not 'discovered' in the UK until the 1980s (Kitzinger, 2004). Before then, British society at all levels appears to have been living 'in denial'. Still today, the problems of incest and child sexual abuse in the home appear too difficult for many people - including journalists - to discuss openly. Since there can be no scandal about a problem that is not publicly acknowledged to exist, and since child sexual abuse did not 'exist' as an issue of public importance until the latter stages of the 20th century, child sexual abuse scandals are distinctly late-modern phenomena.

Perhaps in part because of a shared sense of guilt at the wilful blindness that kept the sexual victimisation of children hidden for so long, child sexual abuse scandals today generate vociferous public and media outrage. Recent institutional abuse scandals include myriad examples of child sexual abuse by Catholic priests, which for decades the Catholic Church *denied* and *covered-up* with remarkable success, and the damage to Pennsylvania State University's reputation following the 2011 exposure of child sexual abuse by a football coach, and *denial* and *cover-up* by members of the University's senior management. Exploring the origins and development of the ongoing child sexual abuse scandal involving Sir Jimmy Savile, the BBC, and a host of other public institutions, provides the focus for the rest of this article.

A celebrity death: The public celebration of Sir Jimmy Savile

Sir James Savile's death on 29 October 2011, two days short of his 85th birthday, generated multiple news stories, features and editorials, all of which were fulsome in their admiration for the flamboyant, pioneering DJ and irrepressible 'Mr Fixit'. There were moving tributes from Buckingham Palace, politicians, celebrities and representatives of the numerous charities and hospitals he had worked with. BBC Director General, Mark Thompson, stated: 'I am very sad to hear of Sir Jimmy Savile's death. From *Top of the Pops* to *Jim'll Fix It*, Jimmy's unique style entertained generations of BBC audiences. Like millions of viewers and listeners we shall miss him greatly'. Savile's status as national icon was confirmed with an extraordinary funeral that spanned three days and received extensive televised coverage. On 11 November, the BBC broadcast a tribute programme, *Sir Jimmy Savile: as it happens*.

A couple of broadsheets recalled that Savile's 'complex' personality, 'eccentric' lifestyle, and 'unattached' status had periodically generated 'dark side' speculation about his sexual preferences and questions over his charitable motivations, but added that no formal allegations had ever been made. Press coverage of Savile continued to highlight his extraordinary charity work and his 'heart of gold'.

On 8 January 2012 the *Sunday Mirror* ran an 'exclusive' claiming that 'senior BBC executives' had 'axed' a *Newsnight* investigation into historic allegations about Jimmy Savile's sexual abuse of under-age girls. It was claimed that the editorial decision to 'axe' the programme was because it would have clashed with two Christmas specials celebrating the star's life. A BBC 'insider' said the decision to commission the investigation and then scrap it had angered staff. The investigation had also upset Savile's friends and family, who rejected the allegations as 'muckraking' against a deceased man who was no longer able to defend himself. Although the story was reported in other newspapers and *Oldie* magazine, it was overshadowed by the Leveson inquiry and quickly 'died'. The next round of Savile coverage focused on tribute plans and the 'fortune' Savile had bequeathed to charities. There was one barely-reported story in June about a woman, who claimed to be Savile's 'lovechild', making a claim on his will.

Then, on 5 August 2012 the *Sunday Mirror* and *Mail on Sunday* reported that an ITV documentary team was investigating the same ‘bombshell’ allegations as the ‘axed’ BBC *Newsnight* programme, and had gathered enough evidence to justify naming Sir Jimmy Savile as a paedophile. On the same day, the *Sunday Times* ran a story that an Edinburgh Fringe show, *How’s About That Then?*, would assert that Savile was a ‘sex addict’ attracted to underage girls, and made further reference to the *Newsnight* investigation ‘shelved’ by the BBC. Savile’s family and friends expressed their anger at what they saw as a sensationalist attempt to gain publicity for the play.

