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## WIKI-DUMP

THURSDAY, MARCH 28, 2013 AM [31 COMMENTS](#)

Complete coverage:

- [NUJ Vindicates Boston College Researcher](#)
- [What Price Justice](#)
- [The Weird World of an Irish News Journalist](#)
- [I Have a Right to be Angry](#)
- [Are you being Gagged?](#)
- [True to Their Words](#)
- [Invertebrate Journalism](#)
- [Reporting to London](#)

### UPDATE July, 2013: NUJ VINDICATES BOSTON COLLEGE RESEARCHER

Following a hearing in London on 24th July 2013, the NUJ Appeals Tribunal upheld an appeal by journalist Anthony McIntyre....[\[click for more\]](#)



On 22 November, 2012, the NUJ informed Anthony McIntyre that complaints had been lodged against him by Ciaran Barnes and Allison Morris, in relation to a blog post written by Mark McGregor published on *The Pensive Quill* in May, 2012.

Mark's post had previously been removed upon an informal request by local NUJ members on behalf of Allison Morris, and the withdrawal of the post by Mark himself. Anthony had not once been contacted by Allison Morris or Ciaran Barnes. Noel Doran, the Editor of the *Irish News*, prior to the approach from local NUJ members, contacted Anthony and threatened to bring legal action against him.

The substance of Barnes' and Morris' complaints revolve around objections to their handling of [Morris' February, 2010 interview with Dolours Price](#). [Barnes's articles, cited by the US Attorney](#) in [court papers](#), led to the issuance of the subpoena of the Boston College Belfast Project archives.

The NUJ Ethics Council's handling of their complaints has been completely amateur, unprofessional, and against the principles of natural justice, violating their own rules on a number of instances.

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### ANTHONY MCINTYRE

There is no coming  
to consciousness  
without pain  
- Carl Jung



## LINKS

Boston College  
Subpoena News

The Irish Republican  
Movement Collection

Newshound

Mick Hall

John Murphy

Maryam Namazie

Workers Republic blog

Ed Moloney

Rushlight Magazine

July 1981

Vol Joe O'Connor - Ten  
Years On

Good Friday: The Death  
of Irish Republicanism

The Blanket

## WATCHING

Sopranos Series 2

Banshee

Jo

Top of the Lake

Luther: Series 3

The Americans

The White Queen

Saving Private Ryan

Enemy of the State

To The Top of the  
Mountain

Europa Blues

Many Waters

Bad Blood

The Blinded man

## READING

Battle At Oldbridge,

This week, Anthony McIntyre was informed that as a result of the complaints of Morris and Barnes, he was suspended from the union for a period of six months. He will be appealing this.

*The Irish News* contacted him Wednesday afternoon and informed him they were writing a story about his suspension in Thursday's paper, [which was published](#) today. Ciaran Barnes has also contacted Mark McGregor's place of employment and informed them he was going to run a story in this week's *Sunday Life*. This is arguably contrary to the [NUJ's rules](#):

**Rule 24 (f)** *Conduct detrimental to the interest of the union shall be deemed to include:*

**(iii)** *The unauthorised disclosure of the confidential business of the union, branch, chapel or other agency of the union;*

**Appx C (xvii)** *The hearing shall be open to all members of the union to attend on production of his/her membership card but he/she shall take no part in the proceedings and shall be bound by the confidentiality of the hearing if applicable.*

**Appx E.12.** *Chapel business shall be private and confidential and disclosure of chapel affairs to outsiders shall be an offence on the part of any member, calling for such disciplinary action as the union rules allow. (Note: According to her letter of complaint, Allison Morris had initiated her complaint as part of Irish News chapel business)*

As such, given that both Barnes and Morris and *The Irish News* have violated the confidentiality of internal union business, tonight *The Pensive Quill* publishes all correspondence in relation to Morris' and Barnes' complaints and the NUJ's handling of the issue. Anthony will be publishing his own analysis of the situation in the coming days. In the meantime, readers can have access to the correspondence and supporting documents for their own information, provided in chronological order below. It is rather lengthy.

---

Tuesday, 22 May 2012, early afternoon:

Noel Doran phones Anthony McIntyre to threaten him with legal action if he does not remove an article written by Mark McGregor. At the time, Anthony was on a bus from Palma airport headed to a hotel in Majorca, a holiday planned to give his children a break from the stress of the Boston College case. The hotel had limited internet access.

---

Text message recieved from Noel Doran at 230pm GMT:

*"Disappointed the dangerous material remains online and that you have not contacted the Irish News. If it is still there at 5pm Irish time legal action is inevitable"*

---

Email sent by Noel Doran on Friday 25 May 13:24, which, due to the limited internet access available, was not opened or read by Anthony until the evening of Sunday the 27th.

*Anthony,*  
*I am very concerned that, despite the approaches made to you, the false allegations which place the live of my colleague at risk remain on your site. Despite your undertaking in the course of our telephone conversation on Tuesday that you would ring me back after taking advice, I have no record of you making any subsequent attempt to contract me. A notice on your site announces that you will not publish libelous comments, so it is hard to understand why you are attempting to stand over material which is blatantly in breach of the laws of defamation and which you are well aware that you have made no effort to check. If the article is question is still in place by 5pm& Irish time today, we plainly will have no option other than to include you in the wider legal proceedings which are already under way.*  
*Noel Doran.*



Former IRA volunteer and ex-prisoner, spent 18 years in Long Kesh, 4 years on the blanket and no-wash/no work protests which led to the hunger strikes of the 80s. Completed PhD at Queens upon release from prison. Left the Republican Movement at the endorsement of the Good Friday Agreement, and went on to become a journalist. Co-founder of *The Blanket*, an online magazine that critically analyzed the Irish peace process.

## COMMENTS

Beano Niblock

A Guide to the Silence of the Irish Other World, Sean Mac Eachaidh

Heart Shaped Box, Joe Hill

Cruel Britannia, Ian Cobain

The Wrong Man, Danny Morrison

In The Footsteps of Anne

Legion Of The Rearguard, Martyn Frampton

The Beginning Of All Things, Hans Kung

The IRA and Armed Struggle, Rogelio Alonso

Ray of Hope, Andrew Lees & Ray Kennedy

## LISTENING

T Rex

Southside Johnny and the Asbury Jukes

Billy Joel

Pink Floyd

Norah Jones

David Bowie

Leonard Cohen

Led Zeppelin

Lynard Skynard

ELO

*a little of this,  
a little of that*



## FOLLOW

Anthony had contacted his lawyer, who advised him to contact Google, as *The Pensive Quill* is hosted in America and protected under the [First Amendment](#). It was a bank holiday weekend in the US, which complicated communications. Google's first response arrived late Monday.

*From: Google Legal Investigations Support  
Sent: Monday, May 28, 2012 5:51 PM  
Subject: Re: [#1038170106] Possible libel action  
Hello,  
We have received your request and are processing it. Please direct all future inquiries to USLawEnforcement@google.com. Emails sent to legal-support@google.com will no longer be accepted as of January 1, 2013.  
Regards,  
Google Legal Investigations Support*

Also on Monday, 28 May, local Belfast members of the NUJ contacted Anthony. This is a record of that approach, and shows the delay between Bob Miller's contacting Seamus Dooley (Wed 23 May), and Kevin Cooper's contacting of Bimpe Archer (Mon 28 May), prior to making any initial contact with Anthony.

*From: photoline (Kevin Cooper Photographer) To: Bimpe Archer NUJ  
Cc: Anthony McIntyre, Anthony Mc Intyre NUJ  
Sent: Mon, 28 May 2012 11:57:56 +0100 (IST)  
Subject: NUJ journalists under threat  
NUJ journalists under threat  
Dear Bimpe,  
I was on my way to Kerry for Sinn Féin Ard Fheis, when you rang on Friday. I have been extremely busy with work, I hope to get e-mailing Anthony sometime today. Have you any up-to-date information or copies of the links in relation to the photomontage? Bob sent me some information, see below.  
All the best  
Kevin.  
Sent from my iPhone*

*Begin forwarded message:  
From: ROBERT MILLER  
Date: 23 May 2012 12:42:16 GMT+01:00  
To: SeamusDooley  
Subject: NUJ journalists under threat  
Reply-To: ROBERT MILLER*

*Hi Seamus,  
Just sent you a copy of a blog repeated on Pensive Quill which puts two NUJ members under threat. Mark McGregor has now put a security lock on his Hearts of Oak and Steel blog. Can we please get Anthony to remove offensive blog from Pensive Quill. Have spoken to Alison Morris this morning in the Irish News and very concerned that the photoshopped image of her in the original blog dressed up in PSNI issue with Press Service Northern Ireland superimposed has put her life in danger. Ciaran Barnes is on holiday but I understand he is seeking legal advice.  
Anthony is in US with Boston College business and asking that journalists lives not be put at risk (ironic). He has been contacted by the Irish News and thinking about pulling the repeated blog.  
Regards,  
Bob*

In the meantime, Allison Morris, using Johnsons Solicitors, contacted Mark McGregor. They informed him that they represented Allison Morris, whom they identified as staff with the *Irish*

[Ardoyne Republican wrote...](#)

Notice my name has been mentioned a few times on TPQ a few times in this debate/discussion a chairde....! don't wish to become involved in this...

[Continue >>](#)

[Alfie Gallagher wrote...](#)

It is troubling that a major Northern newspaper is desperately trying to stifle reasoned scrutiny of the outrageous behaviour of one of its...

[Continue >>](#)

[Larry Hughes wrote...](#)

Journalism, or what passes for it today enables the 'west' to tell the world black is white and to be amazed when people begin to see through...

[Continue >>](#)

[Fionnuala Perry wrote...](#)

Mackers, It still must stick in your claw. All you have come through and been up against and you have to entertain this dribble. Depressing!

[AM wrote...](#)

Nuala, you can only be guided by what you believe in. And for you that has been a mainstay. Abuse goes with the turf.

[Fionnuala Perry wrote...](#)

Mackers, Sad to say I have to agree. But we are what we are and we will continue to be that in spite of the mud slingers from whichever circle.

[AM wrote...](#)

Nuala, the circle that can be ruled out is the circle we used to be in. That is more a circus.

[AM wrote...](#)

Fionnchú, small wonder they say Marxism is the opium of the Marxists. Some tend to be religious when it comes to god Karl. What put me off Marxism was...

[Continue >>](#)

[AM wrote...](#)

STEW has left a new comment on your post "NOT CENSORED BY THE IRISH NEWS"; Daniel/Fido, if there is an article to be published in the any of...

[Continue >>](#)

[AM wrote...](#)

The next comment to follow has been slightly edited

[Fionnuala Perry wrote...](#)

Apologies for the typo should have said in Republican circles. Republican circles I'm starting to wonder what that even means anyone?

[AM wrote...](#)

TPQ reserves the right to edit comments if they are deemed personally abusive. The attempt by

• *Libelous comments will not be published. Do not abuse the Anonymous facility or your posts will no longer be published.*

## POPULAR POSTS



### The Weird World of an Irish News Journalist

Tonight The Pensive Quill carries an opinion piece by Guest Writer Paul Campbell on journalists and online shenanigans The Weird

World ...

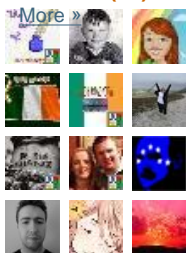


### Take it Down from the Mast

In the wake of last night's anti internment rally some Belfast Felons Club Officials have taken to complaining about the fact that

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News, and that she had instructed them concerning material which he had published on his blog, "Hearts of Oak and Steel".

The letter claimed Mark was liable for damage to Allison Morris' reputation and required him to immediately delete the material and remove any reference to her from his website, and provide a written undertaking to not allow the referenced material on his website at all. It then informed him that Morris reserved the right to issue legal proceedings against him seeking damages without further notice, and signed off that the matter was most pressing.

---

Kevin Cooper of the Belfast NUJ confirms Anthony agreed to remove Mark's post per the informal NUJ request, the same day that he was contacted by members of the NUJ and made aware of their concerns. (Note: America is confused with Majorca):

*From: photoline  
Sent: Monday, May 28, 2012 7:30 PM  
To: Anthony McIntyre ; Anthony Mc Intyre NUJ  
Subject: NUJ members concerns*

*NUJ members concerns*

*Dear Anthony,*

*Thank you for phoning from America and for agreeing to take down the link from your blog page. As I said on the phone it's important to resolve issues between NUJ members by mutual consent.*

*Gerry Carson has just confirm that the NUJ head office acknowledged receipt of our motions, which includes the issue about Boston College and a motion as part of a follow-up from the safety conference last September.*

*Look forward to seeing you when you get back.*

*All the best.*

*Kevin.*

---

That evening Mark also contacted Anthony, informing him that because he had been contacted by solicitors representing Allison Morris, he had deleted everything on his blog about her and Boston College, and that he did this because he couldn't afford to take on litigation, and informed her solicitors he was removing the material without prejudice. He then requested that Anthony also delete his material from *The Pensive Quill*.

---

Following legal advice, Anthony replied to Noel Doran's email the morning of May 29, 2012:

*Noel,  
We have been abroad from the day you first contacted us, and we are still abroad. Your email from Friday was not opened until Sunday. We have made efforts to contact our host server to find out the legal situation, given that our website is hosted in the U.S. and any publication on our website is protected by the First Amendment. It is our understanding that, if litigation were to be pursued, an action would have to be brought in the United States, or under its laws. However as you may be aware it is a U.S. holiday (Memorial Day) which has added to the delay in confirming the legal position with our server. In the meantime, events have overtaken us.  
As you know, we have serious concerns about the matters raised in Mark's article which pertain to the events that led to the issuing of the*

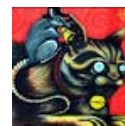
one o...



