

CHAPTER FOUR



Sources and spin doctors

Learning objectives

By the time you have worked through this chapter, you will be able to:

- Build on the foundations laid in Chapter 2 to further develop your source-mapping skills
- Employ a structured process for evaluating the usefulness/relevance of a source
- Describe the factors that impact on a journalist's relationship with human sources
- Discuss the dilemmas encountered in dealing with sources
- Describe and evaluate the range of options reporters have for resolving these dilemmas
- List some available sources for information on a range of topics.

If you would like to revise the basics of sources and source-mapping before reading on, check Chapters 2 and 3.

If you are confident you already understand sources and the various ways of handling them, move on to:

- Chapter 5 for more on interviewing
- Chapter 6 for technical guidance on computer-assisted and number-based (e.g. financial) journalism
- Chapter 7 for advice on analysing your evidence, packaging it and writing the story
- Chapter 8 to consider the legal and ethical aspects of your reporting.

 Konrad
Adenauer
Stiftung



 Fair
FORUM for
AFRICAN
INVESTIGATIVE
REPORTERS

 cijj

Angelique Kimoko worked for a small, privately-owned newspaper in a war-torn Central African country. She heard rumours that members of the international peacekeeping forces stationed in her country were abusing women displaced by the war: demanding sexual favours in return for food.

Angelique asked around everywhere, and eventually found a mother and 14-year-old daughter who were prepared to talk to her about their experiences at the hands of the peacekeepers. Angelique didn't say much during the interview, just listened and took notes. Their story was harrowing. Both said they had been raped by international force members while looking for rice rations for the family. Angelique was so touched by their plight that when the interview ended she gave them all the cash she had in her handbag. Back at her newsroom, though, her editor was less thrilled by the story. "The government needs to keep a good relationship with the international force," he said. "How do we know these women are not just troublemakers paid by the rebels? What are their credentials?" Angelique gave him the family's details so he could verify their story. To her horror, when the story was published, the women's full names and the camp where they stayed were included. As she was complaining about this in the editor's office, the mother burst in, weeping hysterically and shouting Angelique's name. "Traitor! You've betrayed us!" she said. "Everybody knows what happened – and this morning the security police took my daughter away!"

- What mistakes might Angelique have made in dealing with her sources?
- How could she handle things better next time?

At the end of the chapter, we'll consider these questions again.

Sources are so important to the work of investigative reporters that we have already begun talking about them. In Chapter 2, we discussed the technique of source-mapping: listing the questions a specific story must answer, and brainstorming possible sources of answers. In Chapter 2, we examined the differences between primary sources (those providing direct evidence or describing direct experience) and secondary sources (those providing context, background, or second-hand information).

We also looked broadly at the advantages and disadvantages of human, paper and digital sources, and the technique of following a 'paper trail'. We saw that paper and digital sources alone can produce a comprehensive, accurate story, but one that risks being pedantic and lifeless. While human sources may be affected by conscious or unconscious bias, and are vulnerable to pressure, theirs are the voices that bring life and immediacy to your story.

In this chapter, the first sections will concentrate on human sources: how to find them, and how to deal with them. The final part will survey documentary and digital sources, with 'Further reading' listing a range of useful websites.

Sources and spin doctors: **who are your sources; how do you find them?**

"However much we try to refine our methods, there's a hell of a lot of luck in this." (Stephen Grey)

Never forget that the usefulness of human sources depends not only on who they are, but also on your skill as a reporter in building a relationship of trust, asking good questions and recording answers with meticulous accuracy. Investigation is one type of reporting where – whether or not you can use it in court – you should record, and not simply note, your interactions with sources. Your starting point – always – is listing the main role players in your story and planning how you will interview them. We'll look in more detail at investigative interviewing in Chapter 5.

1 Witnesses

We have already seen that the most important, reliable and vivid sources are usually witnesses: the people who have experienced or are otherwise directly involved in a story. You begin to identify witnesses by combing previous accounts of your topic for the names of people who were involved, or simply on the scene. If people claim to have been present or involved, you must of course verify that they were. Where you experienced parts of the story, you also count as a witness for what you saw. Sometimes, when reporting on the circumstances you have observed at a story scene, you are the most important witness. For example, if you are conducting lifestyle checks on a community leader, enter her home, and see expensive leather furniture and a flat-screen TV in what looks from outside like a humble cottage, you can report that.

