



# Security in a Small Nation Scotland, Democracy, Politics

EDITED BY ANDREW W. NEAL

# Security in a Small Nation

Scotland, Democracy, Politics

*Edited by Andrew W. Neal*

*Centre for Security Research*

*University of Edinburgh*



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## 7. Press Scrutiny and the Proposals for Security and Intelligence in an Independent Scotland<sup>1</sup>

*Eamonn P. O'Neill*

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This chapter examines the scrutiny by the press in Scotland and the wider UK, before, during and after the publication of issues related to the proposals presented in the Scottish Government's independence White Paper *Scotland's Future* in November 2013. It outlines the various categories of media coverage in common usage and examines a selection of coverage in depth. It argues that, with some exceptions, the coverage was narrow and formulaic. It suggests more investigative projects could have widened and deepened the coverage and led to a more informed debate.

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1 I am grateful to Dr Andrew Neal and colleagues who attended the ESRC seminar series at the University of Edinburgh for their work and patience. Also colleagues in the media in Scotland, especially at *BBC Scotland* and *The Herald*, for their input and contributions.

When the Scottish Government's White Paper *Scotland's Future* was published in November 2013, most media attention was focused on its proposals for the economy, social welfare, currency and defence matters. When the latter was mentioned, coverage focused on the issue of Trident and the implications that would have for the economy. Coverage of the SNP's claims regarding a 2002–2012 Defence 'underspend' of £7.4 billion, for example, featured extensively in the media, as was the policy of an independent Scotland having a total of 15,000 regular and 5000 reserve personnel across land, air and maritime forces by 2026. There was also widespread coverage of the SNP's policy of maintaining a £2.5 billion annual military budget in an independent Scotland. Whilst these military plans were covered by the press, it appeared that little or no real attention and scrutiny was paid to the proposals for intelligence and security matters within an independent Scotland.

It might be argued that this was down to the fact that the proposals were mentioned across a mere handful of pages in an otherwise lengthy policy document. The word count for these proposals ran to little more than 1500 words across 6 pages of the 670 page publication. Yet this in itself was surprising given some of the implications the proposed establishment of the new Scottish Security and Intelligence Agency (SSIS) had for both Scotland itself and its relationship with the other countries within existing UK borders.

The short content of the White Paper and its subsections did, within their limitations, present a deceptively wide range of issues which could have acted as starting points for journalists to examine in a variety of ways across all publication platforms. Potential subjects for scrutiny included — but were not limited to — the following five areas. Firstly, the structure and operation of the new SSIS: this included the proposal to create a single domestic intelligence agency rather than two or more that could also focus on foreign intelligence, the ways in which the SSIS would assess and investigate threats and gather and analyse intelligence, and how it would be scrutinised by the Scottish Government. Secondly, the transition to independence: whether a 'seamless'<sup>2</sup> transition in the early period of independence would really be possible to 'ensure

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2 Scottish Government, *Scotland's Future: Your Guide to an Independent Scotland* (Edinburgh: Scottish Government, 2013), <http://www.gov.scot/resource/0043/00439021.pdf>, p. 262

the security of both countries [Scotland and rUK]<sup>3</sup> was continuously maintained, what the legislative timetable for the establishment of the SSIS would be, how the new agency would protect Scotland's critical infrastructure during the transition and after independence, and how it would recruit and train its staff, with or without the assistance of the remaining UK.

The third area includes the challenges that would have been involved in working with partners, both foreign and domestic: how a cooperative relationship with the remaining UK and its agencies would be guaranteed and maintained, what the planned role for Scottish universities and businesses would be and whether there were any early signs of cooperation from these bodies, and what the relationship and oversight arrangements between the new single Police Scotland force and the planned SSIS would be. Fourthly, the adequacy of the estimated £206m budget (calculated from the current Scottish contribution and spending based on population in the UK budget) could have been questioned, as well as whether the expected significant investment in establishing an agency would be factored into an independence settlement agreement from the rest of the UK; and fifthly, the plans and structures that would have been in place for dealing with cyber terrorism could have been explored, including how this would align with Scotland's critical infrastructure protection aims (e.g. protecting oil production facilities and output), and whether the planned return of proportionate funding from the UK's Cyber Security Programme would adequately fund the new Scottish plans.

The Scottish media coverage in the twelve months before the referendum devoted relatively modest resources to the proposals themselves, the issues they might have represented, or indeed the Westminster Government's response to them. The narrow amount of coverage that did appear was varied in quality and content, and came from both Scotland itself and England. The coverage published across all platforms (e.g. digital/print/broadcast) tended to break down into distinct categories: (a) recounting the policy briefly and uncritically in news articles; (b) analysis in news articles or news feature articles; (c) framing the policy announcement in feature articles or comment and

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3 *Ibid.*, p. 474.

opinion pieces that themselves were sometimes presented in overtly accessible and populist terms (e.g. headlines which mention 'Scottish James Bonds' etc.).<sup>4</sup> Scant attention was given in investigative contexts which might have been reasonably expected to go into considerably more depth about the proposals and their myriad implications.