### No Choice But to Take It: RFE interview with Richard O'Rawe

TRANSCRIPT: Radio Free Éireann interview with Richard O'Rawe, author of Blanketmen

Radio Free Éireann WBAI 99.5 Pacifica Radio New Yo...



### Reporting to London

Back in March a person describing themselves as 'a former director of publicity for Sinn Fein' filed a report to someone in London. It ...

### NOT CENSORED BY THE IRISH NEWS

INSO

ACTION REQUEST : TELL THE IRISH NEWS HANDS OFF THE INTERNET LC/0070000730 4 September 2013 PRIVATE &

CONFIDENTIAL – NOT FOR ...

### I Have a Right to be Angry

Carrie Twomey with a piece she put together for Facebook venting her anger at what she considers unethical behaviour on the part of the Iri...



### Are you being Gagged?

For about a week now I have been nonchalantly anticipating two letters: one from the Ethics Council of the NUJ and the other from a c...

### Making a Bad Situation Worse

Guest writer Mick Hall who blogs at Organized Rage with some thoughts on the Syrian conflict and the type of loyalties it engenders. I ...



### Invertebrate Journalism

Recently I penned a piece about the evident institutional bias at the Irish News whose physical layout and positioning of a news item...



### Peace Processing the Memory of Conflict: Radio Foyle interview with Dixie Elliott

BBC Radio Foyle Breakfast Monday 19 August 2013 Programme Host Enda

McClafferty (EM) interviews former IRA Volunteer Thomas "Dixie"...

*Boston College subpoenas. These reservations still stand.  
Given his financial situation, Mark is in no position to engage in a  
protracted legal battle. He has removed the piece from his website due to  
the threat of legal action from your representatives, and he has requested  
that we also remove his article. As such, we have obliged Mark by  
removing his article from the blog, and we trust that should resolve your  
concerns.  
However, we do so in reliance upon your undertaking not to wax triumphal  
by publishing the removal of the article from our site in the pages of the  
Irish News, or causing that fact to be published anywhere else. If that  
happens, we will be compelled to defend robustly our original publication,  
which would only serve to defeat the object of your threat of legal  
proceedings.  
We remain deeply disappointed in those actions of the Irish News and  
Allison Morris which led to our current legal battle in the United States.  
Anthony*

---

Noel Doran replied the next day:

*From: Noel Doran  
Sent: Wednesday, May 30, 2012 4:02 PM  
Subject: your message  
Anthony,  
I was surprised by the tone of your message, and it is possible that I did  
not express myself directly enough during our previous exchanges. The  
material you included in your website in relation to The Irish News and  
myself is all either factually wrong or completely misleading. You made  
no effort to check any of the allegations with me in advance of  
publication, and as a result you placed the safety of a colleague at  
serious risk. After I first drew my concerns to your attention, it took you  
seven days to remove the article in question. Given that we have spoken  
personally on a number of occasions in the past, and indeed you have  
previously been a contributor to The Irish News, I would be grateful if you  
could indicate why you felt unable to make any approach to me before  
raising very specific and totally false claims about my role as editor of the  
paper.  
Noel Doran.*

---

Anthony did not respond to Noel Doran and nothing further was heard about the matter until  
November, 2012:

*From: Sarah Kavanagh  
Sent: Thursday, November 22, 2012 5:24 PM  
To: mcintyre  
Cc: Ethics Council  
Subject: NUJ rule 24 complaint  
Mr McIntyre,  
Please see the attached correspondence from the NUJ Ethics Council  
regarding a Rule 24 complaint.  
The information has also been posted to you at –  
Drogheda  
Co Louth  
Ireland.  
Please let me know your prefer date for the hearing in Belfast.  
Thanks,  
  
Sarah Kavanagh  
NUJ Ethics Council servicing officer  
  
Attachments: R24 McIntyre letter FINAL*



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[A Better World Dec 2012](#)

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[Nelson CRUJ 24 Add](#)

[PensiveQuill](#)

[McIntyre NUJ 24 Res](#)

[PensiveQuill](#)

[NUJ Rule Book 2011 Ivory Tower - In These Times](#)

[PensiveQuill](#)

[A Better World Projections in USA](#)

[PensiveQuill](#)

[The Rising of the Phoenix](#)

[PensiveQuill](#)

[Rooney](#)

[Ed Moloney](#)

**Attachments: R24 McIntyre letter FINAL**

By Email and Registered Post

November 2012

Dear Mr McIntyre

Rule 24 Complaint

The General Secretary, Michelle Stanistreet, has been contacted by two members of the union who have both raised formal complaints against you alleging you have behaved in a manner contrary to the Union's Code of Conduct, Appendix A clauses 2, 3 and 4.

Attached are the details of the complaints referred to together with a copy of the NUJ Rule book please see Rule 24 and Appendix A and C.

The complaints have been referred to the NUJ's Ethics Council in accordance with Rule 24(b) for investigation. The Ethics Council has decided that it is not appropriate to offer mediation to those involved and will establish a sub-committee of Ethics Council members to hear the complaint in full.

The hearing will be dealt with under Appendix C (5) of the NUJ Rules. You are invited to make representations and or submit documentation to the sub-committee under appendix C (10) and (12).

The Ethics Council sub-committee are able to offer you one of the following dates in which to attend the hearing which will take place in Belfast, the venue and time to be confirmed:

- Wednesday 12 December
- Monday 17 December
- Wednesday 19 December
- Wednesday 16 January
- Wednesday 23 January

Only one of the above dates will be the hearing but the Ethics Council would like to be flexible to accommodate a date most convenient to you.

Please refer to the NUJ Rule Book in regard to procedure for such complaints, in particular Appendix C.

You are entitled to present your own case at the hearing or be represented by a person of your choice. Please note that any expenditure incurred in respect of representation will be your responsibility in accordance with Appendix C (XVI). If you are unable to attend the hearing you may submit a written statement.

Should you require any further information, please contact the Ethics Council by email at: [ethics@nuj.org.uk](mailto:ethics@nuj.org.uk)

We look forward to hearing from you with regard to suitable dates.

Yours sincerely

Chris Frost, Chair of NUJ Ethics Council  
Sarah Kavanagh, Ethics Council Servicing Officer

---

**Rule 24 complaint: Antony McIntyre (1:A)**

Sent: 29 May 2012 17:19

To: General Secretary

Subject: Complaint against fellow NUJ member

Hi Michelle,

My name is Ciaran Barnes. I am a journalist who works for the Sunday Life newspaper based in Belfast.

I've been a member of the union for 11 years. My membership number is: XXXX I am writing to you to lodge a formal complaint about the behaviour of NUJ member Antony McIntyre. I believe he has breached the NUJ code of conduct and I request that the matter be investigated by the ethics council. I believe that by his actions in recent weeks Mr McIntyre has knowingly placed my life in danger.

The background to my complaint is set out below.

On Friday 18 May Antony McIntyre placed the text of a malicious and defamatory article on his Pensive Quill blog that falsely suggested I have been working as a PSNI informant.

This is a dangerous slur given the fact I live and work in Ireland and come from a republican area in Belfast that I still have strong ties to - facts that Antony McIntyre is very much aware of.

Mr McIntyre is also aware, given his background as an IRA prisoner, that people from republican communities suspected of being informants are shot dead or at the very least exiled.

Despite this he still posted the offensive article on his website where it remained for 10 days before being removed on May 28. I welcome its removal, but the fact remains while on Mr McIntyre's blog is widely read and still can be done so using the cached version of

Google.

The article on Mr McIntyre's blog can be found here:

<http://webcache.googleusercontent.com/search?q=cache:VsHHb-NMq04J:thepensivequill.am/2012/05/press-service-of-northern-irelandaward.html+press+service+of+northern+ireland+ciaran+barnes+pensive+quill&cd=1&hl=en&ct=clnk&gl=uk>

The original exists here:

<http://webcache.googleusercontent.com/search?q=cache:ZBVagX9wAXUJ:heartsofoakands-teel.wordpress.com/2012/05/16/press-service-of-northern-ireland-award-winning-beat-forbarnes-andmorris/+press+service+of+northern+ireland+ciaran+barnes&cd=1&hl=en&ct=clnk&gl=uk>

Not only does the article contain numerous slurs against me, which are now subject to legal proceedings, it contained an image of a police officer holding a trophy.

I was deliberately and wrongly identified as the police officer in the caption 'Ciaran Barnes Trophy Cop'.

Again, another malicious lie designed to place my welfare at risk.

The article referred to a story I wrote last year that resulted in a prison unit being closed down, a prison officer being suspended, two governors being suspended and a rapist and murderer being returned to jail.

This story 'Killer Rapist and His Prison Love' was awarded Scoop of the Year at the recent NI Press Awards, an event at which I was named Northern Ireland Print Journalist of the Year.

The five page spread totalled more than 2,000 words.

Yet the jealous author of the article contained on Mr McIntyre's blog took one line from the story, "I started secretly filming them on my mobile phone with the intention of passing it on to the authorities" and misleadingly used that as proof of how I openly admitted working for the authorities. Again another lie.

What he failed to mention was that my story - which came about after I secretly recorded a murderer and rapist holding hands with a female police officer while out on day release - was roundly praised and resulted in this dangerous individual being taken off the streets, the closure of a prison, and suspension of three members of the Northern Ireland Prison Service.

The libellous article that featured on Anthony McIntyre's Pensive Quill then went on to say "perhaps there is a little PSNI officer inside this tabloid journalist?".

I firmly believe that in carrying such a knowingly defamatory article on his Pensive Quill blog Anthony McIntyre has breached the NUJ's Code of Conduct.

He has certainly put the life of a fellow NUJ member at risk as the article wrongly suggested I work for the PSNI, and knowingly captioned a photograph of a PSNI officer with my name, as well as asking the question "perhaps there is a little PSNI officer inside this tabloid journalist?"

At no stage did Anthony try to contact me before or after publication to give me a right to reply or to address the lies directed my way.

This is absolutely shameful and is contrary to all good reporting practice.

I look forward to hearing from you for an update on proceedings.



Yours,  
Ciaran Barnes

**Rule 24 complaint: Antony McIntyre (1:B)**

*Additional information submitted -*

As the Ethics Committee is currently considering my complaint against NUJ member Anthony McIntyre I thought I should make it aware of even more smears made against me by him.

Not only is the statement carried on his website, linked below, wholly libellous and untrue I would ask that the committee look at the comments written below, particularly the one that describes me as a "low-life", and which Anthony has allowed to remain on his website. Like Anthony's previous website posts against me I believe they breach the NUJ's Code of Conduct.

Link: <http://thepensivequill.am/2012/09/statement-by-ed-moloney-former-director.html>

**Rule 24 complaint: Antony McIntyre (2:A)**

*See attached PDF document from Allison Morris dated August 2 2012*

**Rule 24 complaint: Antony McIntyre (2:B)**

*Additional information submitted -*

Because of legal action taken by the Irish News the main article was removed and only remains online in cached form.(link below) I did attach a hard copy version with my letter and can forward further printed copies if required.

<http://webcache.googleusercontent.com/search?q=cache:ZBVagX9wAXUJ:heartsofoakandsitel.wordpress.com/2012/05/16/press-service-of-northern-ireland-award-winning-beat-forbarnes-andmorris/+press+service+of+northern+ireland+ciaran+barnes&cd=1&hl=en&ct=clnk&gl=uk>

<http://sluggerotoole.com/2010/08/25/psnis-media-message-massage/> and this is the previously offensive article the link for which was also posted on Mr McIntyre's blog.

I was neither informed prior to publication or offered a right to reply. I am really concerned for my safety if this is allowed to continue and I'm relying on the support of the union on this matter.

<http://thepensivequill.am/2012/09/statement-by-ed-moloney-former-director.html>

---

**AC letter for pack: Allison Morris' complaint**

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[The Rising of the Phoenix](#)

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Michelle Stanistreet

General Secretary

NUJ

308-312 Gray's Inn Road,

London,

WC1X 8DP

August, 2, 2012 (Stamped 6 August 2012)

Dear Ms Stanistreet,

I am an NUJ member and belong to the Irish News Chapel, which is affiliated to the Belfast and District Branch.

I wish to make a complaint that NUJ and fellow Belfast and District member Anthony McIntyre has breached our union's Code of Conduct and I wish this complaint to be investigated by the Ethics Council.

I make this complaint under Rule 24.

My complaint is backed by my chapel which passed a unanimous motion of support following a full chapel meeting.

I believe Mr McIntyre has breached three of the NUJ codes and in doing so has placed my life at risk.

The codes in question are:

**Strives to insure that information disseminated is honestly conveyed, accurate and fair**

**Does his/her utmost to correct harmful inaccuracies**

**Differentiates between fact and opinion**

## **STATEMENT**

For the past two years a blogger by the name of Mark McGregor had made a series of malicious comments regarding my work on various websites including his own blog 'Hearts of Oak and Steele'

As Mr. McGregor would not be widely known nor his blog widely read I was concerned but decided not to draw attention to it as it seemed counter-productive.

However, in May 18 he published a post over 1,000 words long containing, untrue defamatory and dangerous claims about my work which have put me at risk in my role as a journalist.

I detail these further on in this statement.

This article was then carried in full on NUJ member Anthony McIntyre's blog 'The Pensive Quill'. (attached)

As a high-profile journalist who has come to even wider public knowledge through his current involvement in the Boston College case, his site is much more widely read.

The material published by Mr. McIntyre on his blog called me "the PSNI's favourite journalist" implying that I am some sort of police informer.

It was also accompanied by a picture of a policewoman receiving an MBE with the caption "Allison Morris receives an award".

As a working journalist covering crime and security I am often on the ground during demonstrations, riots and volatile situations, I also have regular contact with members of armed paramilitary groups.

To suggest any journalist works for the police is a serious defamatory matter, however, in Northern Ireland to suggest do so places me in a very dangerous position and I was stunned that it would be made by a fellow union member with whom I had previously only had professional and courteous dealings.