But often an investigative project benefits from doing your most important interviews at a later stage, when you are in possession of more information and background and can frame your questions very precisely. So there are other people you need to find first – and some of them, you may not even know at this early stage. What follows, provides some tips.

2 Current associates

Look for people currently associated with the subject (e.g. other company officers or shareholders, family members, business associates, employees or clients). Consider organisations in which the subject is active such as sports clubs, religious organisations or charities. Remember that such people, because they are in some kind of relationship with the subject, will have an attitude towards him or her. Factor this into your enquiries.

3 Previous associates

Look for people who were previously associated with the subject: ex-partners in business, former spouses, employees, doctors, teachers etc. Remember, some professionals may have legal or ethical obligations of confidentiality, even after they have left a job. People with whom the subject was in a known dispute or in litigation can be very important witnesses, but, again, remember that their emotions and attitudes will colour what they tell you.

4 Chains of enquiry

Development researcher Joe Hanlon calls this “finding the woman who knows.” Start with an obvious contact or acknowledged expert in the broad field, and ask this person to refer you to someone with more detailed knowledge of your precise area of enquiry. Ask that contact, in turn, for an even more specialised referral. At the end of such a chain – sometimes after only three or four phone calls – you may well find someone who worked on the project or with the person you are investigating. This is particularly true in developing countries, where social and professional circles are small, and everybody knows everybody else – one of the advantages of doing research in Africa!

5 Experts

There are experts on almost everything. After the Tsunami in late 2004, every television and radio station in the world managed to find their own expert on extreme weather. There are technical experts, historians, research scientists, lawyers and engineers and many more. When dealing with corporate affairs (for example, the activities of multinationals) it is particularly important to identify the right expert: what a local accountant can tell you will be very limited.

What's more, experts inhabit their own – often transnational – communities, so one expert will often lead you to another.

Make sure you have done solid preliminary research before you talk to your chosen expert, so that your questions are clear and reasonably well-informed. An expert does not expect you to know as much as he or she does, but it is insulting to go in unprepared. However, it is quite legitimate to ask for explanations in layman's language, so that you can explain things better to your readers. Always be careful to record what experts tell you accurately. It is acceptable to ask: “Is this correct?” And never twist, omit or distort what they tell you because it does not fit your hypothesis.

You can find experts by looking at sources quoted on the Internet, in other materials on your subject, or through books they have written on the subject. Publishers can often provide contact addresses for their expert authors.

Some experts – for example the forensic accountants employed by the police to trace paper trails of corruption or drugs money – operate as paid consultants. They are expensive, and what they can discuss with the media is limited by the constraints of client confidentiality.

A far closer, more affordable and accessible source is often your local university. If you are seeking expertise on mining, university departments of mining, engineering, mineral sciences and environment may all employ people who can help you. This may involve time fighting your way through sometimes unhelpful switchboard operators or departmental administrators. But local experts often have advantages over the star name you have found on the Internet. They are accessible; you can meet them face-to-face; they may speak in your local language and they can certainly relate what they tell you to the local context.

• Shop around

Experts in different but related areas may provide fresh insights into your subject. A lawyer, a police officer, a doctor, even an interrogator may be as useful to your story on human rights violations as a human rights campaigner.

• Evaluate your expert

Not all experts have equal status or are equally reliable. So look for recommendations from other journalists you trust; research the exact name on the Internet (and make sure the same name is the same person) or in your media organisation's archive. Find out who they do their research for, since scientists funded by commercial concerns may share the role of lobbyists. Look at what criticisms their work has attracted, and remember that both work and criticisms happen within the conventions and contending ideas of a particular discipline.

Ask tough questions. For scientific experts, find out if their work has been published in a peer-reviewed journal; this sets far more stringent standards than, say, the health columns of a popular magazine. Ask “Who is your strongest critic?” – then try and interview that person too. And remember that scientific research is always a work in progress; scientists know this and will very often express what they say as a likelihood or the best interpretation given current data. Don't overstate what they say as definitive or use out-of-date quoted expertise.