This chapter asks whether there was sufficient and informed debate in the wider UK press and Scottish media about these issues. It examines output from a selected range of sources that I believe were broadly indicative of the wider underlying trends of coverage. The first section of the chapter identifies the theoretical and practical understandings of each output category. The second section focuses in more depth on the press output on this issue with these definitions and categories in mind. The third section concludes with an analysis of what this output meant and introduces my own experience working on a BBC project discreetly connected to this debate, arguing that investigative journalism could have played a more productive and focused part in this process.

## News categories and shifting rules

News articles, by their nature, are meant to be pertinent, factual and balanced. They are designed to cover ongoing events which are of relevance to the public audience. 'News values' are the shifting sands of journalism practice, identifiable as an array of tests by which the professional (and, increasingly, the amateur unpaid blogger too) uses to decide which story, subject, or issue to focus on. This model has been articulated as: 'an attempt to render the daily, instinctive decisions of professionalism journalism tangible'.<sup>5</sup> I can see the wisdom in this interpretation but caveats do apply. Each journalist has their own accumulated professional (and life) experiences which shape their own

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4 Kevin McKenna, 'Would Independent Scotland Have Its Own Spies?', *Japan Times*, 8 April 2014, <http://www.japantimes.co.jp/opinion/2014/04/08/commentary/world-commentary/would-independent-scotland-have-its-own-spies>. I use this *Japan Times* version of a deceptively informed article to show the global reach of the author and the subject. The 'Scottish James Bond' theme was a clever way of cloaking a serious topic in an accessible headline and in no way is meant to criticise the professional aims of the author which I recognise were serious and complex.

5 A. Smith and M. Higgins, *The Language of Journalism: A Multi-Genre Perspective* (New York and London: Bloomsbury Publishing, 2013).

professional code in the field and the office. This means any journalistic news values are constantly changed and challenged. Smith and Higgins are correct to use 'attempt' in their analysis since, in most cases, that is all it may be. However, in other cases, where strict editorial pressure is applied throughout the working day and week, journalists will adhere to the model under the threat of losing their jobs if they fail to deliver.

These can include simplistic tests that state 'if it bleeds, it leads!' — meaning that if human life and limb are at stake, then the story might merit attention; 'all news is local' is another dictum, meaning the 'relevance' criterion is mostly geographical and demands local demographic impact as well; 'hold the powerful to account' is another traditional guideline which invokes the role of the press in questioning the so-called 'power elite' whether they be individuals, groups, organisations, or government departments; and the reliable old maxim 'man bites dog' suggests the 'unusual' story is always best to consider when ranking a subject for media attention.<sup>6</sup> Other factors which are in common use to determine the newsworthiness of a story on any given day of the week in newsrooms up and down the UK could include a mix of the following (in no particular order): celebrity (is someone with a news profile in the mix?); shocking and/or 'bad news' issues which might involve human tragedy; 'good' news or 'nice surprises' — reversing the previous category; 'follow-ups' or 'new chapter' stories which return to a previous topic and add a new body of research, slant or interpretation (these sometimes follow the pattern of more serious investigative articles); 'exclusives' which the news organisation has decided merit their own resources, attention and interpretation — these can range from a tabloid 'splashing' on the front page with a tale of celebrity sex, drugs and anything else to hand, or

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6 I have witnessed this in action during a visit to a Scottish courtroom where a case was being heard involving a suspect accused of a knife crime. This in itself is not an unusual scenario. However, the accused's defence lawyer successfully argued the stabbing victim had launched herself onto the blade which the accused happened to be holding. The jury returned a Not Proven verdict. Press coverage in Scottish courts has declined markedly in recent years. This is primarily due to resourcing by publications and professional companies employing court reporters. This means fewer cases are covered in the press which, in itself, is a challenge to the democratic process to have court process and practice recorded and monitored in an open way. This can affect complex cases which have later resulted in miscarriages of justice.



a broadsheet reporting on its front page and website the results of a several-years' long investigation into phone hacking.<sup>7</sup>

Depending on the news organisation involved, they also frequently have to be constructed according to internal ethical guidelines. Broadcast news organisations, like the BBC for example, adhere to the concept of journalistic 'balance' by timing input from 'sides' of the debate in an effort to present arguments from the main parties within the same amount of air-time.

Feature articles tend to be on the inside pages of publications and are afforded more space for in-depth coverage and analysis. They are sometimes investigative in nature and incorporate more facts, expert opinion, analysis and comment. They are also the place for journalists to express more colour and flair in their writing. News features, as the name implies, are something of a hybrid of news and features. The latter form would have been ideal print territory for news organisations to have carried coverage of an in-depth nature of an independent Scotland's likely security landscape. Randall's ideal that there is no great difference between the standards in either form would have applied here.<sup>8</sup>

Comment or opinion pieces have more room for debate, subjective opinion and polemical approaches. This can lead to articles which vary considerably in terms of content, analysis and factual underpinning. Humour, 'devil's advocacy' and colourful language feature heavily. Personal 'lifestyle' and 'diary' narratives can sometimes dominate this genre. However, as Hobsbawm and Lloyd have argued persuasively, there are columnists from both ends of the print-press spectrum who are fully paid-up members of a 'commentariat [...] taken seriously by most of those who constitute the political class'.<sup>9</sup>

'Investigative' articles form a notoriously difficult journalism category to pin down. As I have demonstrated elsewhere there are many disputes

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7 [N.a.], 'Phone Hacking | Media', *Guardian* (2016), <https://www.theguardian.com/media/phone-hacking>