May I also stress that this allegation is also completely untrue. I do not and have never worked for the police or passed on any information to them.

At no point did Mr. McIntyre contact me before publishing these damaging allegations as is expected under **Point 2** of the code of conduct. He has no evidence on which to base these wholly inaccurate allegations and I contend he knew this when he published them.

I believe his motive was malicious as can be seen from the tone of the article, which I have attached in full for your consideration.

The tone is plainly one of a personal attack.

Details in this article are also clearly presented as fact when there is no basis for any of the claims and at best they could be described as malicious opinion, which I submit, contravenes **Point 4** of the code.

In fact the entire article contains untruths dressed up as fact which call into question my ethics and work practices.

This includes claims that during an interview I carried out with former IRA woman Dolours Price in her Dublin home in 2010 her son arrived home "realised what was happening and that his mother was in no fit state to be interviewed and asked Morris to leave."

This did not happen I interviewed Ms Price by prior arrangement and acted professionally throughout, I was with a photographer who can corroborate this was the case.

Her son never asked me to leave and neither Mr McIntyre nor his source Mr McGregor approached me to ask check whether this was true or ask for a response before publishing, as would be expected in Point 2 of the code, despite the fact the Irish News contact details are freely available.

*"The editor of the Irish News agreed to a compromise with the Price family that 'the juicy bits' would not be used."*

This is a conversation Irish News editor Noel Doran is supposed to have had with an unnamed member of the Price family which in fact never took place. Again this was not checked with the Irish News before published by Mr McIntyre.

*"As if that isn't bad enough, Allison Morris, the PSNI's favourite journalist, is back in this game."*

This line, which referred to a legitimate, accurate and balanced story I wrote for the paper and went through the Irish News's usual editorial process, provided an online link directing people to another malicious article, again implying I receive special treatment from the PSNI.

My employers at the Irish News, issued legal proceedings on my behalf against Mark McGregor on May 23 and out of courtesy contacted Mr McIntyre on May 22 to inform him of the legal action and ask that he voluntarily remove the material rather than be subjected to the same action.

This would have been the point where to adhere to **Point 3** of the code, Mr McIntyre could have removed the harmful article and replaced it with with an accurate, balanced and factual posting which included the reaction from me which is co clearly lacking from the one in question.

Instead, while Mr McGregor removed the offending material on receipt of the solicitor's letter, Mr McIntyre did not and it remained on his site for another week.

At the time I informed Bob Miller of my concerns and was advised to contact Seamus Dooley which I did by email.

Seamus said he had passed my email on to the NUJ lawyer for observation, but suggested Bob might try an informal approach as a more "expeditious way of dealing with the matter."

Eventually on May 29, Mr McIntyre did remove the material having been contacted on an informal basis by members of the Belfast and District Branch.

However, even then he did so in what I submit is very bad faith, sending my editor an email saying it had only been removed because of the legal action and quoting the US First Amendment, which he claimed gave him the right to publish what he liked.

I have attached a copy of the email for your information.

Mr McIntyre said that he had removed the article because the author wasn't in a financial position to engage in a legal battle -not because it contained inaccuracies, libels and dangerous assertions which had been pointed out to both men.

He also included the statement: **"we do so in reliance upon your undertaking not to wax triumphal by publishing the removal of the article from our site in the pages of the Irish News or causing that fact to be published anywhere else. If that happens, we will be compelled to defend robustly our original publication, which would only serve to defeat the object of your legal proceedings"**

This I submit is further evidence of both his bad faith and a contravention of **Points 2,3 and 4** of the code.

I wish the ethics committee to take into account that as a result of Mr McIntyre's actions in publishing this material I have been prohibited from doing my duties. I have been unable to report from certain events due to fears for my safety and been harassed in the street by people accusing me of working for the police.

These untrue allegations made against me have been widely circulated on other Internet forums as a result of Mr McIntyre's publication.

Mr McIntyre, as a former IRA prisoner, is well aware of the consequences of implying I work for the PSNI. However, he chose to ignore this and publish the dangerous material regardless.

Despite being an NUJ member he disregarded even the most basic journalistic standards, by neither informing me he was intending to publish this material or offering me a right to reply.

On a more personal note I am a working single parent and my personal safety and therefore my family have been placed at risk.

I am shocked that throughout this Mr McIntyre had attempted to court public sympathy by claiming he is at risk if the Boston tapes are released while at the same time unapologetically putting my life at risk.

As an NUJ member Mr McIntyre has by his actions in collaborating with a fellow blogger Mark McGregor placed my life at risk and prevented me from carrying out my duties as a working journalist. Without this I have no means of supporting myself or my family.

This situation has placed enormous personal strain on me and I hope that as a union member who has been harassed and defamed and placed at risk by a fellow member that this will be treated with the seriousness it warrants.

I joined the union because I believe in solidarity and to be treated with such contempt and have my life and livelihood endangered by a fellow member has been horrifying.

If no sanction on Mr McIntyre results from this then what solidarity and what standards can there be within the NUJ. We will start to rot from within.

Thank you for the opportunity of a fair hearing.

Yours sincerely,

Allison Morris



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### Anthony McIntyre's First Response to the NUJ

3 December, 2012

Re: NUJ Rule 24 Complaint

BY EMAIL (READ RECEIPT REQUESTED) AND REGISTERED POST

Chris Frost, Chair of NUJ Ethics Council

Sarah Kavanagh, Ethics Council Servicing Officer National Union of Journalists

Headland House

308 Grays Inn Road

London WC1X 8DP

Dear Mr. Frost and Ms. Kavanagh,

I am writing in response to your letter dated 22 November, 2012, informing me of the Ethics Council decision to hold a hearing into the Rule 24 Complaint submitted by Ciaran Barnes and Allison Morris on May 29, 2012 and August 2, 2012 respectively.

I object to this on a number of grounds, not least because according to the NUJ Rules (2011) which was enclosed with your letter, the complaint submitted by Mr. Barnes and Ms. Morris is beyond the 10 weeks time limit for consideration and is therefore lapsed.

In addition, this is the first I have heard of any Rule 24 Complaint being lodged against me and the Ethics Council has made the decision to proceed with a hearing without inviting any prior response from myself on the matter.

The Ethics Council has also rejected any consideration of mediation between parties on the issue without first consulting with myself, the respondent to the complaint.

All of this is highly unfair and in contradiction of the NUJ Rules (2011) as set out in Appendix C, Sections (2), (3), (5), (10), and (12).

Specifically, I object on these grounds:

- Due Process: Lack of due process/right to a fair hearing. The Ethics Council must establish that proper procedures have been followed before it set this matter down for a hearing. Because the complaint has not been properly initiated in accordance with NUJ Rules (2011), the Ethics Council request for a hearing has not been properly constituted;
- Sub Justice: The issue in question is sub justice. The Ethics Council has no authority to determine if any material is defamatory or not;
- Ethics: The material in question, which the complainants seek to suppress, had itself raised questions regarding journalistic ethics. Had there been a Written Complaint that properly followed procedure, I would have had the opportunity to respond with a defence and with a counter claim raising issues of the ethical behaviour of Mr. Barnes and Ms. Morris with regard to the interview of Dolours Price published February 2010 which led to the issuance of subpoenas for the protected confidential materials held in Boston College;
- Relevance: Any material was published in my capacity as a blog publisher, not as a journalist;
- Compliance: I have already taken every step to reduce any alleged threat to my fellow journalists;
- Conclusion: Therefore, the Rule 24 Complaint should not be considered and should be dismissed.

Please find enclosed a more detailed examination of the grounds of objection outlined, along with relevant documents attached.

Before any hearing date is agreed to, my concerns should be considered and addressed, and the Rule 24 Complaint should be summarily dismissed.

As an Ethics Council hearing has not been properly constituted, a hearing should not proceed or continue in my absence. This should not be taken as an attempt to avoid a properly constituted hearing on my part, if such a properly constituted hearing is ever scheduled. I strongly object to any hearing proceeding in my absence.

Respectfully yours,  
Anthony McIntyre  
NUJ Member,  
Belfast and District Branch

Enclosures: 12

Anthony McIntyre Response to Rule 24 Complaint from Ciaran Barnes & Allison Morris

Attachment 1: [Morris, Irish News, 18 Feb 2010](#)

Attachment 2: Morris, Irish News, 19 Feb 2010 (in 2 files)

Attachment 3: [Barnes, Sunday Life, 21 Feb 2010](#) (in 4 files)

Attachment 4: [US Government Opposition to Motion to Quash](#) (paragraph 2, page 4)

Attachment 5: [US Government Exhibit 1 Barnes, Sunday Life](#)

Attachment 6: [US Government Exhibit 2 Morris, Irish News](#)

Attachment 7: [Trustees of Boston College Reply to US Government](#) (section 4, page 6)

Attachment 8: [Ed Moloney sworn affidavit, Boston](#) (paragraph 31, page 10)

Attachment 9: [Anthony McIntyre sworn affidavit, Boston](#)

Attachment 10: [Ed Moloney sworn affidavit, Belfast](#)

Addendum: NUJ Support in Boston College Case

cc:

Michelle Stanistreet, NUJ General Secretary

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## Anthony McIntyre Response to Rule 24 Complaint from Ciaran Barnes & Allison Morris

### Anthony McIntyre Response to Rule 24 Complaint from Ciaran Barnes & Allison Morris

The response from Anthony McIntyre to the Rule 24 Complaint from Ciaran Barnes & Allison Morris is as follows:

- 1) **Due Process:** Lack of due process/right to a fair hearing. The Ethics Council must establish that proper procedures have been followed before it set this matter down for a hearing. Because the complaint has not been properly initiated in accordance with NUJ Rules (2011), the Ethics Council request for a hearing has not been properly constituted;

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[Ed Moloney](#)

## Anthony McIntyre Response to Rule 24 Complaint from Ciaran Barnes & Allison Morris

The response from Anthony McIntyre to the Rule 24 Complaint from Ciaran Barnes and Allison Morris is as follows:

1. **Due Process:** Lack of due process/right to a fair hearing. The Ethics Council must establish that proper procedures have been followed before it set this matter down for a hearing. Because the complaint has not been properly initiated in accordance with NUJ Rules (2011), the Ethics Council request for a hearing has not been properly constituted;
2. **Sub Judice:** The issue in question is sub judice. The Ethics Council has no authority to determine if any material is defamatory or not;
3. **Ethics:** The material in question, which the complainants seek to suppress, had itself raised questions regarding journalistic ethics. Had there been a Written Complaint that properly followed procedure, Mr. McIntyre would have had the opportunity to respond with a defence and with a counter claim raising issues of the ethical behaviour of Mr. Barnes and Ms. Morris with regard to the interview of Dolours Price in Feb 2010 which led to the issuance of subpoenas for the protected confidential materials held in Boston College;
4. **Relevance:** Any material was published in Mr. McIntyre's capacity as a blog publisher, not as a journalist;
5. **Compliance:** As pointed out, Mr. McIntyre took every step to reduce any alleged threat to his fellow journalists;
6. **Conclusion:** Therefore, the Rule 24 Complaint should not be considered and should be dismissed.



**1) Due Process: Lack of due process/right to a fair hearing. The Ethics Council must establish that proper procedures have been followed before it set this matter down for a hearing. Because the complaint has not been properly initiated in accordance with NUJ Rules (2011), the Ethics Council request for a hearing has not been properly constituted**

*Rule 24 Discipline*

*(b) The Ethics Council shall be empowered to receive from branches, and union members, complaints about the work or behaviour of union members or about the conduct of candidates in union elections which, in the complainants' view, contravenes the code of conduct. If **after due inquiry, in accordance with the procedures and time constraints laid down in Appendix C**, the Ethics Council is of the opinion that a member has been guilty of a breach of the union's code of conduct, it may reprimand the member or refer the matter to the NEC with a recommendation to impose one or more of the penalties outlined in clause (a) of this rule.*

The due inquiry in accordance with the procedures and time constraints as laid down in Appendix C has not been followed by the Belfast and District Branch or the Ethics Council. As such the request for a hearing is not properly constituted and the Rule 24 complaint should be dismissed.

*Appendix C - Disciplinary proceedings*

*(2) A complaint laid by resolution of a chapel, shall remain the property of the chapel, which shall elect a representative to handle the complaint.*

According to Ms. Morris's letter of complaint dated 2 August, 2012:

*"My complaint is backed by my chapel which passed a unanimous motion of support following a full chapel meeting."*

No such motion of support has been submitted as part of this complaint and no representative of the chapel is handling this complaint as mandated by Appendix C (2).

*(3) For individually laid and chapel complaints, it shall be the duty of the complainant's branch to decide whether a case has been made out for examination by the NEC, unless the Respondent is a member of another branch.*

Mr. McIntyre is a member of the same branch as Mr. Barnes and Ms. Morris. As Ms. Morris has sought the support and endorsement of her chapel, it should have been a matter for the Belfast and District Branch to decide whether a case has been made out for a hearing or not. The Belfast and District Branch has not been involved in the Ethics Council move to hold a hearing into this complaint. Nor has Mr. McIntyre been informed of this case or had any opportunity to respond.

*(10) No action shall be taken against any member unless that member has been given an opportunity to defend himself/herself, as detailed in this appendix.*

Mr. McIntyre has not been given an opportunity to defend himself, as detailed in the Appendix. The complaints were initiated in May, 2012; Mr. McIntyre's input was first sought some six months later in November, 2012, when the Ethics Council called for a hearing. The complainants leapfrogged over the Belfast and District Branch, had their complaints conflated, added additional information to the complaint, and the Ethics Council unfairly decided that mediation was not an option, all without any response or input from Mr. McIntyre. Mr. McIntyre clearly has not had any opportunity to defend himself and the complaint has not been handled in line with the principles of natural justice.