• Beware of frauds

There's a lot of pseudo-science out there. A few years ago in the UK a man was convicted of a criminal offence because his ear was said to match the mark of an ear left against a window. The police called an expert on this ‘new science’ of ear-printing. But a few years later the man's conviction was quashed when the science of ear-printing was shown to be bogus. (Even reading fingerprints, which is quite different, carries an element of interpretation.)

More tragically, in Africa bogus claims about Aids 'cures' are made regularly by self-proclaimed 'experts.' The public interest demands that you investigate these thoroughly and do not accept them at face value.

Interrogate 'reliable' experts

Even apparently reliable 'expert reports' sometimes need to be interrogated. In April 2008, the *New York Times* reported that in the case of an arthritis drug, Vioxx, which turned out to have dangerous side effects and was later withdrawn: "the drug maker Merck drafted dozens of research studies ... then lined up prestigious doctors to put their names on the reports before publication."

● Find a way of dealing with difference

If several experts you consult disagree, you must find a way of presenting these differences in context, so they make sense to readers. If the weight of expert opinion stands strongly on one side, it makes sense to go with that – but you may be shown in the future to have been wrong. If experts are evenly divided, you owe it to your readers to explain that. But that is one of the reasons why evaluating your experts is so important. For a long time the media presented the 'debate' on global warming as evenly divided. Only later did analysis of reports reveal that many of the 'experts' debunking the idea of global warming were the paid spokespeople of energy lobbies. In fact, the overwhelming weight of scientific evidence has for many years told us global warming is happening, and is dangerous.

And if you can't find an expert to back your story, that does not mean you have no story. You may be wrong – or you may be asking the wrong expert, or the wrong questions. Including the diversity of opinions in your story shows you have an open mind, and may prompt other experts with different views to come forward.

READ Who's the best source?

respond

You are working on a story about an international NGO that has established a base in your country and offers what it calls "free treatment" for HIV and Aids. It tells people who come to its clinics to stop taking ARVs or anything else their own doctors may have given them, and instead to take a mixture of herbal syrup and vitamins which they buy, at quite a low cost, from the NGO. Consultation with the NGO advisers is free. Now you're hearing about clinic patients dying – perhaps from giving up their 'official' treatment, perhaps from the new treatment. Nobody is certain.

You have no medical background. What kind of expertise would you need to deal with this story and how would you find it? Take 10 minutes to think about this before you read on.

- You'd need to know about the record of the NGO and its reputation in other countries. Web research could give you this information. You'd need to know about the law on what medical NGOs are and are not allowed to do in your country, and would need to find this in legislation and codes of practice.
- Then you'd need to analyse the arguments and counter-arguments about herbal/vitamin treatments for Aids-related conditions. An Aids practitioner or researcher in your country (find one at a big hospital, a scientific research institute, a university medical school or bio-science department) could map out these arguments.
- A university science department or hospital researcher can help you to get the medicine analysed, if the NGO will not disclose its details, but this may carry fees.
- Nobody except the medical practitioners who signed their death certificates can tell you how those clinic patients died. But medical ethics say this information must be kept confidential. This is the point at which your story could stall. You'll need to build a good relationship with a doctor or with some bereaved relatives, and inspire them with confidence that you will handle what you are told discreetly and ethically.
- As with all stories, your ability to tap expertise on its own is not enough; you also need a systematic and persistent approach to background research, and good people skills.

6 Government departments and other official bodies

In most countries with a functioning central government, government departments and experts are regarded as reliable sources of information. There is a long history of apparent impartiality in scientific reports, accurate minutes of meetings, court proceedings and registrations.

But in major and controversial stories, this can prove a naive and dangerous assumption. A state-employed expert is just as likely to be right or wrong as any other expert – and in some cases may be under pressure from his employer to present information in a particular light. As with any other sources, consider the context and possible motives when you weigh up the information they give you.

However, such insiders are often extremely knowledgeable, and assuming they are always biased could be as mistaken as assuming they are always correct and impartial. Simply test the likelihood of what they tell you using a second informed source. It is also sometimes possible to ask a government department for an unofficial off-the-record briefing from one of their specialists, and this can provide extensive background, although you cannot quote it in your story.