8 D. Randall, *The Universal Journalist*, 4th edn. (London: Pluto Press, 2011).

9 J. Hobsbawm and J. Lloyd, *The Power of the Commentariat: How Much Do Commentators Influence Politics and Public Opinion?: A Report* (Oxford: Editorial Intelligence, 2008).

about the roots of the term, the genre and its practices.<sup>10</sup> In practical terms it endeavours to challenge the perceived ill of ‘passivity’.<sup>11</sup>

Its definition is also hotly disputed. The criteria adopted by this author and based on the founding principles of the US’s Investigative Reporters and Editors (IRE) group are that: the project must be the result of the author’s own work and not simply the result of passive receipt of other’s labours; it must be a subject that others wish to conceal from wider public knowledge; it must be relevant and have, where possible, impact and ramifications in the legal and/or legislative and policy realms. This three-point checklist is, by even seasoned journalists’ standards, difficult to fulfil regularly. Aiming for at least two out of these three points usually produces hard-hitting journalism with investigative qualities.

The genre of modern investigative reporting is usually regarded as being from the Watergate era onwards — meaning from the mid-1970s. The primacy and impact of this form of journalism has been challenged, however. Both Schudson and Pilger, for example, have questioned its social and industry impact and challenged whether the myth of Watergate has been helpful to delivering agenda-changing stories and questioning the deeper, often hidden political motives which lie behind news headlines.<sup>12</sup> There are many constraints — inside and outside news organisations — on the ability of, and opportunity for, a journalist or group of journalists to engage in investigative journalism. Lack of finance, lack of training and specialisation, restricted access to legal advice, and a dearth of editorial encouragement and ambition in the workplace are just a few constraining factors. Lack of a guaranteed outcome in terms of a headline-grabbing story and follow-on articles (or indeed a cast-iron assurance that the entire project won’t become a magnet for expensive litigation) are common reasons, often cited, for not pursuing such projects. Within the last decade, the use of Freedom of Information (FOI) laws; data journalism techniques; cross-border

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10 E. O’Neill, ‘Digging Deeper’, in *Investigative Journalism: Dead or Alive?*, ed. by J. Mair and R. L. Keeble (Bury St Edmunds: Arima Publishing, 2011), pp. 291–307.

11 T. Harcup, *Journalism: Principles and Practice* (London, Thousand Oaks, New Delhi and Singapore: SAGE Publications, 2015); O’Neill (2011).

12 J. Pilger, *Tell Me No Lies: Investigative Journalism and Its Triumphs* (London: Vintage, 2005); M. Schudson, *Watergate in American Memory: How We Remember, Forget, and Reconstruct the Past* (New York: Basic Books, 1993).

projects, and other online developments, have ensured something of an evolution and resurgence of the genre. Within the UK, conferences, crowd-funded initiatives, two dedicated university masters' degrees and a plethora of major national and international stories related to the genre have assured its public and industry profile remains high.

In theoretical terms, investigative journalism is regarded highly by many as a 'watchdog' on those in power and a 'voice for the voiceless'. It therefore tends to take on myriad political meanings within that sphere and its attendant discourse. Within the more general realm of accountability post-Watergate it is broadly seen as a contributory factor in the process of ensuring a healthy democracy: '[investigative journalism has a role as] the tribune of the commoner, exerting on his or her behalf, the right to know, to examine and to criticise'.<sup>13</sup> In theory the pursuit of investigative projects is a noble one and its normative role within society as a force for good is a position with which I readily concur. I agree with the argument that investigative journalism involves a 'morally engaged voice' and stakes out this argument within the normative landscape discussed by Ettema and Glasser, marking out its practitioners as 'custodians of conscience'.<sup>14</sup> Yet, equally, I acknowledge the difficulty of the current terrain, especially within a Scottish print press context, where it is extremely difficult to do investigations for the reasons stated earlier. Individual journalists do their utmost and others on certain 'beats' co-opt investigative approaches as the need arises. This results in a patchy picture in terms of output and consistency.

## The media and Scottish security pre-referendum

Taking a qualitative, methodologically-narrow approach, looking at monthly output across broadsheet newspapers in the UK, I found a cluster of articles about Scottish security in the run up to the referendum. Initially, the articles featured mainly in publications that have their headquarters in London, and take a critical tone towards the issue.

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13 H. de Burgh, *Investigative Journalism: Context and Practice* (Abingdon and New York: Routledge, 2000), p. 282.

14 J. S. Ettema and T. L. Glasser, *Custodians of Conscience: Investigative Journalism and Public Virtue* (New York: Columbia University Press, 1998), p. 4.

In January 2013, for example, following oral evidence heard in Edinburgh by the House of Commons Foreign Affairs Committee, censorious headlines were generated in several newspapers by what was perceived as a lacklustre performance by then Deputy First Minister Nicola Sturgeon. In evidence she stated, for example, that £200 million would be budgeted for security and intelligence. This was challenged by Rory Stewart MP, who said that was for running costs only and did not include the billions of pounds required to establish the agencies required to overcome the threats she identified. Despite criticism over the lack of detail forthcoming from the Deputy First Minister, the information contained in these reports about the Scottish Government's plans was not markedly different from that which was eventually published in November of that year. The reporting of this was less widespread in Scotland-based newspapers than one might have anticipated. In-depth coverage came from the London-based papers, in particular *The Guardian*, for example, which had then only one full-time Edinburgh-based correspondent. Its report raised many of the core issues which would come, in my view, to bedevil the SNP Government's plans as the year progressed.<sup>15</sup> The article was in technical terms a news feature which was published in both print and digital editions.