*12) Procedure for dealing with complaints against members for alleged conduct detrimental to the interests of the union*

*(i) Every effort will be made to ensure that every stage of these proceedings is conducted in accordance with the principles of natural justice and members of the NEC, Ethics Council and the Appeals Tribunal hearing complaints and appeals should receive appropriate training on equal opportunities and conciliation and dispute resolution.*

According to Appendix C, Section 12 (i), there are several violations where Mr. McIntyre has not been afforded his rights in the handling of this complaint.

Ms. Morris details in her letter of complaint that Mr. McIntyre was only ever approached by the union *informally* - i.e., the complaint(s) did not follow set procedures. Mr. McIntyre complied with the informal request to remove material at that time. Mr. McIntyre has not, until receipt of the November 22, 2012 email from the Ethics Council, been invited to respond in any formal manner to either of the complaints, nor was he made aware of either complaint until receipt of the same email from the Ethics Council ordering him to attend a hearing.

See further:

*Sec 12 (ii) A complaint against a member shall be submitted in writing to the complainant's branch secretary.*

The Complaint was initiated in correspondence from Mr. Barnes on 29 May, 2012, and Ms. Morris on 2 August, 2012 (stamped received 6 Aug), and sent directly to the NUJ General Secretary Michelle Stanistreet; an undated additional submission from Mr. Barnes to the General Secretary appears to have been attached after Ms. Morris's August complaint. Both complaints were sent to the General Secretary – not to the Belfast and District Branch Secretary – as required by Section 12 (ii). Mr. McIntyre is a member of the same branch as Mr. Barnes and Ms. Morris, the Belfast and District Branch. It is unknown why or how both complaints became conflated, and why Mr. Barnes was allowed to attach further material to Ms. Morris's complaint, without Mr. McIntyre being made aware of the existence of either complaint or having the ability to respond to any complaint.

*Sec 12 (iii) That branch secretary shall send a copy of the complaint to Respondent giving at least 14 days' notice in writing of a hearing of the complaint before the branch or a committee appointed by the branch for this purpose.*

No copy of the complaint was forwarded to Mr. McIntyre pursuant to the provisions of Section 12 (iii). The copy of the complaint was not forwarded by The Belfast and District Branch Secretary to Mr. McIntyre with 14 days notice of a hearing. The first formal notification of any complaint Mr. McIntyre received from the Ethics Council was in November, 2012. Mr. McIntyre was not given any opportunity to have a hearing or committee in Branch.

Informally, as described by Ms. Morris in her letter, Mr. McIntyre was made aware of a complaint made by her to her chapel, at the end of May, 2012, via a mobile phone conversation with NUJ member Kevin Cooper. The subject of the complaint was dealt with informally; there was never any Written Complaint forwarded from the Branch Secretary to Mr. McIntyre, and no hearing of that Written Complaint before a Branch Secretary or committee. Ms. Morris's concerns were dealt with informally at the request of Ms. Morris working through Bob Miller and Mr. Cooper, as described by Ms. Morris in her letter of complaint date 2 August, 2012, quoted below.

Upon consultation with Mr. Cooper of the NUJ, Mr. McIntyre complied with Ms. Morris's request to remove Mr. McGregor's blog post. That was the last Mr. McIntyre heard about the issue. He was neither contacted by Mr. Barnes, nor anyone else from the NUJ or elsewhere on Mr. Barnes' behalf, and was completely unaware of any complaint having been lodged against him by either Mr. Barnes or Ms. Morris until the Ethics Council emailed him on 22 November, 2012. He has also not received a copy of the Ethics Council letter by registered post.

From Ms. Morris's 2 August, 2012 letter to the General Secretary:

*"My employers the Irish News, issued legal proceedings on my behalf against Mark McGregor on May 23 and out of courtesy contacted Mr. McIntyre on May 22 to inform him of the legal action and ask that he voluntarily remove the material rather than be subject to the same action.*

*[...]*

*At the time I informed Bob Miller of my concerns and was advised to*

*contact Seamus Dooley which I did by email. Seamus said he had passed my email on to the NUJ lawyer for observation, but suggested Bob might try an informal approach as a more "expeditious way of dealing with the matter." Eventually on May 29, Mr. McIntyre did remove the material having been contacted on an informal basis by members of the Belfast and District Branch."*

Mr. McIntyre was abroad on holiday when this issue arose and did comply with the request to remove the material.

As Ms. Morris had freely made the choice to use informal channels to resolve her complaint, and Mr. McIntyre complied with her request as conveyed to him, her 2 August, 2012 Rule 24 complaint to the General Secretary, Michelle Stanistreet, is frivolous and constitutes a harassment of Mr. McIntyre.

***Sec 12 (v) A complaint will be considered within 10 weeks of the date of receipt by the branch secretary, in default of which the complaint shall lapse.***

No Written Complaint was ever considered by the Belfast and District Branch Secretary (*Appendix C 12 (ii) A complaint against a member shall be submitted in writing to the complainant's branch secretary*), as far as Mr. McIntyre is aware. Even if a Written Complaint had been considered, on 22 November 2012, the Ethics Council emailed Mr. McIntyre to inform him of the complaint and hearing, a full 25 weeks from the date of Mr. Barnes's letter of complaint sent to the General Secretary and 15 weeks after the date of receipt by the General Secretary of Ms. Morris's complaint.

According to Appendix C Sec 12 (v) of the NUJ Rulebook 2011, even if a Written Complaint had been initiated, both complaints would have lapsed and Mr. McIntyre has no case to answer.

*Sec 12 (vi) The secretary of the branch hearing the case shall invite written depositions from the complainant, respondent, witnesses and any other relevant parties. On consideration of these written depositions a decision will be taken as to whether or not a case has been made out for examination by the NEC.*

The Respondent was never invited to provide any Written Deposition. No Written Depositions were ever considered by the Belfast and District Branch Secretary. The Ethics Council, outside the time limits mandated in Sec 12 (v), contacted Mr. McIntyre without his having had any formal opportunity as outlined above to respond to the complaints at Branch level or otherwise.

The only arguments considered before the case has been scheduled by the Ethics Council have been Mr. Barnes's and Ms. Morris's.

*Sec 12 (vii) If the branch or committee hearing the complaint decides there is a case to answer, the complaint shall be forwarded, with the written depositions and an account of the hearing, to the General Secretary for investigation by the NEC. If the decision is that there is no case to answer, the depositions and an account of the hearing of the complaint shall still be sent to the General Secretary.*

No Branch or Committee hearing has ever taken place regarding the complaint. The complainants leapfrogged to the General Secretary in violation of the procedures, including Appendix C, Section 2 procedures. A motion was allegedly passed by Ms. Morris's chapel, but the Respondent, Mr. McIntyre, has not been provided a copy of this motion. Whatever decisions have been taken have been without the required input from the Respondent, Mr. McIntyre.

*(x) Upon receipt of a branch decision, the NEC shall take such action as it deems appropriate, including attempts to bring about a conciliation of the parties to the complaint. Even if the complaint has been laid by the NEC, the NEC may still attempt to settle the issue by conciliation.*

*(xi) Should conciliation attempts fail, the NEC may decide to hold a formal hearing of the complaint.*

No attempt at conciliation as outlined in Sec 12 (x) & (xi) was offered prior to this matter going straight to an Ethics Council hearing, without any input from Mr. McIntyre.

Not only has no attempt at conciliation occurred; mediation has been ruled out without any input from Mr. McIntyre.

The Ethics Council must first receive a Branch decision and attempt to bring about conciliation. Whereas the Ethics Council may still attempt conciliation, Mr. McIntyre has already taken all steps necessary to comply with the informal request from Union representatives. The Ethics Council has had no Branch decision on which to base its determination that no conciliation is possible, nor any input from Mr. McIntyre. This is a violation of the principles of natural justice.

*(xii) Every effort should be made to fix a hearing date that is convenient to all the parties involved. Should no such suitable date be found within the time limits laid down by this appendix, or should the panel believe that no date will be agreeable because either party is attempting to avoid a hearing then the hearing may proceed on the basis of the written depositions and such witnesses as may be called.*

As an Ethics Council hearing has not been properly constituted, a hearing should not proceed or continue in the absence of Mr. McIntyre. This should not be taken as an attempt to avoid a properly constituted hearing on the part of Mr. McIntyre, if such a properly constituted hearing is ever scheduled.

**2) Sub Judice: The issue in question is *sub judice*. The Ethics Council has no authority to determine if any material is defamatory or not**

The issue as to whether Mr. McGregor's blog post was defamatory or not falls under the jurisdiction of the High Court; the Ethics Council cannot make any determination or judgement regarding the alleged libellous or defamatory nature of the post. Furthermore, the Ethics Council cannot just accept at face value Mr. Barnes's or Ms. Morris's allegations that Mr. McGregor's blog post is defamatory in the absence of a High Court decision.

The Ethics Council is not entitled to make a ruling regarding whether or not Mr. McGregor's blog post is defamatory because this is *sub judice*; the complainants are obliged to explain to the Ethics Council the status of their threats of legal proceedings in this matter. According to Mr. Barnes's letter of complaint dated 29 May, 2012, Mr. McGregor's blog post is "now subject to legal proceedings". Presumably the legal proceedings have been initiated, and as yet there has been no finding by any court that Mr. McGregor's blog post was libellous or defamatory. According to both Mr. Barnes's and Ms. Morris's letters of complaint, legal proceedings issued for defamatory actions are ongoing, and the matter must be considered *sub judice*.

If legal proceedings are not yet in being, then the complainants have an obligation to let the Ethics Council and Mr. McIntyre know what is the status of the threatened proceedings. If there are no proceedings at the moment, the fact that both complainants have alleged that the information is libellous and defamatory means they may contemplate proceedings in the future, which precludes the Ethics Council from making any decision regarding the defamatory nature of the information.

The complainants cannot be permitted to use the Ethics Council as a vehicle to determine whether or not information is libellous or defamatory.

This lack of crucial information adds to why the principles of natural justice and the procedures as established by the NUJ Rules (2011) are so important. All of this could have been clarified before the Rule 24 Complaint went to the Ethics Council if proper procedures had been followed.

To be clear:

1. Both Mr. Barnes and Ms. Morris claim legal proceedings are involved – it has not been established if they are ongoing, or if they have ended, or whether the complainants intend to commence proceedings at a later point before the statute of limitations runs out;
2. It is inappropriate for the Ethics Council to be used as a vehicle to make a ruling on whether or not an article is defamatory, when legal proceedings have been threatened;
3. The Respondent finds it offensive that the complainants allege unethical behaviour, while simultaneously seeking to restrict free speech contrary to Rule 1 of the Code of Conduct which states that a journalist “At all times upholds and defends the principle of media freedom, the right of freedom of expression and the right of the public to be informed.”

As the heart of the complaints brought forth by Mr. Barnes and Ms. Morris, whose own ethical behaviour has been highly questionable, is *sub judice*, the Ethics Council has no authority to determine if the material under complaint is defamatory or not.

**3) Ethics: The material in question, which the complainants seek to suppress, had itself raised questions regarding journalistic ethics. Had there been a Written Complaint that properly followed procedure, Mr. McIntyre would have had the opportunity to respond with a defence and with a counter claim raising issues of the ethical behaviour of Mr. Barnes and Ms. Morris with regard to the interview of Dolours Price in Feb 2010 which led to the issuance of subpoenas for the protected confidential materials held in Boston College**

The Respondent understood the substance of Mr. McGregor’s blog post to be a satirical examination of an observed pattern of published working behaviour in regards to Mr. Barnes and Ms. Morris. Mr. Barnes’s and Ms. Morris’s objections to the use of obviously satirical images are not relevant to any complaint against Mr. McIntyre as he did not reproduce the images on his blog. *The Pensive Quill* only reproduced the text of the blog post, which could be considered fair comment on, or observation of, the published work of Mr. Barnes and Ms. Morris. The main contentions in the blog post, which related to Mr. Barnes’s and Ms. Morris’s articles about Dolours Price, were written by former *Sunday Tribune* Northern Ireland editor and respected journalist Ed Moloney, not Mr. McGregor or Mr. McIntyre.

The origins of the complaints of Mr. Barnes and Ms. Morris stem from a 2010 interview Ms. Morris conducted with former IRA member, Dolours Price, which Ms. Morris shared with Mr. Barnes.

- Ms. Price was an outpatient of St Patrick’s Hospital in Dublin at the time of her interview with Ms. Morris and heavily medicated. She was being treated for Post-Traumatic Stress Disorder, severe depression, alcoholism, and other ailments, all of which Ms. Morris and her editor, Noel Doran, were made aware. Ms. Price is currently still undergoing treatment for her illnesses.
- At the time of her interview with Ms. Morris, Ms. Price’s family claim they requested that Ms. Morris leave the premises, and were in discussions with Ms. Morris’s editor about Ms. Price’s health and requested that the interview be terminated and not published, due to her ill-health, her medicated state, and the strain it was placing on her family.
- Upon information and belief, and contrary to Rule 6 of the Code of Conduct, Ms. Morris, upon the advice of her editor, did not terminate the interview, and a front page splash about her encounter with Ms. Price was published in the Irish News on Thursday, 18 February, 2010. (Attachment 1)
- The next day, a further front page article by Ms. Morris, this time interviewing Sinn Fein president Gerry Adams about allegations published in Ms. Morris’s articles about Dolours Price, was published in the Irish News (Attachment 2).

Upon information and belief, Ms. Morris shared with Mr. Barnes a tape recording of her interview of Ms. Price, and on the Sunday following, 21 February, 2010, Mr. Barnes had a four-page splash in a rival paper, *The Sunday Life*, featuring Ms. Price and her allegations about Mr. Adams’s involvement in the disappearance of Jean McConville (Attachment 3).