7 International agencies

We tend to think of these bodies as sources of written reports and policies only. But they can also provide useful contacts, both in their home country and in the countries in which they operate. They are under no obligation to help you, but are often extremely sympathetic if approached correctly, particularly if your enquiries relate to an issue where they have strong policies.

But precisely for this reason, (like all other organisations) donor bodies and other types of agencies have their own policies and principles, as well as sometimes being firmly guided by the policies of their home governments or backing organisations. (For example, some European countries have donor foundations run by parties of the political Right, or the Centrists, or the Left. When you interview a representative of one of these agencies, what you hear will relate to one of these broader political perspectives.) Research will allow you to put their comments and information in context, and judge whether you also need to conduct a balancing interview with another source.

Allow time for these kinds of interviews, as often international agency representatives have to seek permission before they can talk to the media. And be sure to credit the individual and organisation for the help they provided.

8 'Shaking the tree'

Investigative reporting can sometimes be risky, and in some countries or for some topics the risks for the journalist can include arrest or assassination. So often working discreetly (if not actually 'underground') is important. But sometimes you can 'shake out' contacts by actually letting it be known that you are working on a topic, or already possess certain information. Sometimes you can do this informally, by using your networks of contacts; sometimes by publishing a preliminary, sketchy story on the investigative project. At that point, new people may volunteer additional information, or previously reluctant sources may come forward to 'correct' your story. Always weigh up the pros and cons of this tactic carefully; it can backfire. An equally possible outcome is that you alert people to your scrutiny, and they rush to hide evidence, silence sources or take pre-emptive action against you!

DRC journalist Sage-Fidèle Gayala puts the arguments against 'shaking the tree'

"I am against the publication of a preliminary investigation, especially in Africa... because it can block the development and the results of the investigation... Journalists can be murdered if the subjects of an investigation feel that they are approaching the truth. This happened to both Norbert Zongo (see Introduction) in Burkina Faso and Bapuwa Mwamba of the DRC.

"Another risk is that interested parties, when forewarned, can come up with fake witnesses well-prepared to deliver misinformation and divert you from the truth.

"And I myself have experienced the pressure and even bribes that people may offer to you, to witnesses or to the owner, operator or editor of the newspaper. In 2005, I was doing an investigation on the Belgian businessman, Arthur George Forrest, who was involved in corruption, unfair contracts and illegal exploitation of natural resources in Katanga Province, DRC. The mere publication of a preliminary story was enough for the boss of the newspaper, in an editorial board meeting, to tell me I must abandon this investigation and demand all the documentation I had collected.

"The most dangerous forces that may be alerted by a preliminary story are those who are not yet even known to the journalist. They will do everything in their power to prevent the investigation identifying them. A journalist called Magloire who disappeared in the DRC is an example. So far nobody knows where he is or whom he had been investigating. In this regard, it is also important to inform the bare minimum of colleagues what you are working on: not all the journalists who work in your office. Because, we must not forget that the powerful have their antennae in every newsroom to pre-empt investigations. I published an investigation into the political assassination of Professor Jean Mboma under my pen-name in the newspaper *Le Soft International*. I was able to keep the investigation secret from the beginning until I completed it. But it took hardly a week after the publication of the story for the murderers to identify the bearer of the pen-name. It's also very common in the DRC for journalists and even editors to be recruited by the intelligence services. I know of hundreds in the DRC. They are often recruited particularly from the staffs of investigative papers and from human rights NGOs. So the publication of a preliminary draft may, and very often does, constitute a danger for both the journalist and the investigation."

9 Blogs and internet chatrooms

Sometimes reading these can lead you to 'whistleblowers': discontented employees with dirt to share on their organisation. Many companies, organisations and government departments in the developed world have unofficial electronic meeting 'rooms' where critical opinions and information might be shared. It also happens in the few African countries where Internet use is well developed, such as South Africa. But do not take information directly from such sites into your story. You need to verify that the person is genuine and can support what they say; try to meet the source or conduct other checks.