Breaking through the ‘silence’: From allegations and accusations to exposure

In the last week of September 2012 ITV announced that on 3 October a documentary, *Exposure: The Other Side of Jimmy Savile*, would assert that Savile was a ‘sexual predator’ with paedophilic tendencies. Previews were made available and ITV released a comprehensive summary of its evidence and findings. What is remarkable is the speed with which newspapers moved from reporting the ITV allegations to verifying the evidence and amplifying the ‘shocking’ nature of the story. Even before the documentary had aired, Savile was subjected to a ‘trial by media’. Witness testimony came from alleged victims, who claimed that Savile was a dangerous and prolific sexual predator. Newspapers returned the headline verdict that Savile was a paedophile. The news frame of ‘institutional failure’, already activated in light of the BBC *Newsnight* debacle, was reinforced by a flood of witnesses disclosing that Savile’s abusive behaviour had been an ‘open secret’ inside a range of institutions, and that Surrey Police and the Crown Prosecution Service had known of the allegations. The BBC stood accused in several newspapers of undue deference to Savile’s status and position within the corporation, which had enabled him to procure and abuse underage girls safe in the knowledge that he would be insulated against allegations and complaints. Furthermore, Savile’s BBC celebrity status had afforded access to other institutions, providing further opportunities and insulation. ‘Axing’ *Newsnight* was now alleged to be part of an institutional cover-up to protect the BBC’s reputation. The corporation was branded criminally irresponsible for not passing *Newsnight*’s evidence to the police. The BBC had betrayed the victims and witnesses who had agreed to testify against Savile. By the time the ITV documentary aired, the ‘BBC paedophile’ sex abuse scandal was gathering momentum. Nearly two million viewers tuned in to watch.

Trial by media: Denial, scandal amplification and institutional crisis

As Sir Jimmy Savile’s ‘trial by media’ continued, and press accusations of institutional failure became more widespread and vociferous, the BBC deployed various ‘denial’ strategies. This denial was met with a news media backlash that decimated the corporation’s official position, damaged its reputation and ended the career of George Entwistle, the newly appointed BBC Director General.

The BBC’s initial reaction was ‘literal denial’: an anchoring statement (28 September 2012) declared that there was no evidence of abuse or record of complaints to ‘corroborate the allegations’, so the corporation was unable to take ‘any further action’. *Newsnight* also released an aggressive literal denial against ‘false and very damaging’ allegations (30 September 2012). However, the BBC’s ‘literal denial’ was immediately destabilised by ‘confessions’ from former and current BBC personnel regarding sustained *individual* and *collective blindness* to Savile’s abusive behaviour, despite widespread *knowledge* in the form of common gossip and direct witnessing. BBC sources also challenged the official *Newsnight* statement about the programme’s focus and the editorial reasons why it was dropped. Throughout the following week, the mutually reinforcing narratives around the extent and seriousness of Savile’s alleged sex crimes, allegations against other celebrities and the BBC’s alleged cover-up of a culture of sexual exploitation fuelled increasingly strident demands for an internal inquiry. The corporation’s ‘literal denial’ of abuse was unsustainable in the face of myriad news stories featuring fresh first-hand accounts from alleged victims and witnesses: it had to change its position. In so doing, ‘literal denial’ transitioned into ‘implicatory denial’ - Savile may have sexually

abused young girls, but the BBC knew nothing officially about it at the time, all relevant staff who might have known something have now moved on or retired, and 'that was then, this is now' - it would never happen today.

With the broadcasting of the ITV *Exposure* documentary, the BBC's 'trial by media' intensified and the Director General, George Entwistle, was forced to respond with a public statement. He remained resolute in his implicatory denial that, a) conducting a formal inquiry was a matter for the police, with whom the BBC would cooperate fully, and b) in the absence of any official record of complaints against Savile, there was little the BBC could do internally. There was for the first time, however, a public acknowledgement of the suffering of the victims:

Like everyone else who works here, I was appalled by the things I saw in the ITV documentary. I am determined that the corporation will do everything it can to help find out what happened... This is a deeply upsetting issue which I know has horrified people across the BBC, and our thoughts and sympathies must be with the women affected. I am absolutely determined we will leave no stone unturned in our efforts to support the police (George Entwistle, 5 October 2012).

The escalating scandal increased media, public and political pressure for a BBC inquiry. On 8 October, Entwistle apologised to Savile's victims and cautiously submitted that an inquiry might follow. Two days later, in addition to a further 'profound and heartfelt' apology to the victims and the nation, the BBC now confirmed that internal inquiries would be established.