Upon information and belief, and contrary to Rules 2 and 5 of the Code of Conduct, to conceal Ms. Morris as Mr. Barnes's source for his stories, he wrote:

- "In a taped confession Old Bailey bomber Dolours Price has admitted driving the mum-of-10 to her death."
- "Sunday Life has heard tape recordings made by Price in which she details the allegations against Adams and confesses her own involvement in a series of murders and secret burials."
- "In her tape recorded confession, which Sunday Life has heard, Price claims that Adams played a key role in disappearing victims."
- "Price, who has made taped confessions of her role in the abductions to academics at Boston University, will relay this information to ICLVR investigators later this week"
- "Price recently gave a series of interviews to academics from Boston University about her role in the IRA. These include admissions about her role in transporting some of the disappeared to their deaths."

These articles by Barnes formed the basis of a subpoena served on Boston College in May, 2011.

According to court papers filed by the U.S. Attorney (Attachment 4):

*"Ms. Price's interviews by Boston College were the subject of news reports published in Northern Ireland in 2010, in which Ms. Price admitted her involvement in the murder and "disappearances" of at least four persons whom the IRA targeted: Jean McConville, Joe Lynskey, Seamus Wright, and Kevin McKee. See Exhibits 1 and 2. Moreover, according to one news report, the reporter was permitted to listen to portions of Ms. Price's Boston College interviews. Id." – Page 4, U.S. Government's Opposition to Motion to Quash [Exhibits 1 and 2 are Morris's and Barnes's Price articles (Attachments 5 & 6).]*

The Trustees of Boston College, in response to the U.S. Attorney, strongly disputed the suggestion that anyone had access to the Dolours Price archive held in the Burns Library at Boston College [Sec 4, page 6 of Boston College's reply to the Government's Opposition to the Motion to Quash (Attachment 7)]:

*"4. Dolours Price had no ability to, and did not, disclose tape-recordings of her Belfast Project interviews to a newspaper reporter. To sow doubt whether Dolours Price in fact expected and relied on the confidentiality of her Belfast Project interviews, the Government mistakenly asserts that "according to one news report" a reporter has been "permitted [by Dolours Price] to listen to portions of Ms. Price's Boston College interviews" (Gov. Op. at 4, citing Exs. 1 and 2 to the Government's Opposition). The Government's sole support for this mistaken assertion is a news clipping (Exhibit 1 to the Government's Opposition) of an article in the February 21, 2010, edition of Sunday Life, a small Belfast weekly newspaper (Moloney Affidavit (D. 5-5), ¶ 31). But that article does not say that the tape recordings heard by the reporter were from Dolours Price's Belfast Project interviews. The Government assumes that the article's report of the reporter hearing certain tape recordings of Dolours Price (Ex. 1, ¶¶ 3, 7, and 20) refers to the same tape recordings that the article later describes as Dolours Price's "taped confessions of her role in the abductions to academics at Boston University [sic]" (id., ¶ 30). That assumption is wrong. Anthony McIntyre, the person who interviewed Dolours Price for the Belfast Project, swears that neither Dolours Price nor any of the others he interviewed for the Belfast Project were provided the tape recordings of their interviews (McIntyre Affidavit (D. 5-4), ¶¶ 10 and 14). In his affidavit in support of Boston College's Motion to Quash, the Director of the Belfast Project, Ed Moloney, explains that Dolours Price gave a tape-recorded interview to a reporter for a different newspaper, the Irish News, that the tapes of that interview were passed on to a reporter for*

*Sunday Life, and that it is the tape recordings of Dolours Price's interview with the Irish News that the Sunday Life reporter apparently was allowed to hear (Moloney Affidavit (D. 5-5), ¶ 31).*

*There is no evidence that Dolours Price has disclosed the tapes of her Belfast Project interviews to anyone."*

- Mr. McIntyre is under oath in both the U.S. court system and in the Belfast High Court, where a petition for a Judicial Review on the issuance of the subpoena was undertaken in October 2012 (Attachment 9).
- Further, Mr. Moloney is also under oath in both jurisdictions on this matter, and in the Belfast court divulged under oath that in Ms. Price's oral history interviews with Mr. McIntyre for Boston College, the case of Jean McConville was not once mentioned, making it completely impossible for Mr. Barnes to have based his reporting on the Boston College archives of Ms. Price, as his Sunday Life articles implied (Attachments 8 & 10).

Ms. Morris's sharing of the interview she conducted with Ms. Price, who was being treated for mental illnesses and heavily medicated at the time, with Mr. Barnes, and Mr. Barnes's subsequent concealment of Ms. Morris as his source, led directly to U.K. authorities enacting a Mutual Legal Assistance Treaty (MLAT) request for the United States government to issue a subpoena on the Burns Library at Boston College seeking confidential historical materials. This has given rise to an international political and legal fight involving three countries that is still ongoing. Mr. McIntyre, in order to protect his confidential research, and the rights of journalists to protect their sources, has brought suit against the Attorney General of the United States, which is currently pending at the level of the Supreme Court of the United States.

In spite of the international furore created by their actions, neither journalist has taken any step to correct the record, contrary to their obligations under Rules 2 and 3 of the Code of Conduct.

Ms. Morris and her editor, Mr. Doran, have admitted that the PSNI did not seek, much less subpoena, anything in relation to her interview with Ms. Price until June, 2011 – after papers were lodged in the United States courts by the Trustees of Boston College pointing out that the basis of the MLAT requested subpoena was flawed.

*"In fact, The Irish News was approached by the PSNI in June this year. The police were informed I had not retained any material in relation to my discussion with Ms. Price and had nothing further to add to what had appeared in The Irish News in February 2010." – Allison Morris, 'Traumatic testimony proves troublesome', The Irish News, Wednesday, October 19, 2011*

*"We were contacted by the PSNI some 16 months after our report about Dolours Price. Detectives routinely approach the main Belfast-based news organisations in connections with various investigations, and it is our policy to observe our responsibilities as both journalists and citizens in this regard. Accordingly, we informed the detectives both personally and in writing that we fully stood over our coverage of February 18, 2010, but we were no longer in possession of any research material which could possibly be of relevance to their inquiries. We have not subsequently heard from them." – Noel Doran, 'Irish News Responds to Moloney Criticism', The Wild Geese, Thursday, October 20, 2011*

Further, Mr. Barnes, posting under the pseudonym 'Maradona' on the website Slugger O'Toole (verified by his personal email being associated with the Maradona account), about the Boston College case, continued his deception about the content of the Boston College tapes, which he never had access to, and called for the confidential material to be handed to the authorities:

*"Boston College have a tape on which a convicted bomber admits to driving people to their murders who were then Disappeared. But Ed Moloney thinks building up a historical archive of these confessions is more important than these killers being prosecuted. Hand the tapes over."*

Mr. Barnes is disingenuous in stating that he has fears for his safety if those fears are based on any harm that might accrue from people inferring from Mr. McGregor's blog post which featured on Mr. McIntyre's blog that Mr. Barnes is an informer. Mr. Barnes has himself called for sensitive information collated by fellow NUJ member Mr. McIntyre to be made available to the police, contrary to the principles regarding protection of journalistic sources set down at Rule 7 of the Code of Conduct.

The court case Mr. McIntyre has been fighting both in the United States and in Belfast for over a year has taken a considerable toll on Mr. McIntyre and his family. His wife has flown to the states four times to lobby politically for a stop to the subpoena of the confidential historical archive, and to attend court hearings. The Respondent states that the stress of the case is immeasurable. The financial pressure of fighting this case on numerous fronts in order to protect his sources is also immense. All of which can be traced back to the actions of Ms. Morris and Mr. Barnes and their deception over Ms. Morris's interview with Ms. Price which itself was a violation of Rule 6 of the Code of Conduct.

That Mr. Barnes has also publicly called for the PSNI to access confidential material and for Mr. McIntyre to "hand the tapes over" is problematic.

Ms. Morris's observation that Mr. McIntyre has a high profile "that has come to even wider public knowledge through his current involvement in the Boston College case" is rich with irony viewed in the context of her conduct leading to the initiation of the Boston College subpoenas.

Affidavits sworn under oath have been filed in two international courts as to the impact of Ms. Morris's handling of her interview with Ms. Price in relation to the Boston College case.

Mr. Barnes's and Ms. Morris's own ethical behaviour in this matter, as outlined above, is highly questionable. Had there been a Written Complaint that properly followed procedure, Mr. McIntyre would have had the opportunity to respond by way of a counter-complaint and raise these issues of the ethical behaviour of Mr. Barnes and Ms. Morris with regard to the interview of Dolours Price in Feb 2010 which led to the issuance of subpoenas for the protected confidential materials held in Boston College.

#### **4) Relevance: Any material was published in Mr. McIntyre's capacity as a blog publisher, not as a journalist**

If indeed Mr. Barnes and Ms. Morris have a valid complaint, which is by no means certain and is not conceded by Mr. McIntyre, it is with the author(s) as journalist, not the publisher. According to their letters of complaint, they have already been involved in legal proceedings regarding the blog author Mr. McGregor, and it is acknowledged Mr. McGregor removed the blog post and closed his blog. Now Mr. Barnes and Ms. Morris are seeking to bring a publisher before the Ethics Council when their dispute with the original author has been apparently resolved. Mr. McIntyre as publisher should not be subject to Rule 24, because those rules address Mr. McIntyre's conduct as a journalist.

As stated, Mr. McIntyre was not the author of the blog posts that are the subject of Mr. Barnes's and Ms. Morris's complaints. Mr. McGregor and Mr. Moloney wrote the posts and published them on their own blogs, *Hearts of Oak and Steel* and *The Broken Elbow*, respectively. Mr. McIntyre reproduced the material on his blog, *The Pensive Quill*.

*The Pensive Quill* is a committed free speech/free inquiry blog which frequently carries work from other outlets. Often the views expressed in these articles run contrary to Mr. McIntyre's own perspective but as a long term anti-censorship campaigner he publishes them, along with comments he disagrees with, including those that have pejoratives directed at himself.

As Ms. Morris has outlined, along with the *Irish News*, using the renowned Johnsons Solicitors, she started legal proceedings against Mr. McGregor over her concerns about his



blog post. Upon information and belief (although the status of legal proceedings has not been confirmed to be concluded), Mr. McGregor bowed to the intimidation, especially in light of the financial impossibility of his family being able to take on the *Irish News*, removed the piece under question, and also permanently closed his blog. Ms. Morris's threat of legal action successfully intimidated Mr. McGregor into silence.

Mr. McGregor has subsequently filed complaints with the Press Complaints Commission in regard to the unethical behaviour of several newspapers which have targeted him in the wake of Mr. Barnes's and Ms. Morris's complaints.

As far as Mr. McIntyre is aware, Mr. Moloney's pieces, which also address these issues, have not been the subject of Mr. Barnes's and Ms. Morris's attention. To date, Mr. Barnes has not attempted to contact Mr. Moloney about material that he objects to in his complaint to the NUJ. Nor has Ms. Morris contacted Mr. Moloney. Mr. Moloney did have a public exchange with Irish News editor Mr. Doran about Ms. Morris's handling of her interview with Ms. Price, which occurred in October, 2011, and is still available to view online on [The Wild Geese website](#). Ms. Morris did not participate in the discussion.

Mr. McIntyre is not responsible for Google caches, which are now also expired and no longer accessible. Google's bots constantly crawl and index *The Pensive Quill* and the cache shown in search results reflects the most recent capture of the website. As *The Pensive Quill* updates on a daily basis, and Mr. McGregor's material was removed over six months ago, the Google cache cited by Mr. Barnes is out of date and no longer existent. It should also be noted that the Google cache of Mr. McGregor's site referred to by Mr. Barnes no longer exists.

Because the allegedly offensive materials have been removed from Mr. McIntyre's site after an informal approach by NUJ members, and because this material is no longer available on Mr. McIntyre's site or any other site, this complaint is frivolous, and has been brought about for the purposes of harassment and/or retaliation, and not for any proper or genuine means of redress. Moreover, because Mr. McIntyre had complied immediately when the informal complaint was conveyed, the fact that the complainant Union Members have failed to follow protocol and have violated the principles of natural justice is all the more egregious.

#### **5) Compliance: As pointed out, Mr. McIntyre took every step to reduce any alleged threat to his fellow journalists**

Mr. McIntyre removed the blog post by Mr. McGregor as requested; he did so in a timely matter; the material no longer exists on his blog, *The Pensive Quill*, and is not accessible in any Google cache. Mr. McIntyre did not write the article that Ms. Morris objected to; he removed it from his website upon receipt of her complaint via informal NUJ channels.

Mr. McIntyre was abroad on holiday with his family when the NUJ informally approached him about Ms. Morris's concerns over Mr. McGregor's blog post. This contributed to a delay in communication about the issue, which was complicated also by the Memorial Day bank holiday in the United States where his blog is hosted. Mr. McIntyre had attempted to consult with his server's lawyers given the legal threat conveyed to him by Ms. Morris's editor, Mr. Doran, and the time zone difference coupled with the holiday affected the speed with which Mr. McIntyre could address the problem. In the end however, as Mr. McGregor deleted his post and his entire blog in response to Ms. Morris's legal threat, Mr. McIntyre complied with the informal request of the NUJ and removed Mr. McGregor's blog post. Ms. Morris may not appreciate the manner in which Mr. McIntyre complied with her request; nor did Mr. McIntyre appreciate having his family holiday, taken to give his children a break from the stress of the Boston College case, interrupted by her editor Mr. Doran making legal threats against him. The fact of the matter remains that he did comply and the blog post was removed.

Ms. Morris claims to have been kept from her duties as a result of the publication but she still regularly and consistently publishes front page news concerning Irish republicanism of all shades in the *Irish News*. Most recently she was the only Northern Irish reporter to secure an exclusive interview with the prominent dissident republican Colin Duffy after he was released from questioning in relation to the murder of prison officer David Black. She has secured spots on RTE's *Primetime* television show as well as UTV News because of

her continued reporting on security and crime issues. Mr. McIntyre's brief publication of Mr. McGregor's blog post has not affected her ability to work in the slightest as evidenced by her continuing, and indeed, expanding, body of published and broadcast work.