10 Networking

Every journalist builds up networks. Often this happens naturally, in the course of reporting. But if you are working on a specific investigative project, you need to work proactively to build up a network relevant for your story. Where do people involved in what you're investigating socialise? Do they live in a particular suburb? Shop at a particular store or mall? (Again, the smaller professional circles in many African countries make these slightly easier questions to answer than they might be in a huge city such as New York.) Go to those places, and get talking to people, gradually narrowing in on people associated with areas of, or individuals involved in, your investigation. You can glean a great deal of background knowledge just from chatting and observing. You can 'house' the key role player: find out exactly where (and how) he or she lives. But think carefully about both ethics and the security needs of your investigation before you take decisions on revealing your identity and conducting on-the-record conversations with targeted individuals.

Don't neglect your journalistic colleagues as sources of contacts from their personal networks. If rivalry on a story is intense, you may not wish to share story details. However one good way of overcoming limited resources is to set up joint investigative teams with like-minded colleagues even if they work for other media houses. Divide the work, and agree which of the resulting stories each outlet will publish.

11 Gate-keepers, surveyors and 'door-openers'

The most useful contacts are those within an organisation who can save you the moral dilemmas and risks of 'going underground' yourself. Gate-keepers are often literally that: secretaries, receptionists and door security officers, who can let you in to a place – or tell you who else goes in and out. Don't make the mistake of paying attention only to high-ranking officials; try to establish good professional relations with everybody. Gate-keepers also play their role symbolically; controlling access to information rather than physical entry.

Getting round the gate-keepers

Kenyan journalist Joyce Mulama was covering a story about people being treated for Aids who sold their drugs for money to buy food: "It required tact to win the trust of these people... I had to do a lot of convincing, starting with the security man right at the entrance, who was instrumental in helping me identify the 'traders.'"

Remember that gate-keepers such as workers in banks, credit departments or government bodies will have signed confidentiality clauses as part of their employment contracts, and are legally bound not to disclose information. Do not seek their help for frivolous reasons, and always keep your relationships with them discreet, so that their identities can be protected.

One very useful question in any investigation is 'Who has this information?' Often, information has multiple gate-keepers. Think laterally. If the Ministry of Health refuses to give you a document, perhaps another body has access to the same document: for example, the World Health Organisation, a health NGO, a university researcher working on this aspect of health, or a sympathetic member of the parliamentary health sub-committee.

Surveyors are your inside contacts who may not have any sensitive knowledge, but who can tell you, in Stephen Grey's words "the lay of the land, who is who, who is really important, who really makes decisions".

Door-openers are the people with influence. If they like you, or believe your work is worthwhile, they can persuade others to talk to you. Door-openers may be respected elder statesmen, or far less senior but trusted individuals in an organisation or social group. Sometimes a traditional leader is the door-opener for his or her community. These are the people who will be listened to when they say: "This journalist is OK. You can talk to him/her." Identify them through your context and background research and cultivate them.

12 Surveillance and 'going underground'

Hanging around a shopping mall in the civil service suburb to observe bureaucrats at play is not quite the same thing as surveillance. Surveillance is close, covert observation of a story subject, which may or may not involve your 'going underground': posing as an insider, or using concealed cameras and recorders. One very common tactic since the arrival of cell phones is to phone your source while he is in a meeting with the person you are investigating, then have the cell phone left on while they conduct a conversation about your story topic, so you can listen in.

These activities are usually illegal and may also be unethical. The laws we discuss in Chapter 8 (privacy, false pretences, official secrets etc.) exist to prevent such activities, and all African states have these laws. Penalties can be severe, for both you and your news organisation. So, be sure you:

- use them only as a last resort, after you have tried all legal and public channels
- use them to fill defined gaps in your research, not simply to amass random raw impressions in the hope something will emerge
- use them only after careful consideration and discussion of the ethical implications
- consider how the use of covert techniques will affect the credibility of the final story and your reputation. Your subject may claim (and prove) that he was 'trapped' into doing or saying something incriminating
- use them only for stories that are in the public interest, where serious consequences will result if you do not follow the story through to the bitter end.

In important investigations, you will sometimes need to use these tactics: never say "Never." But be sure your reasons are sound.