In Scotland and in contrast, the left-leaning tabloid *The Daily Record* ran a news feature article which was largely uncritical of the SNP Government's plans and Sturgeon's evidence about a future Scottish intelligence agency. Its headline and content reported the plans outlined at her appearance but indicated little about the sceptical line of questioning to which she had reportedly been exposed.<sup>16</sup>

Other newspapers in England continued in a similar vein in 2013. Whilst this chapter examines, in the main, the media scrutiny of the intelligence issues contained in the White Paper, many articles surveyed tended to fold the issue in with the general SNP 'defence' plans. Others ignored this and reported the whole issue of defence in negative terms within news articles. The reporting of *The Daily Telegraph* throughout

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15 Severin Carrell, 'Scotland Facing "Enormous" Costs for Independent Security', *Guardian*, 28 January 2013, <https://www.theguardian.com/uk/2013/jan/28/scotland-enormous-costs-independent-security>

16 [N.a.], 'Deputy First Minister Says Independent Scotland Will Have Its Own Security Service', *Daily Record*, 28 January 2013, <http://www.dailyrecord.co.uk/news/scottish-news/scottish-government-will-set-up-its-own-security-1560814>

the summer and early autumn of 2013 was indicative of the general tone and nature of its coverage of the wider defence issue.<sup>17</sup>

*The Independent* in September 2013 publicised that the Commons Defence Select Committee believed that the £2.5 billion Scottish defence budget was too low in a news feature piece. This was a full two months before *Scotland's Future* was published. *The Daily Telegraph* followed suit in November with almost precisely the same theme in another news article.<sup>18</sup>

Whitehall's response to the possible move to independence came in its paper *Scotland analysis: Security* in November 2013. This was taken at face value by most English newspapers in news articles which covered it and was similar in tone and content to other coverage which was critical of an independent Scotland's future security and intelligence plans. This was a subtle but nevertheless crucial issue inasmuch as little interrogation of this paper's contents were undertaken, despite their significance in relation to the separate SNP Scottish Government plans in its own White Paper.

One of the few exceptions was *The Guardian*, which scrutinised its language, factual accuracy and claims in an in-depth analysis piece by defence specialist Richard Norton-Taylor. The latter included a detailed inference that the remaining UK would not necessarily share its intelligence with an independent Scotland and that the EU and NATO wouldn't necessarily welcome an independent Scotland into the fold of either. It also noted in a somewhat sceptical tone:

The Home Office paper also includes tendentious arguments suggesting that one of the problems would be the lack of accountability of new Scottish security and intelligence agencies.

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- 17 Simon Johnson, 'Philip Hammond Pours Scorn on SNP's "Incoherent" Scottish Defence Plan', *Telegraph*, 14 March 2013, <http://www.telegraph.co.uk/news/uknews/scotland/9928041/Philip-Hammond-pours-scorn-on-SNPs-incoherent-Scottish-defence-plan.html>; Simon Johnson, 'MPs 'Unconvinced' by SNP Defence Plan for Independent Scotland', *Telegraph*, 27 September 2013, <http://www.telegraph.co.uk/news/uknews/scotland/10337718/MPs-unconvinced-by-SNP-defence-plan-for-independent-Scotland.html>
- 18 Nigel Morris, 'Alex Salmond's SNP Plans for Scottish Independence Criticised for Lacking Crucial Detail over Defence Plans', *Independent*, 26 September 2013, <http://www.independent.co.uk/news/uk/politics/alex-salmonds-snp-plans-for-scottish-independence-criticised-for-lacking-crucial-detail-over-defence-8842555.html>

As a 'separate state', Scotland could not 'share' the UK's security and intelligence agencies 'for reasons of sovereignty and democratic accountability', it says. 'They would instead continue to operate in the national interest of the continuing UK'.<sup>19</sup>

It adds: 'The UK could not share secret intelligence with an independent Scottish state that had been passed to it by another country without the originator's consent'.<sup>20</sup>

The Home Office paper continues: 'It takes time to build this trust and confidence. Other states would only share with an independent Scottish state what it was in their own interests to share'.<sup>21</sup>

The paper went on to explain that automatic access to the Five Eyes group of allies would not be on the cards. The Home Office makes Scotland seem as though it is just coming out of the backwoods of an unknown continent.

The conclusion that might be cautiously drawn from the coverage was that, by and large, the English-based press in news, and news features, was sceptical, critical and sometimes outright hostile to the Scottish Government's plans for security and intelligence. This was the case before and after the publication of the White Paper in November 2013. This could arguably be explained in editorial terms, by the fact that this policy was of key importance to the UK Government since an independent Scotland created, at the very least, a significant alteration to its existing defence profile. It was also an issue which might be regarded as a 'hot button' topic which could resonate with the reading public. More cynically, if editors were minded, it was also easily moulded into a scare story which cast Scotland as the 'soft underbelly' of a disunited Kingdom.