More than a week after Savile's 'trial by media' had returned a verdict of 'BBC paedophile', London's Metropolitan Police described him as 'predatory sex offender' and confirmed that eight sex crime allegations had been formally recorded against him. The Met police investigation, named Operation Yewtree, would consider allegations against Savile, Savile and others, and others unconnected to the Savile investigation. Although BBC representatives continued to deny claims of an institutional cover-up, on 12 October the corporation did a u-turn announcing two internal inquiries to investigate, 1) the circumstances around the *Newsnight* investigation being dropped, and 2) the wider culture of the BBC during the Savile era. A further BBC statement acknowledged that erroneous statements had been made concerning the 'axed' *Newsnight* investigation. *Newsnight* editor Peter Rippon 'stepped aside'.

On 23 October George Entwistle was cross-examined by the House of Commons' Culture Select Committee on the Savile scandal. This same day, two of Sir Jimmy Savile's charities announced they would close. Entwistle conceded that *Newsnight*'s Savile investigation should not have been terminated. However, he continued to deny allegations of BBC mismanagement. The next morning, headlines across the press spectrum queried the BBC Director General's competence and position, describing him variously as 'bumbling' (*Sun*), 'embattled' (*Daily Express*), 'less than authoritative' (*Guardian*) and 'skewered' (*Daily Express*). Moving in for the kill, a number of newspapers now called for both Entwistle and Lord Patten, Chair of the BBC Board of Trustees, to resign.

On 2 November *Newsnight* was once more in the spotlight for claiming a 'senior Conservative politician from the Thatcher era' was involved in a North Wales child sexual abuse scandal. The politician was incorrectly named on *Twitter* as Lord McAlpine. McAlpine issued a statement denying the allegations and indicating that he would sue those responsible for his 'trial by Twitter'. BBC supporters mobilised in defence of the corporation, arguing that it was under sustained attack from its political enemies and condemning the hysterical overreaction. However, faced with a rapidly intensifying institutional crisis, the corporation apologised 'unreservedly' and announced a halt to all *Newsnight* investigations. Although not directly related to the Savile scandal, the critical firestorm that engulfed the BBC's 'irresponsible' journalism made the Director General's position untenable. On 10 November, following a relentless 'trial by media', Entwistle acknowledged that he had to take responsibility for 'the unacceptable journalistic standards' of the *Newsnight* investigation, and

resigned. His critics still accused him of being ‘in denial’ about the reputational damage caused to the BBC by his mishandling of the Savile scandal.

Scandal amplification and official inquiries

As the BBC’s ‘trial by media’ developed and intensified, new lines of journalistic enquiry raised questions of institutional failure beyond the corporation. So began a process of ‘scandal amplification’ that accelerated and crystallised throughout November 2012. News reports renewed claims that the police could have arrested Savile on several occasions in the past, and queried how he could have accessed and abused vulnerable young people in various hospitals. Headlines questioned the Crown Prosecution Service’s failure to prosecute Savile on the basis of information received from the police. At the time of writing, the Savile child sexual abuse scandal has resulted in the following official inquiries: criminal investigations by the Metropolitan Police and other forces where claims of abuse have been made; Her Majesty’s Inspectorate of Constabulary investigation of police forces that received complaints about Savile, and how these were handled; Director of Public Prosecutions investigation of why the CPS did not act on police evidence of Savile abuse in 2009; hospital inquiries in Stoke Mandeville, Leeds General Infirmary and Broadmoor; Department of Health investigation of its own conduct because it had responsibility for Broadmoor; three inquiries at the BBC - culture and practices during the ‘Savile years’, the decision to drop the *Newsnight* investigation, and wider allegations of sexual harassment; two inquiries into abuse in north Wales; and an inquiry to re-examine claims of Savile’s abuse at a children’s home in Jersey. The ongoing processes of ‘trial by media’ and ‘scandal amplification’ relating to the Savile scandal have already resulted in a number of high-profile arrests and resignations. Police investigations, internet rumours and allegations, inquiry findings and, of course, ‘trial by media’, make it inevitable that more scandalous exposés, denials, arrests, prosecutions and resignations will follow.

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