Ms. Morris's complaint about not being afforded a right of reply is addressed in her own words, published in her column of the 8th of February, 2012 edition of the *Irish News*, where she describes what she did with a previous request from Mr. McGregor for comment on a blog piece he was writing:

*"Bloggers or 'citizen journalists' as some like to be known are a mixed bunch, their writing ranging in quality from humorous and informative to crazy and dangerous. There are, unfortunately, people who believe that a high-speed wireless connection coupled with too much time on their hands makes their rambling thoughts and conspiracy theories somehow relevant.*

*People with no legal or libel training regularly pass off misinformation as fact, prejudicing trials and defaming others at will, while the rest of us set out to write and publish correctly, subject to the laws of the land.*

*I've had one blogger, a person I'd never heard of in my life, email me a list of questions in relation to some half-baked tin-foil hat conspiracy theory they'd cooked up, giving me a 'deadline' to respond or else they would publish.*

*Meanwhile back in the real world I hit the delete button and carried on working for a living."*

The blogger she was referring to was Mr. McGregor. Ms. Morris's complaint claims that she was neither informed of the blog post nor offered a right of reply; yet she has already publicly declared that she neither pays attention to blogs or bloggers such as Mr. McGregor and Mr. McIntyre, that she does not concern herself whatsoever with their attempts at communicating with her, and in fact that "in the real world I hit the delete button" and she carries on "working for a living". Her own public, published work is again at odds with her private complaints.

In addition, Mr. McIntyre is known as a free speech advocate and his blog is known as an outlet open to all. Had Mr. Barnes or Ms. Morris wanted to respond to anything published on *The Pensive Quill*, or indeed wished to have their own work be carried, they need only have sent it in. This has been Mr. McIntyre's known, established editorial practice for over a decade and continues to this day. Neither Mr. Barnes nor Ms. Morris have ever contacted Mr. McIntyre directly in regards to any of their concerns; and Ms. Morris only indirectly as described, informally through NUJ members at the end of May, 2012, which resulted in Mr. McIntyre cooperating with her wishes. Had either Mr. Barnes or Ms. Morris wished for their views to be published on *The Pensive Quill*, Mr. McIntyre would have accommodated their requests.

**(6) Conclusion: Therefore, the Rule 24 Complaint should not be considered and should be dismissed.**

In conclusion, given that the procedures as outlined in Appendix C (2) (3) (5) (10) and (12) of NUJ Rules (2011) were not properly followed;

- An Ethics Council hearing has not been properly constituted;
- Mr. McIntyre has not been afforded his right to due process;
- Even if a Written Complaint had been properly initiated, the 10 week time limit for consideration of a complaint has been well exceeded;
- The Ethics Council may not make a determination regarding the alleged defamatory nature of the material in question while the matter is sub judice and/or threats of legal action remain outstanding;
- Mr. McIntyre has already complied with the NUJ's informal request on behalf of Ms. Morris when he was informally made aware of her initial complaint;
- Mr. Barnes's and Ms. Morris's own behaviour and deception is ethically questionable and has contributed to an international court case with serious political, legal, and academic ramifications that will have an extremely negative impact on journalistic privilege and the ability to protect confidentiality;

- Their complaints to the NUJ are frivolous and are brought about as a means of harassment and/or retribution and not for any proper or genuine means of redress;

The Ethics Council of the National Union of Journalists should not sanction Mr. McIntyre for any ethical violation of the NUJ Code, and the Rule 24 Complaint against Mr. McIntyre should be summarily dismissed.

**Attachments:**

- Attachment 1: [Morris, Irish News, 18 Feb 2010](#)
- Attachment 2: Morris, Irish News, 19 Feb 2010 (in 2 files)
- Attachment 3: [Barnes, Sunday Life, 21 Feb 2010](#) (in 4 files)
- Attachment 4: [US Government Opposition to Motion to Quash](#) (paragraph 2, page 4)
- Attachment 5: [US Government Exhibit 1 Barnes, Sunday Life](#)
- Attachment 6: [US Government Exhibit 2 Morris, Irish News](#)
- Attachment 7: [Trustees of Boston College Reply to US Government](#) (section 4, page 6)
- Attachment 8: [Ed Moloney sworn affidavit, Boston](#) (paragraph 31, page 10)
- Attachment 9: [Anthony McIntyre sworn affidavit, Boston](#)
- Attachment 10: [Ed Moloney sworn affidavit, Belfast](#)

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*It was also pointed out that the NUJ had publicly backed Anthony McIntyre and Ed Moloney on the issue of the Boston College subpoenas:*

**Addendum:** [NUJ Support in Boston College Ca:](#)

**NUJ Dismay over Boston Tapes Ruling**  
<http://www.nuj.org.uk/innerPage.nuj.html?docid=2580>  
Monday, July 9, 2012

The National Union of Journalists has expressed grave disappointment at the de

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[edmoloney](#)

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From: Sarah Kavanagh

Sent: Wednesday, December 05, 2012 1:51 PM

To: Anthony McIntyre

Cc: Ethics Council  
Subject: NUJ rule 24 complaint

Anthony,

Please see the letter attached in response to your email below.

A copy will also be sent in the post.

Sarah Kavanagh  
NUJ senior campaigns and communications officer

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[Ed Moloney](#)

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12 December, 2012

Re: NUJ Rule 24 Complaint  
BY EMAIL (READ RECEIPT REQUESTED) AND REGISTERED POST

Chris Frost, Chair of NUJ Ethics Council  
Sarah Kavanagh, Ethics Council Servicing Officer National Union of Journalists  
Headland House  
308 Grays Inn Road  
London WC1X 8DP

Dear Mr. Frost and Ms. Kavanagh,

I agree to attend a hearing on Wednesday 23rd January, 2013 without prejudice to my argument that this Ethics Council hearing has not been properly constituted, and my attendance at this hearing shall not be construed as a waiver of my rights to due process in this regard.

## **(1) Due Process and Response to Complaints**

The procedures as outlined in Appendix C (2), (3), (5), (10), and (14) of NUJ Rules (2011) have not been properly followed, in contravention of my right to due process. In particular;

- Appendix C (2) states that a *“complaint laid by resolution of a chapel, shall remain the property of the chapel, which shall elect a representative to handle the complaint.”* According to Ms. Morris’s letter of complaint dated 2 August, 2012: *“My complaint is backed by my chapel which passed a unanimous motion of support following a full chapel meeting.”* No such motion of support has been submitted as part of this complaint and no representative of the chapel is handling this complaint;
- Appendix C (3) requires that for individually laid and/or chapel complaints *“it shall be the duty of the complainant’s branch to decide whether a case has been made out for examination by the NEC.”* As discussed, these procedures were bypassed, such that I have been deprived of a review and resolution of this matter by my branch;
- Appendix C (5) further states that *“Complaints about the work or behaviour of union members... which, in the complainants’ view, contravene the code of conduct, shall be made direct by branches or union members to the Ethics Council which shall deal with all such complaints.”* Again, the initiating complaint in this action has not followed the proper procedures;
- Pursuant to Appendix C (10) *“[n]o action shall be taken against any member unless that member has been given an opportunity to defend himself/herself, as detailed in this appendix.”* As discussed above, I have not been given any opportunity to defend myself in advance of a notice that an Ethics Council hearing will be scheduled;
- The Ethics Council has failed to comply with the provisions of Appendix C (14) (i) through (iv) of the Rules in that, prior to the scheduling of this hearing, these proceedings have not been conducted in accordance with the principles of natural justice as described above; I have been provided with no notice of the Ethics Council’s attempts to resolve this matter by conciliation and have been granted no input into any conciliation process; the Ethics Council has made no efforts to seek my input towards resolving this matter by educative means; the Ethics Council, in failing to elicit my involvement prior to this hearing, has not considered whether there is in fact no case to answer;
- As a result of the above, this Ethics Council hearing has not been properly constituted;
- Furthermore, the timeframe under which this complaint falls is not found under Clause 13 (xii), as the Ethics Council asserts. That clause deals with complaints against members for alleged conduct detrimental to the interests of the union. Rather the timeframe is governed by Clause 15 (xii).

In any event, the complaints have not been properly initiated and/or the proposed Ethics Council hearing is being held out of time.

## **(2) Sub Judice**

Your correspondence of 5th December 2012 states *“I am slightly confused by the terminology you use in this context. The matter is not ‘under judgment’. It is not the role of the Ethics Council to adjudicate upon the content of material that is to say whether the material was defamatory or not, but to consider whether there had been a breach of the Union’s code of conduct. I do hope this assists in clarifying the Ethic Council’s role.”*

With respect, your response is far from clear. The entire thrust of both complaints is that I have breached Articles 2, 3, and 4 of the Code of Conduct by publishing what the complainants allege to be defamatory material. The Ethics Council cannot make a determination regarding any alleged breach of conduct without first making a finding that the information disseminated was defamatory i.e. factually dishonest, inaccurate or unfair. The Ethics Council must also consider whether or not the information disseminated is properly considered to be opinion, rather than fact. Had the complainants complied with proper procedures in this case, I would have had the opportunity to raise this fundamental argument at Branch level.

To reiterate, the Ethics Council may not make a determination regarding the alleged defamatory nature of the material in question while this matter is sub judice and/or threats of

legal action remain outstanding. See complaint of Mr. Barnes's ("*Not only does the article contain numerous slurs against me, which are now subject to legal proceedings*") and the complaint of Ms. Morris's ("*My employers the Irish News, issued legal proceedings on my behalf against Mark McGregor on May 23 and out of courtesy contacted Mr. McIntyre on May 22 to inform him of the legal action and ask that he voluntarily remove the material rather than be subject to the same action.*"). I was also contacted by Noel Doran, the editor at the Irish News where Ms. Morris is a chapel member, at the end of May and the same legal threat was conveyed to me. The fact that both complainants have alleged that the information is libellous and defamatory indicates that they may contemplate proceedings in the future, which precludes the Ethics Council from making any decision regarding the defamatory nature of the information. See *McIntyre response*, 3/12/12 (attached).

Because of the threat of legal proceedings made by both complainants, as outlined in my previous response to the Ethics Council of 3 December, 2012, the Ethics Council is in no position to determine whether Articles 2 and 3 of the Code of Conduct have been breached by me while this matter is sub judice, or where the threat of libel proceedings remains extant.

### (3) Ethics

Your correspondence states that "*it is not the role of the Ethic's Council to consider motives or material, rather conduct issues. It is in the interests of the Union and its members that matters are considered in a just and equitable manner and both parties are given the opportunity to put forward their arguments in respect of asserting or defending a complaint.*" As set forth in my last response, the complainants do not come to the Ethics Council with clean hands, and I have made counter-claims of breach of the Code of Conduct on the part of the complainants, which the Ethics Council must consider in the interest of justice and equity.

- Mr. Barnes's and Ms. Morris's own behaviour and deception is ethically questionable and contrary to Articles 2, 3, 5, and 6 of the Code of Conduct. Their behaviour has contributed to an international court case with serious political, legal, and academic ramifications that may have an extremely negative impact on journalistic privilege and the ability to protect confidentiality, contrary to Articles 1 and 7 of the Code of Conduct;
- The material upon which their complaints are based are not publicly available, and were not in publication at the time of their complaints. I have complied with informal entreaties by Union members to remove the material, and the complainants have pursued or threatened libel actions against the author and myself, contrary to Article 1 of the Code of Conduct.
- More egregiously, as discussed below, the allegedly offending images accompanying the article were not published on my blog. This is a crucial fact which the complainants have failed to bring to the attention of the Ethics Council, and both complainants have dishonestly conveyed the impression that the images were indeed published on my blog.
- Accordingly, their complaints to the NUJ are frivolous and are brought about as a means of harassment and/or retribution and not for any proper or genuine means of redress.

### (4) Relevance

You state that "*Activities in relation to 'blogging' would not prohibit the Ethics Council's consideration in respect of conduct of a journalist member of the Union.*" I repeat that I take exception to any disciplinary hearing which has the power to sanction me for the dissemination of any language of which I am not the author, and/or of third party materials which I believed to be satirical in nature.

I have set out in my last response that I am of the opinion that Mr. McGregor's blog piece was obviously a work of satire. I understood the substance of Mr. McGregor's blog post to be a satirical examination of an observed pattern of published working behaviour in regards to the complainants. The objections of the complainants to the use of obviously satirical images are not relevant to any complaint against me as I did not reproduce these images on my blog. *The Pensive Quill* only reproduced the text of the blog post, which is fair comment on, or observation of, the published work of Mr. Barnes and Ms. Morris.

Clearly, a satirical piece is one of opinion, which does not violate Articles 2, 3, and 4 of the Code of Conduct. Furthermore, satirical material can survive an action in defamation, but only if the author has the financial means to resist such an action.

#### **(5) Compliance**

Your correspondence thanks me for advising that steps have been taken to 'reduce the alleged threat to fellow journalists' and you state that it would be helpful if I could provide details of the steps taken in any representations made to the Ethics Council. With respect, I have spelled out the steps that I have taken. Details of these steps were provided in the letter and response provided to the Ethics Council by email and Registered Post, dated 3 December, 2012:

*"Mr. McIntyre removed the blog post by Mr. McGregor as requested; he did so in a timely matter; the material no longer exists on his blog, The Pensive Quill, and is not accessible in any Google cache. Mr. McIntyre did not write the article that Ms. Morris objected to; he removed it from his website upon receipt of her complaint via informal NUJ channels."*

In any event the steps taken to remove the blog post as described are undisputed, as a review of the complaint of Allison Morris will illuminate.

#### **(6) Conclusion**

The Ethics Council of the National Union of Journalists should find that I have no case to answer and dismiss this complaint, for the reasons set forth above, in advance of any improperly constituted hearing.