The Scottish press were focused on the myriad other policy issues related to the referendum, but when it did turn its attention — which was not often — to the issues of security and intelligence plans, it registered a less critical tone. This may have been because it was examining issues that were perhaps seen as more relevant to the average reader, or because it was simply not editorially minded to commit resources

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19 Richard Norton-Taylor, 'Scotland: Playing Games with Britain's Security', *Guardian*, 7 November 2013, <https://www.theguardian.com/uk-news/defence-and-security-blog/2013/nov/07/scotland-security-shipbuilding>

20 *Ibid.*

21 *Ibid.*

to reviewing the complex nature of intelligence and security matters, a subject that requires cultivation of sources and journalistic commitment.

Others may arrive at different conclusions, of course. For example, in Chapter 6 of this volume Sandy Hardie argues that a rigorous understanding of the intelligence landscape at UK level, including the complex weave of its partnership with Scotland at multiple levels, was cold-shouldered by the Scottish media as something too hot to handle. He might be correct in some ways. However, as someone with a long professional track record in the investigative field in Scotland and elsewhere, and as someone who engaged in a BBC project directly related to this matter in the same timeframe, I sensed a more *multi-layered* series of challenges within the media when it came to covering security and intelligence issues. These were not easily explained and, even with the benefit of hindsight, remain infuriatingly complex and, at times, contradictory. However there were exceptions and I would argue that some individual case studies might be as helpful as a more sweeping approach, since they reveal how some journalists recognised that very same gap but did — within professional constraints — deliver engaging output nonetheless.

*The Herald* newspaper was a rare example of a newspaper regularly following this subject and reporting with detail, balance and perspective. In my view it was, with, perhaps, *The Guardian*, the exception that proved the rule. An article on 30 June 2013, for example, rebutted the widespread and more common claims that the SNP intelligence proposals were poorly planned. This piece argued that the plans were feasible and the existing institutional experience within the Scottish police ranks could adapt to the proposed new arrangements. Using their own source, an authority figure with a professional track record in this arena, they laid out an alternative view than that heavily featured in mostly London-based sources in previous articles:<sup>22</sup>

Allan Burnett insisted security services could be 'readily created' and traditional alliances easily maintained if Scots vote Yes next year.

His remarks come as figures close to the UK security establishment warn that SNP strategists have 'naïvely' underestimated how much time and money it will take to create a secret police service.

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22 David Leask, 'Spy Wars', *Herald*, 30 June 2013, [http://www.heraldsotland.com/news/13111636.Spy\\_wars/](http://www.heraldsotland.com/news/13111636.Spy_wars/)

Burnett was the old Strathclyde Police's head of intelligence and Scotland's counter-terrorism co-ordinator before retiring in 2010 with the rank of assistant chief constable, and endorsing the SNP.

He believes Scottish policing — with the biggest Special Branch outside London and substantial existing capacity to deal with terrorists and organised crime — already has the basis of a strong MI5-style domestic security service.

He has accused UK authorities of refusing to discuss post-independence intelligence sharing in order 'to cut off debate' on the issue.

Burnett said: 'Their studied intention is to fill the discussion gap they have created with scurrilous scaremongering. "The Americans won't share intelligence with you", "you're leaving yourselves open to terrorist attack". The truth is that an independent Scotland would face less of a threat, intelligence institutions will be readily created, and allies will remain allies'.

*The Herald* followed this up with another news piece a month later at the end of July 2013, which lent another fresh perspective on the issue. This suggested that Scottish civil servants were exploring Scandinavian intelligence models which might be transplanted into a Scottish context in a future independent Scotland:

Scottish civil servants are investigating how to create Nordic-style intelligence services post-independence.

The Sunday Herald understands government officials have been sounding out international experts on security for more than a year.

Their focus, sources stress, is firmly on developing the kind of counter-espionage and counter-terrorist capacity developed in NATO members Norway and Denmark and neutral Sweden.<sup>23</sup>

The report continued with details of how Scottish academics and members of the Scottish government had met to discuss Nordic models of a post-independence security and intelligence model. Unlike the consistently negative tones woven through earlier articles in London-based newspapers, this article introduced new information (e.g. the Nordic model) into the debate, emphasising their relatively small intelligence operations while pointing out that they were still trusted

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23 David Leask, 'Scottish Civil Servants Probe Plans for "Nordic" Intelligence Services after Independence', *Herald*, 28 July 2013, [http://www.heraldsotland.com/news/13115795.Scottish\\_civil\\_servants\\_probe\\_plans\\_for\\_\\_Nordic\\_\\_intelligence\\_services\\_after\\_independence/](http://www.heraldsotland.com/news/13115795.Scottish_civil_servants_probe_plans_for__Nordic__intelligence_services_after_independence/)



western partners. The piece still aimed for balance by continuing with comments from sceptical contributors whose backgrounds were mentioned for context:

Pro-UK politicians have cast doubts on the ability of any Nordic-style Scottish domestic security service to quickly become a trusted ally of MI6 and the CIA.

Former MI6 officer Meta Ramsay — a Labour peer — has called SNP rhetoric on the issue ‘extremely naive’.

However, Ramsay, who served in Finland and Sweden during the Cold War, is also an admirer of Nordic intelligence services.

But she also disagrees on how easy it would be to create a Nordic-style domestic security service, perhaps on the basis of existing police special branch capability.

Other intelligence experts contacted by the Sunday Herald acknowledge Scotland would take time to build up relationships — but stressed the country would have information that it could bargain for access to the intelligence services of western allies.<sup>24</sup>

The article then concluded with ‘official’ comment from the Scottish Government itself:

Asked about the civil servants investigation into creating a Nordic-style intelligence service a Scottish Government spokesperson said: ‘The Scottish Government is engaging with a wide range of experts and stakeholders in developing its proposals for independence.

This engagement includes informal discussions as well as consideration of proposals by leading experts in panels such as the Fiscal Commission Working Group, the Welfare Commission, and the Expert Commission on Energy Regulation announced earlier this month.<sup>25</sup>

This article conforms to a ‘new chapter’ or ‘follow-up’ news piece. It contains revelations on the basis of original reporting and aims at balance and to provide context throughout. Neither side in the debate is given favourable status. The tone of the piece is one of revelation and veracity. The official source — in this case the UK Government — is quoted only at the end and it is therefore not elevated to a status of higher-truth or authoritative knowledge.

Earlier in July 2014 *The Herald* ran a brief but significant opinion piece regarding the ‘pros and cons’ of an independent Scotland establishing

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<sup>24</sup> *Ibid.*

<sup>25</sup> *Ibid.*

its own cyber-security strategy. This was written by Dr Neil Anderson, Security Director at the FarrPoint consultancy, and conformed to the model of being an 'expert' authored piece, written without any political view or agenda that the host newspaper might retain, aiming for verifiable factual accuracy and a degree of professional balance in his capacity as a consultant. The article introduced the 'both sides' approach, detailing the opportunities and potential pitfalls of an independent Scotland having to organise its own cyber defences. It listed the potential challenges and structural focus the new operation would potentially need to plan for:

Clearly, the move to an independent government would lead to a change in priorities for the security services, which could include:

- Moving away from mass surveillance and a dragnet approach to intelligence gathering.
- Concentrating cyber security defences on critical economic and commercial interests, building on the experience of other European countries such as Estonia. Estonia is considered to be the world leader in national cyber defence after a co-ordinated Russian cyber attack in 2007.
- Making domestic counter-insurgency and counter-terrorism work, such as that undertaken by GCHQ and MI5, less of a priority.
- Supervision of the intelligence service becoming open and democratically accountable.<sup>26</sup>

There are significant caveats around a Scottish intelligence agency's room for manoeuvre on some of these points. The physical network layout throughout Scotland and the UK means that very few connections from other countries land in Scotland, with most landing in Cornwall near GCHQ's listening post at Bude. This means that, at least in the medium term, internet and corporate network traffic would be subject to UK Government surveillance, regardless of the wishes of the Scottish Government. It is likely that a condition of support from allied intelligence agencies would be cooperation in sharing signals intelligence with other agencies.<sup>27</sup>

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26 Neil Anderson, 'Agenda: Pros and Cons of an Independent Scotland's Cyber Security Strategy', *Herald*, 10 July 2014, [http://www.heraldsotland.com/opinion/13169217.Agenda\\_\\_Pros\\_and\\_cons\\_of\\_an\\_independent\\_Scotland\\_s\\_cyber\\_security\\_strategy/](http://www.heraldsotland.com/opinion/13169217.Agenda__Pros_and_cons_of_an_independent_Scotland_s_cyber_security_strategy/)

27 *Ibid.*

The piece continues with an analysis of the situation should independence not be chosen in the referendum, suggesting that there is perhaps something to be said for Scotland having access to the UK's intelligence services and their output, but also reflecting on the implications for Scotland's own cyber-defence's strategic priorities within a system that regards anti-terrorism as its own top priority. It concludes: 'Whichever way the vote goes, it is clear that there are opportunities and risks for Scotland on both sides'.<sup>28</sup>

The article introduced a fresh and important perspective to the debate inasmuch as it moved away from the debate about how 'safe' an independent Scotland would be, towards another perspective which asks what should Scotland be defending which is different from the current UK-wide model? The information and detail published in the article answer that from a detached point of view, laying out facts and views which were not politically partial or partisan in language.

Part of the connective tissue of the independent Scotland and intelligence issue debate was the long-held belief in some quarters that the UK security services had covertly interfered in the political arena in the past, were currently interfering, and would interfere at some unspecified point in the future. As far back as 2007, for example, *Scotland On Sunday* reported that:

THE SNP was spied on by British secret service agents, previously classified Government files seen by *Scotland on Sunday* have finally proved.

Claims of surveillance of nationalist politicians by intelligence officers have circulated for years, but the new papers provide the first incontrovertible evidence that the state spied on the SNP in the 1950s. Agents from MI5 and Special Branch infiltrated the party as part of a campaign to undermine support for Scottish independence, the papers show.

The revelations have put First Minister Alex Salmond — who in opposition complained about closed Government files on the SNP — under pressure to close a legal loophole that allows the secret services to intercept the calls of Scottish parliamentarians.