Respectfully yours,  
Anthony McIntyre  
NUJ Member,  
Belfast and District Branch

Enclosures: 1  
Anthony McIntyre Response to Rule 24 Complaint from Ciaran Barnes & Allison Morris, 3/12/12; related attachments previously sent via email and registered post

cc:  
Michelle Stanistreet, NUJ General Secretary

---

From: Sarah Kavanagh  
Sent: Friday, December 14, 2012 1:36 PM  
To: Anthony McIntyre ; Ethics Council  
Subject: RE: NUJ rule 24 complaint

Thanks for the information Anthony.

I will make the venue bookings for the 23 January and let you have the details as soon as possible.

sarah

---

From: Sarah Kavanagh  
Sent: Sunday, January 20, 2013 12:54 PM  
To: mcintyremail@eircom.net  
Subject: Weds Rule 24

Anthony,

We had no NUJ emails or Internet on Friday, I tried to call you a few times but I couldn't get

through.

We are still going ahead with Rule 24 hearing on Wednesday in Belfast.

Do you want to attend the hearing and if so what time would be best for you?

Ideally we would hear from you in the afternoon but we are flexible as the session will be for most of the day.

I am out of the office now so if you need to speak to me please call my mobile – 07843 549 006

I should be able to pick up emails but best to give you my number just in case.

The venue for Weds is –

Jurys Inn Belfast, Fisherwick Place, Great Victoria Street, Belfast BT2 7AP

Please confirm whether or not you want to attend and your time preference.

Thanks,

Sarah Kavanagh  
NUJ Ethics Council serving officer

---

From: Anthony McIntyre  
Sent: Sunday, January 20, 2013 5:00 PM  
To: sarahka@nuj.org.uk ; ethics@nuj.org.uk  
Cc: MichelleS@nuj.org.uk  
Subject: Re: Weds Rule 24

Sara,

It is my intention to be in attendance for the whole hearing.

I have submissions which I intend to raise before the hearing commences. Therefore I would like you to confirm the start time of the proceedings.

I would also like confirmation that the complainants will be in attendance.

Thank you,

Anthony McIntyre  
NUJ Member,  
Belfast and District Branch

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From: Sarah Kavanagh  
Sent: Tuesday, January 22, 2013 3:04 PM  
To: undisclosed-recipients:  
Subject: NUJ Rule 24 arrangements

Afternoon,

Apologies for the delay in sending the details/agenda out for tomorrow, we have had continuing problems with emails.

AGENDA -



10-11.30am PRIVATE MEETING

Ethics Council committee members will meet in private to discuss the documents submitted.

This is the first available opportunity for the panel to meet and discuss the case in detail.

This session is for the four Ethics Council committee members and NUJ staff only.

11.30am-1.00pm

The committee invite all three NUJ members involved to attend the meeting at Jury's Inn in Belfast.

This is an opportunity for the complainants and respondent to make statements to the committee/state their case.

The NUJ Rules specify (Appendix C - 15) the order of statements - the complainants shall speak first (Barnes then Morris) followed by the respondent (McIntyre).

1.45pm

This session will be for the parties to question each other and for the committee to raise further questions/discuss the issues involved.

3pm

The committee will discuss the evidence heard and agree recommendations to take back to the Ethics Council.

The agenda timings will be flexible on the day and the committee chair may wish to make changes to the agenda to ensure we get through all the business of the committee.

**IMPORTANT INFORMATION -**

Please note that the parties should not introduce new evidence during the committee hearing as specified under Appendix C of the NUJ Rules.

I have already sent the NUJ Rule Book to all parties involved but for ease of reference, you can access a copy of the Rule Book on the NUJ website here - <http://www.nuj.org.uk/innerPagenuj.html?docid=182>

The venue is Jurys Inn Belfast, Fisherwick Place, Great Victoria Street, Belfast BT2 7AP

If you have any queries, please call me on 07

See you tomorrow (snow permitting).

Best wishes,

Sarah Kavanagh  
NUJ senior campaigns and communications officer

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Anthony McIntyre attended with his solicitor only to be told by the NUJ that it was not a formal hearing, just an exploratory meeting, and his solicitor would not be needed. A full report of the meeting will be posted in the coming days.

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**NUJ Decision**

From: Sarah Kavanagh  
Sent: Monday, March 25, 2013 1:55 PM  
To: Anthony McIntyre  
Subject: NUJ Rule 24

Monday 25 March 2013

Dear Anthony,

Rule 24 complaint

Thank you for attending the subcommittee hearing of the Ethics Council on Wednesday 23 January 2013. The Rule 24 complaints submitted alleged you had breached the NUJ Code of Conduct and the subcommittee looked specifically at clauses 2, 3 and 4.

These clauses of the NUJ Code of Conduct are that a journalist:

2. Strives to ensure that information disseminated is honestly conveyed accurate and fair
3. Does her/his utmost to correct harmful inaccuracies
4. Differentiates between fact and opinion.

You asserted that consideration of your conduct would necessarily mean that the Council would need to deliberate upon the material published, an adverse finding on which would prejudice any litigation brought about by such publication. It was confirmed to you that the Council would be determining the complaints in respect of alleged breach of the union's Code of Conduct only and not the nature of the material.

On thorough review of the submissions of all parties, the subcommittee subsequently decided to uphold both complaints concerning breaches of clauses 2 and 3 of the Code of Conduct. However the subcommittee declined to make a finding on breach of Clause 4 due to the difficulty experienced in differentiating between fact and opinion in reaching a conclusion concerning the publication.

The National Executive Council met on Saturday 23 March 2013 and agreed that you would be reprimanded by the union (this letter constitutes such reprimand) and also agreed to suspend you from NUJ membership for a period of six months.

Appealing this decision

Under Rule 28 Appendix B of the NUJ Rule book it will be open to all parties to Appeal the NEC's decision (attached is the NUJ Rule Book).

The Appeals Tribunal may also hear an Appeal from complainants who believe that the penalty imposed upon the individual complained of had been too lenient.

The Appeals Tribunal shall be empowered to vary the penalty and also to impose a fine on such appellant if it considers the appeal to have been vexatious or frivolous, provided that any such sanctions comply with the NUJ Rulebook.

The tribunal shall base its consideration of any appeal on the facts or procedures in relation to the original complaint to the NEC or the Ethics Council. New evidence, which may be introduced, must not extend beyond the basis of the original complaint.

The Tribunal is the final arbiter of Appeals.

If you want to submit an appeal of the decision, in the first instance please email [sarahk@nuj.org.uk](mailto:sarahk@nuj.org.uk)

Yours sincerely,

Chris Frost, Chair of NUJ Ethics Council  
Sarah Kavanagh, Ethics Council Servicing Officer

This letter will also be posted to you.

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Suffice to say the NUJ's behaviour in this has flown in the face of its own [Rule Book](#), what the NUJ and its solicitor told Anthony McIntyre and his solicitor on the 23rd of January, and the principles of natural justice. Anthony will be appealing their decision, with the full intention of taking the NUJ for a Judicial Review if need be.

Posted in: [Allison Morris](#), [Censorship](#), [Ciaran Barnes](#), [Irish News](#), [NUJ Ethics Council](#)

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### 31 comments:

**[larry hughes](#)** says:

6:37 PM, March 28, 2013

mackers

I don't need to study the detail here. The dogs in the street know the press in the uk is in the pocket of the state worse than the old USSR press were.

I'm sure you are heartbroken to be carpetted by such a respected outfit.  
NOT.

Reply

**[AM](#)** says:

7:22 PM, March 28, 2013

Larry,

haven't been as heartbroken since I threw my rattle out of the pram and my mother wouldn't give it back to me.

Regardless of the merits or otherwise of the complaints made by Alison Morris and Ciaran Barnes or the status of my rebuttal, each side can at least expect to have a competent body consider or adjudicate on the matter. This has proved not to be so. Even had I won the case it would be only a pyrrhic victory given that it was delivered by the Dumb and Dumber section of the NUJ.

For an Ethics Council to start out in the opening minutes of the case with the intention to bamboozle (which I shall detail in a piece) both my lawyer and myself by giving us information that was deliberately false (or was it only failing to distinguish between fact and opinion or merely forgot to check if what it was disseminating had any basis in fact?!!) was poor enough. But combined to the incompetence of the Ethics Council servicing officer who bungled from letter to letter), not knowing a rule from a fool, I sense it was a circus.

So, being my usual self, I informed the council at the meeting that it was in danger of becoming a bastion of journalistic wankerdome. Now it has succeeded.

So come the next Olympics you will see the Ethics Council representing Britain in the knuckle shuffling event. That is one gold assured.

Reply

**[larry hughes](#)** says:

Reply M, March 28, 2013

You'd think with all the hacking-scotland yard and Hillsborough investigations/revelations they'd have more than the 'Quill' on their mind.

Kind of like Jack the Ripper issuing someone with a parking ticket.

**AM** says:

8:51 PM, March 28, 2013

Larry,

how very dare you! One must not talk about Toffs Against Tittle Tattle in such a disrespectful manner. You might just get six months.

Reply

**frankie** says:

9:40 PM, March 28, 2013

So you are trying to make the readers believe.... some members of the NUJ are trying to censor you from your own blog. It's a bit early for April's fools Anthony.

Do you mind if I steal a *bastion of journalistic wankerdom* and use it elsewhere (great phrase)..

Reply

**michaelhenry** says:

9:57 PM, March 28, 2013

AM-

I enjoyed reading the Irish news today-enjoyed the igloo comment-you had me in stitches-

Reading Wiki-Dump i seen the comments which were said about the reporter have been repeated-LOL-They have given the story more PR-

Do NUJ call themselves the chapel-

Reply

**AM** says:

10:39 PM, March 28, 2013

Frankie,

hard to believe. It is not that they want merely me censored but they are demanding that I censor you too or anybody else because they don't like what you say. This is what the whole issue is about. The Irish News is trying to cover its ass and smother legitimate concerns about its role in this thing. But I can live with it trying to fight its corner.

The Ethics Council is supposed to adjudicate fairly but from the get go lied to me and my lawyer. So we have lies coupled with incompetence by its serving officer. Regardless of who is right or wrong in the dispute between me and Morris/Barnes (and I believe I am right to have carried the views of others in the interests of free inquiry), the Ethics Council has behaved in a woeful fashion.

It is part of the Cosy Club and is trying to ensure that there will be limited scrutiny of its members in the papers from free lancers or bloggers. Let's protect journalists from the scrutiny that journalists want to subject others to.

And what has it achieved? Sweet FA. I am still here totally indifferent to its sanction and still allowing others to ask questions of the Irish News, Allison Morris and Ciaran Barnes. And of course I will give the Irish News or the

Reply lists concerned the right to reply. I will not be censored.

The Ethics Council is a bastion of journalistic wankerdom and I sincerely hope you feel free to inform everybody of its wanker status.

Now let it move to discipline me again.

**AM** says:

10:58 PM, March 28, 2013

Michaelhenry,

thanks a lot. Spot on about the PR. Yes they organise along chapel lines and sometimes believe the nonsense that people in real chapels believe.

I have always liked the NUJ. And I did my best to work for it with some great people, among them some who have been critical of me on this issue. One of the critics was out on the drink with me in Liverpool at a conference a few years back and is a good guy. I bear him no grudge.

I just don't think they have been made aware of the issues. But allowing the wallies from the Ethics Council to censor me won't help them attain that understanding. But those who know me understand that I will not be censored.

What a clown I would be if I were to pay the slightest heed to a crowd of tossers who saw the opportunity for a junket and rushed over on the ship of fools. Fuck them.

Reply

**itsjustmacker** says:

12:16 AM, March 29, 2013

Anthony:

When you arrived with your Solicitor and were told it was informal and the Solicitor was not required.

I would say that the verdict was a foregone conclusion .

They found you guilty before you and your solicitor arrived.

Seems bigger powers were involved with the verdict.

Do you think the same?.

Before you reply, Please don't incriminate yourself.

But I agree with you, "Fuck Them".

How many committees of INJUSTICE have you been through!.

Reply

**AM** says:

12:48 AM, March 29, 2013

Itsjustmacker,

when I arrived with my solicitor the Ethics Council moved to block him. So they told him it was not a disciplinary hearing but one aimed at mediation and reconciliation and that either me or my solicitor but not both could be admitted.

I opted to go in on the basis that it was not a disciplinary hearing and therefore I would not need a solicitor present and I would argue my case and discuss with Barnes/Morris the options. Which tio be fair to the journalists they did. But the Ethics Council lied.

Reply means we have an Ethics Council that lies through its teeth and which

union members must be protected from. Who guards the guards? Who will investigate the Ethics Council for its breach of ethics? Or is lying ethical? Strange if it was in a journalists' union. This is why I will prevail in the end. Going a goal down at the start does not matter. It does not matter who I am up against, what finance they have behind them, what intimidation they can employ, what editorials they write, what bribes they might offer, what newspapers they edit or write for, what powerful union they make a career out of leeching from, in the end I will win. Be in no doubt about that.

**frankie** says:

12:55 AM, March 29, 2013

*It is not that they want merely me censored but they are demanding that I censor you too or anybody else because they don't like what you say.*

TPQ-ers, I still reckon it's an early Aprils fools joke.

Reply

**AM** says:

1:02 AM, March 29, 2013

The NUJ does not like bloggers. It is a snobbish attitude but is there nonetheless. I think Roy Greenslade resigned from the union over the NUJ approach to internet writing.

Anyway, who has the will to win? Myself or the Ethical Council? Who can take the most flak and survive? Who can do isolation and ostracism the best?

These characteristics will define the side that emerges from this victorious.