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28 *Ibid.*; Gerry Braiden, 'Inside Track: MI5 Input in the Independence Debate', *Herald*, 7 July 2014, [http://www.heraldsotland.com/opinion/13168760.INSIDE\\_TRACK\\_MI5\\_input\\_in\\_the\\_independence\\_debate/](http://www.heraldsotland.com/opinion/13168760.INSIDE_TRACK_MI5_input_in_the_independence_debate/)

The files, which have been opened and placed in the UK National Archives in Kew, show that throughout the 1950s Special Branch officers posed as Nationalist supporters and attended party meetings and rallies.

The dossiers contain first-hand accounts from numerous unnamed agents of party meetings, and also include names of SNP members and sympathisers. They also provided transcripts of speeches and give particular attention to members they believed were on the more radical and militant wing of the party.<sup>29</sup>

The same theme was updated in early June 2013 when *The Herald* ran an article about a letter sent by a leading high-profile Nationalist (a popular and influential MSP, but not a member of the governing SNP, it should be noted) to the then head of MI5 asking for assurance that the agency was not interfering in the referendum debate and process. The letter acted as the 'peg' for the article, thus allowing the topic to be aired without any hard evidence of the interference being a reality. The MSP, and the article itself, then referred back to the 1970s and the allegations surrounding the UK security services being complicit in undermining the Wilson government. The article aims to balance this approach towards the end when a source with security credentials is asked about the likelihood of MI5 interfering in the referendum process. His answer suggests any involvement would be benign, even helpful:

Crispin Black, a former intelligence adviser to ex-prime minister Tony Blair and the Joint Intelligence Committee, said he believed MI5 would monitor the independence debate: 'My guess is that MI5 would have the referendum on its radar, primarily to ensure its fairness. There's definitely a national security angle to Scottish independence that the security services would be aware of, but my sense is that they would be stopping dirty tricks, rather than trying to initiate them'.<sup>30</sup>

In July 2014, an opinion column in *The Herald* returned briefly to the same issue, urging readers to take the issue seriously in light of some historical and recent developments in the intelligence world. This was

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29 [N.a.], 'Files Prove That MI5 Spied on SNP', *Scotsman*, 16 June 2007, <http://www.scotsman.com/news/politics/files-prove-that-mi5-spied-on-snp-1-1423283>

30 Paul Hutcheon, 'MI5 Spies Told: Stay out of Referendum', *Herald*, 9 June 2013, [http://www.heraldscotland.com/news/13108551.MI5\\_spies\\_told\\_\\_stay\\_out\\_of\\_referendum/](http://www.heraldscotland.com/news/13108551.MI5_spies_told__stay_out_of_referendum/)

a piece that was rightly labelled as 'opinion' since, although timely and thought-provoking, it did not deliver fresh revelations to support its thesis.<sup>31</sup>

The same newspaper ran another piece reporting on another news organisation's opinion poll which stated that 25% of the 1084 individuals polled by YouGov in previous weeks thought that MI5 would try to 'prevent' a Yes vote or 'rig' the outcome.<sup>32</sup> It was a headline that could have gone in several directions, since the statistics suggested an overwhelming majority of people were sceptical of the thesis that MI5 was carrying out 'skullduggery' in the ten days before the referendum vote, and indeed the poll was split when the additional question of UK concealment of oil fields was asked.<sup>33</sup> Read another way, the poll results could have produced very different headlines. Moreover, the response to the proposition, without any special knowledge or insight on either the pollsters' or the participants' parts rendered the results merely indicative of a vague belief without any verifiable information with which to work.<sup>34</sup> This piece, which broadly conforms to the 'news feature' model was constrained by the reporting of a separate news organisation's poll findings, and had no control over the questions asked and played no role in the design of the study. This perhaps accounted for the timing of the article and its inherent limitations of meaning, resonance and depth.

On a freelance basis, during 2014, and against the press background examined in this chapter, I began researching the issues surrounding this debate for a BBC Radio Scotland documentary. Initially this was aimed at being a pre-referendum production but eventually it was strongly suggested that it would work better after the referendum. BBC Scotland at that time, and indeed since, came under criticism for their coverage of the referendum, mostly from pro-independence campaigners. In recent times the BBC's own Audience Council in Scotland also levelled

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31 Braiden, *Herald*, 7 July 2014.

32 David Leask, 'One-Quarter Fear MI5 Will Try to Prevent Yes Vote', *Herald*, 8 September 2014, [http://www.heraldscotland.com/news/13178861.One\\_quarter\\_fear\\_MI5\\_will\\_try\\_to\\_prevent\\_Yes\\_vote/](http://www.heraldscotland.com/news/13178861.One_quarter_fear_MI5_will_try_to_prevent_Yes_vote/)

33 *Ibid.*

34 *Ibid.*

criticism at the broadcaster for being too 'anglicised' in its coverage.<sup>35</sup> In this atmosphere a project looking at 'Spying in the 21st Century' was potentially a difficult one to undertake. The usual worries about producer's guidelines, balance, and impartiality were aired. Little additional investigative work of this type on this topic was undertaken by colleagues. This was probably due to the normal budgetary concerns (i.e. investigative projects are usually more expensive and require specialisation, editorially and sometimes legally) and the news-value judgement that other topics related to, for example, the economy, health, and currency, might be more important to audiences. Due to the fact that some sources I consulted were retired ex-intelligence officers, I also had to consult the BBC's own lawyers in case security was breached during interviews.

One key area, which everyone was sensitive to, was the matter of reviewing the Scottish Government's White Paper in a way which might, as one producer put it, be seen, 'after the fact'. Producers felt it was unfair and potentially damaging to scrutinise the issue a few months after the referendum result — No — had been delivered by the Scottish electorate on 18 September 2014. I therefore had to focus on the history of Scots in the security services; the role of the intelligence community in Scotland; and briefly, the implications for security if Scotland had become — or were to become — an independent nation. Former Special Branch, MI5 and MI6 officers, as well as security experts and academics in security research, were consulted. This was my attempt to bring an investigative slant to the debate, utilise some of the primary and secondary material available as an academic, access the press reporting mentioned throughout this chapter, and deliver a project which might be, at least, thought-provoking around the wider theme. It was never designed to be definitive or the last word on the issue — rather it aimed to be part of the discussion. What was significant, however, was the availability of sources willing to shed light on all aspects of the debate under discussion. This suggests that if other journalists and editors had chosen to look at this issue in a committed and consistent form before

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35 [N.a.], 'BBC Urged to Review Scottish Coverage in Wake of Independence Row', *Guardian*, 14 July 2015, <https://www.theguardian.com/media/2015/jul/14/bbc-scottish-coverage-independence-row-referendum>

the independence referendum then it could have been achievable. This assumes both editorial and financial support and, for the journalist, a realistic amount of time to investigate the matter and, where applicable, the resources to scrutinise it in depth across the UK. Specialised security experience and contacts within the sector would have helped focus and refine this undertaking and assisted in the quality of the final report.

## Conclusions

The majority of the journalism looking at the issue of the referendum and the implications for Scotland's intelligence capabilities fell into the categories of news, features, opinion and contributing commentary. There was little, if any at all, investigative journalism pre-referendum as commonly defined within the industry or indeed the academy's definitions. Even under the constraints mentioned, this was enormously regrettable, since it would have probably widened, deepened and added illumination to this debate within the public sphere.

London-based publications by and large produced articles which sounded concern and even alarm for the perceived wider negative implications for UK security of the prospect of Scottish independence. Some Scottish publications implicitly followed this line. Most were predicated upon press releases, briefings and interviews from London-based sources, although some did use Scotland-based sources too. The quality of these in terms of balance, research, verifiable fact and impartiality varied. Scotland-based publications' interest in the issue also varied. *The Herald* consistently added new information to the debate, whilst making a genuine attempt to bring fresh voices and wider understanding to the topic. Their output looking at MI5 involvement, and the late poll supporting this notion, was not developed. For the most part, critical voices challenging their 'top line' themes were not avoided and their readers may have benefitted from this work. Amongst all the publishers they were potentially best placed to deliver a significant investigative contribution to the mix had they been so minded.

My own contribution was undertaken against a post-referendum landscape where, arguably, appetite for anything related to the process was diminished. Its contents were refined during the editorial process to reflect a wider historical and cultural context with less emphasis on

investigating the contents of the Scottish Government's security and intelligence plans. Instead, the discussion of these issues was explored in the last quarter of the programme. It is for others to judge how successful this was at analysing the contents of the plans laid out for the Scottish people and as an attempt at looking at the matter through the approach of investigative journalism.<sup>36</sup>

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36 [N.a.], 'Spying in the 21st Century: How Safe Are You?', BBC Radio Scotland, 13 January 2015, <http://www.bbc.co.uk/programmes/b04xrv6c>



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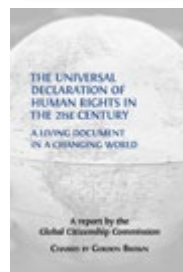
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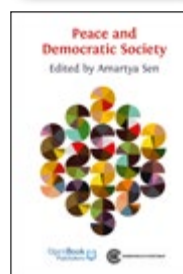
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# Security in a Small Nation

## Scotland, Democracy, Politics

Andrew W. Neal (ed.)

The 2014 Referendum on Scottish independence sparked debate on every dimension of modern statehood. Levels of public interest and engagement were unprecedented, as demonstrated by record-breaking voter turnout. Yet aside from Trident, the issue of security was relatively neglected in the campaigns, and there remains a lack of literature on the topic. In this volume Andrew Neal has collated a variety of interdisciplinary perspectives on security and constitutional change in Scotland and the UK, including writing from experts in foreign policy analysis, intelligence studies, parliamentary studies, and journalism.

*Security in a Small Nation* provides an illuminating analysis of the politics of security. Its authors reflect on a number of related issues including international comparisons, alliances, regional cooperation, terrorism, intelligence sharing, democratic oversight, and media coverage. It has a particular focus on what security means for small states and democratic politics.

The book draws on current debates about the extent of intelligence powers and their implications for accountability, privacy, and human rights. It examines the foreign and security policy of other small states through the prism of Scottish independence, providing unique insight into the bureaucratic and political processes associated with multi-level security governance. These contributions provide a detailed picture of the changing landscape of security, including the role of diverse and decentralised agencies, and new security interdependencies within and between states.

The analysis presented in this book will inform ongoing constitutional debates in the UK and the study of other secessionist movements around the world. *Security in a Small Nation* is essential reading for any follower of UK and Scottish politics, and those with an interest in security and nationhood on a global scale.

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