Reply

**AM** says:

1:16 AM, March 29, 2013

This is the [ethics](#) of the Ethics Council. Talk about protecting sources. It is disgraceful advice given out by the chair of the Council. I flagged this up to Simon from Censoria, a quaint English province where apparently Oswald Mosley is the role model, at the Ethics Council hearing - which was not a hearing - in Belfast on January 23.

Now Simon is not the sharpest tool in the box and obviously didn't know anything about this. Like the incompetent Sarah Kavanagh he obviously keeps himself well informed. His intellectual prowess manifested itself in the pearl of wisdom 'now is now and then was then.' Duh. Rightly are the simple so called.

During the meeting I kept glancing over at Simon from Censoria. I thought he had a pencil with a rubber at each end of it. I wondered what he could actually do with such a device. It suited his bureaucratic personality. Simon is incapable of either writing anything down or rubbing anything out so sits perplexed by this pencil he has been given.

Reply

**frankie** says:

1:35 AM, March 29, 2013

Why I think it's an early April's fools joke is this....It is impossible to have filters, servers to capture all the traffic on the net. Setting up a blog, posting on youtube, Daily motion etc is easy. Unless some one pulls the plug or a solar storm knocks out the odd satellite. How can they censor anyone?

Gotta be an early April's fools...

Reply

**AM** says:

9:01 AM, March 29, 2013

Frankie,

I think the proof of the pudding is in the eating. The April First Council has obviously not been able to achieve censorship or have the issue smothered. Censorship works much easier when the target of censorship opts to be mute. That won't happen here. And the discussion that opens up as a result of the Ethics Council behaviour flags up even more what the Irish News wanted hidden. So it backfires.

When god was giving out rules the Ethics Council thought he said fools and asked for lots of them

Reply

**frankie** says:

11:07 AM, March 29, 2013

In the spirit of the GFA (all things being equal). I see [Billy Hutchinson is being sued for plagiarism](#).

*"If I am interviewed by one journalist and researcher about my life and tell them about my experiences and then interviewed a number of years later what I say is always going to be very similar. How on earth can she claim my life experiences and story are her intellectual property or for that matter how does the back story of loyalism become the property of any one particular journalist, researcher or author?"*

Reply

**Fionnuala Perry** says:

11:11 AM, March 29, 2013

Ethics and journalism does not always go hand and hand.. The Irish News editor and journalists are protective of some whilst quite disturbingly happy to throw others to the wolves. Honest opinion is stifled and the status quo promoted about all else.

Reply

**AM** says:

11:38 AM, March 29, 2013

Nuala,

I know why the Irish News is doing what it is doing. There is absolutely no personal animosity between me and the people who work at the paper in whatever capacity from editor down. There is, however, a fundamental clash of perspectives. This is about issues that go to the heart of what the paper's role was in this matter. I want it all out in the public domain and the other side does not. So it has made a futile attempt to thwart me and silence the people I was giving a voice to. FFS, how often has that failed in the past?

The Irish News under its current editor actually published me in October 2000 after the killing of Joe O'Connor when I refused along with Tommy

an to be silenced by Sinn Fein and the IRA. So it knows trying to gag me illegally or otherwise is a waste of time.

Reply

The paper and its journalists have every right to make their case. That I think it lacks standing is neither here nor there. But we all have the right to a fair hearing which I most certainly did not get from the Ethics Council. It lied to myself and my solicitor from the first point of contact on the day of the pseudo hearing.

But you are right, the paper took on what it thought to be the easiest target and probably believed it would get endorsement from an institution like the Ethics Council although I don't hold the Irish News responsible for the deception and ineptitude of the Ethics Council.

If I thought I was wrong on this issue and had behaved improperly and caused unnecessary harm it would not cost me a thought to lift the phone to Allison, Ciaran or Noel and say 'mea culpa' and issue a public statement to that effect. But I would be wrong to do that when I think I am in the right on this matter.

If over the course of time the other side produce material that would lead me to rethink and change my mind I will do so. We have put out all the correspondence and documentation so that people can make up their own minds. If the other side have anything to add to that they should go for it.

**michaelhenry** says:

1:04 PM, March 29, 2013

AM-

You have made your views known on the Irish news-you would think that one of those reporters or editor would reciprocate with a comment to explain themselves [if they can] on a open forum like the Quill-i know they have a paper to write on but if it was good enough to snitch on you at least they can do is put their story on here-

A few years ago when bloggers put their pictures on blogs the reporters copied this and started to put there own mugs on there reports in the papers-they might not respond to a blog but they will read it-and might copy the odd one-

Hope no one stops writing comments on here because the All mighty Irish news opposed you-

Reply

**AM** says:

1:47 PM, March 29, 2013

Michaelhenry,

nobody here going to be deterred by the Irish News.

I agree with you that the journalists should respond and they will always be afforded the right to reply.

The problem is that they don't want people replying to them. They seek the right to have their statements published and comments closed. Moreover, there is snobbishness towards bloggers. It is the journalistic caste system where at the top there is the staffers, the freelancers are beneath them and the bloggers are the untouchables.

Allison Morris in her own column (as cited above) tries to wax disdainful of bloggers but then sets out to have blogs censured. I don't know if it applies here but many journalists have their nose put out of joint by the fact that often at blog level the 'amateur' is capable of better writing than the 'professional'.

But ultimately it does not work. I guarantee you that since the Ethics Council verdict more people have been made aware of the allegations against Morris/Barnes/Irish News than were aware from before the verdict. It does not mean that the allegations are true. But they are now being discussed which is something the other side never wanted, It sought to smother that

Reply



Even from a strategic point of view you would imagine that it would be a matter of common sense not to address what you regard as an alcohol problem by providing more beer.

What has the other side achieved? More publicity for something about which they sought less publicity.

What has the Ethics Council achieved? Nothing other than to be confirmed at the end of all this as the bastion of journalistic wankerdome I accuse it of being. It can't silence me, its sanction is meaningless in terms of what I write or permit others to write and ultimately the Ethics Council lying is a hard one to defend on ethical grounds.

The Ethics Council can only succeed when those it seeks to bully are afraid of the sanction. So after 18 years in Brit jails am I supposed to quake in my boots at the six month suspension handed down from English toffs? Hardly likely.

**frankie** says:

1:58 PM, March 29, 2013

And Michael Henry's post confirms my belief (that's it's an early Aprils fools). Just how often do either Anthony or Michael agree? Putting the technology stuff, man power etc to oneside.

I've to believe the Irish News are trying to censor an ex blanket man. Even from my limited knowledge, even I know the might of the British Empire couldn't censor blanketmen.

Anthony, if it's not an early Aprils fools. Then Allison has had [blonde moment](#)

Reply

**AM** says:

2:22 PM, March 29, 2013

Frankie,

It is the big institution up against the individual.

Let the information flow rather than suppress it. After that the truth should be able to find its own level. Why can the Irish News not allow the accounts challenging its narrative to be out there and in turn deconstruct it?

But it matters not what the Irish News does because while I refuse to allow it to dictate the discourse then it has to live with the consequences. It simply does not have the power to censor me. It can run to the Ethics Council, it can wax outraged in its editorials, it can issue court proceedings, it can even seek to jail me. Last time I was in jail they hadn't banned pens and even when they did during the blanket protest we still got them and wrote. So even if they managed to commit me to prison I will still write from jail and offer a different account of the role of the Irish News. So, again, what can the Irish News do?

I wish it had never come to this but it has so I am going to stand up and fight.

Reply

**larry hughes** says:

2:01 PM, March 30, 2013

I think most people accept 'news headlines' are mere spin these days. We have become experts at looking beyond the sanctioned/self censored crap that's spouted out at us to make up our own minds about what is really going on. Just yet another result of our experiences with the media during the

Reply es. What we are fed today is a shameless insult to basic intelligence

and below anyone with an O'Level.

The icing on the cake or 'jewel in the crown' is that even today, a decade after the Iraq war and the WMD crap, so called respected journalists (sic) insist Tony Blair wasn't telling lies, he believed what he was saying and even missed himself...Are these people paid for this endless shit? Bankers, or a similar word does somewhat spring to mind!

**AM** says:

3:25 PM, March 30, 2013

*This is from Sean McAughey*

The Belfast Project Boston College, like similar projects has removed the so called whim utilization of the national security clause and what most right thinking journalists of integrity ought to regard as a complete censorship by the few over the purest here and now, public interest. The above project has subverted the 30 years ruling that in reality seeks to protect the interest of the few always under the guise of protecting National interest. Surely, the journalistic code of ethics is based on a code of practice that seeks to report fairly and accurately any and all matters that are in the public interest.

An investigative journalist I admire once told me "never to put down to conspiracy what sheer incompetence might cover". This advice would remain with me as a level approach and a formula for most issues. However, the recent NUJ decision "about" but clearly without, Anthony McIntyre does conjure much incompetence but much more shafting. Yet, not enough egomania to exclude the sense of invisible hands at work with a clear enough agenda. Get Mackers, defame Mackers and to use any journalistic or other means to scupper the Belfast Boston project and especially Mackers' "standing in the community" sometimes called reputation.

The NUJ internal dealing of this matter stinks of a Jeremy Kyle show that has gone horribly wrong. The affair ought to fully reflect on mainstream newspaper mogul power and control, headlines that sell and other interests beyond the integrity of all of the individual journalists as being adhered to as paramount in this instance.

The further questionable outcome from the NUJ "hearing" that was not a hearing or indeed a not disciplinary hearing that could still reach and deliver, a disciplinary decision and a trades' union membership sanction against Anthony McIntyre clearly projects less trades union justice than a firing squad. Furthermore it does not satisfactory address what we can only now assume to be the single core NUJ membership internal issue.

Anthony McIntyre's standing in the community is one of a prime advocate for the voiceless at all times. Most serious journalists, trade union leaders and human right defenders if not already personally indebted to him. Then more than likely desire to emulate the man's integrity and courage to speak out and speak up when others remained silent and idle. However, I also feel obliged to emphasize that there has been many times previous when the other specific individual journalists embroiled in this spiralling matter have also stepped up to the mark for the voiceless with equal fervour, integrity and courage.

It is never a good public interest story when good journalists are writing about how good journalists are now bad. This theme seems to permeate the new peace and its new way in all aspects. It is vicious circle that good journalists ought to serve as an intervention for freedom of press and freedom of expression and not the conduit of perpetuating the spin from the few. The NUJ ethics committee have much explaining to do. Let them like many others have done so for years utilize the courtesy of your open forum to do so.

Slan go foill

Sean McAughey

Reply

**Niall** says:

3:36 PM, April 09, 2013

AM

I read Moloney's article on the above and the behaviour of the two journalists leaves me to conclude that there are very few Mr Fisks left in the world of journalism.....liked the igloo metaphor though!!!!

**AM** says:

4:01 PM, April 09, 2013

Niall,

FFS. I know.

Reply

**marty** says:

9:04 PM, April 12, 2013

Anthony slowly working my way through this , can you tell me is this why they use the name chapel is it like a church thing where the innocent get fucked? hoping the NUJ take offence.

Reply

**itsjustmacker** says:

1:21 AM, April 13, 2013

Anthony:

It is obvious as to why they wont post on the TPQ , They would have been told by the Editor, "NOT TO".

But I bet they would love to post on the TPQ, but have to accept The Editors decision, otherwise they would be putting there own feet in there own mouths.

Why not offer them the opportunity to reply to all the posters on TPQ.

Its not a journalistic offence!.

Marty:

As for "Chaple", I was wondering if they were all "Friar Tucks".

wiki tries to give a definition of the word Chaple, makes you wonder if its a pope or paisley writing on it.

[meaning of chaple](#)


Reply

**AM** says:

7:35 AM, April 13, 2013

Marty,

I have been surprised at the amount of page reads this has taken. How much people read is another matter as there is a lot there. But it has taken about ten times the page hits that the piece they complained about took. Which means what they did not want out is out even more. Sort of makes you wonder about the point of it all. I have long been determined that censorship would not work. That has been the beauty of the net I guess. And since reading Steve Biko in the early 1980s I have been impressed with his **Frank Talk** column. He would write a column under that by line and called it *I write what I like* It so annoyed the authorities that it was one of the reasons they ultimately murdered him. The censorious mind does not like

Reply  writing what they like.

Itsjustmacker,

one reason they chose not to respond on the blog I imagine is that they wanted the thing suppressed not discussed. And we had to thwart that. I am pleasantly surprised by the response we have got from this wiki-dump and also from Ed's piece. There is a considerably wider understanding of the issues now.

**marty** says:

9:25 AM, April 13, 2013

Anthony I love it when the system and especially its lackeys score an own goal, your case in mind, I to would love them to come here and comment the lads from the uvf have done so and proved themselves to have balls and capability sadly lacking in the two wankers who have tried to hide their mis-practice by silencing yourself, I was disappointed Mark pulled his piece, I would have hoped that enough people would have supported his case if it was needed. anyway it gladdens my heart to read that their attempt at censorship has not just failed but failed miserably, as Larry would say slap it up the bastards...

Reply

**AM** says:

10:32 AM, April 13, 2013

Marty,

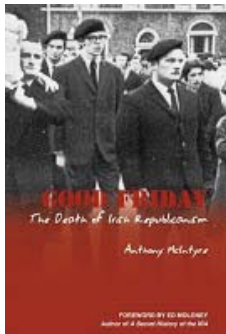
it is not my job to try and make the NUJ an old boys and grand girls club that wants the right to scrutinise others but to pull down the shutters when its own are probed. Journalists of all people complaining about being slagged off! People must have the right to offend journalists. The journalists concerned should have taken the criticism on the chin and come out fighting as journalists rather than opting for the censorship route which ultimately defeats journalism. But if you look at the way the union folded in relation to Leveson, it has lost sight of its purpose.

Mark pulled his piece because he didn't have the means to fight a case. The big institution was set to crush the individual. In our case it wouldn't matter who applied what sanction: courts, unions or whoever - there was not one red cent going their way.

Reply

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