Sources and spin doctors: **evaluating your sources**

You need to decide whether you will deal with the person, and whether you are prepared and have the resources to deal with any legal or ethical issues that may arise from your dealings. The following questions may help you to make that decision:

1 **Is the source genuine?**

At the most basic level, you need to find out whether the person is who s/he claims to be. Can they prove where they work, their address, their family details, military record, passport, ID or driver's licence?

If a source has a history of crime, personal difficulties, mental illness, financial problems, violence or, worst of all, fraud, you will need to be particularly sceptical about what they tell you. Even after you have explained why you need to verify their identity and record, the source may resist. There are probably strong reasons why he or she is hiding the information, and you need to factor this into your judgment about whether to trust the information they provide.

2 **How adequate is the information they give you?**

We have noted that you need a story hypothesis before you begin your investigation, and this is one reason why. Only if you know what you are looking for will you be able to judge the worth of what you get. Does the source provide a complete explanation or set of evidence? Could you put it together in any other, equally plausible way, and come to a different conclusion? Where are the 'holes'? Is the source's experience likely to be representative of experiences in his/her community? Is it up-to-date, or did it happen so long ago that things may have changed?

3 **What are their motives?**

We saw in Chapter 2 that people bring you tip-offs for a range of reasons, many of which have nothing to do with helping investigative journalism or exposing wrongdoing. The same may be true even if you approach the source. Personal grievances, circumstances or beliefs may colour what they say, leading them to exaggerate some aspects or stay silent about others. Some sources may be over-eager to be helpful, and give the answers they think you want to hear. Your background check on the source may uncover some of this; your observation of how they behave when they talk to you will also help.

Sources and spin doctors: **accuracy: the two source rule**

People also make genuine mistakes and forget important details. So for all the reasons above, you need to verify everything you discover from anybody against one other independent source. That is, you need to get evidence that points in the same direction (only rarely will it be exactly the same) from two sources who cannot have learned it from one another.

If you cannot find a second source, or there is simply no time, you may have to state in the story: 'it was impossible to confirm the statement.' Too many unconfirmed statements, claims and allegations in a story weaken it.

But supposing your second source produces conflict rather than confirmation? In this case, you should state both positions to your audience, or turn the conflict between them into the story: "The interior ministry said armed men crossed the border; the defence ministry described them as unarmed." You cannot simply ignore something that doesn't fit the story you were trying to tell.

Your own credibility and professionalism are also relevant factors here. Journalists with a distinguished track record and extensive contact networks such as Seymour Hersh may sometimes have relied on a single source. Very few of us are in that league.

Sources and spin doctors: **problems with sources**

Beware: spin doctors at work

We call official spokespeople and lobbyists 'spin doctors': they are paid to make their employer's case and put the most useful (to them) interpretation – 'spin' – on events. But it is not always easy to spot the spin doctor. Obviously, the Minister's press liaison officer is one. But what about journalists who are secretly paid to promote a certain cause or party, story packages covertly fed to the press by official or commercial sources working underground, or 'experts' actually paid by a commercial company to promote its products? What about material anonymously fed on to un-vetted websites? All of these are increasingly used to promote causes big and small: the US government used a commercial company to 'manage' the public image of the Gulf War, and its CEO proudly described himself as an 'information warrior'.

Creating false impressions

The Johannesburg *The Star* of Tuesday 26 February 2008 carried an insert headed "Opening of Mpumalanga Parliament", in *Star* headline and body copy typefaces. The articles were bylined 'special correspondents', and one 'crime reporter'. The articles, which were laid out as normal news reports and features, were all very laudatory about the Mpumalanga provincial government and its officials. The 'crime report' byline actually headed a speech by the provincial safety and security minister. Of course this was no *Star* news section, but a PR exercise by the province, which had bought the space for the insert from the paper. One can ask questions about a provincial government's behaviour in spending taxpayers' money on praising itself. But the paper had allowed the province to make the insert look as if it was part of editorial space instead of an advertisement and was thus condoning, and even actively assisting, this spin-doctoring of its own readership. South African media practice requires such inserts to be labeled 'advertorial' but there are no explicit rules about not copying the precise layout and appearance of a publication's pages. Readers may easily miss a small 'advertorial' label.

Media outlets short of resources are often helped to fill their pages or bulletins by the supply of pre-packaged news from interested parties. Journalist David Miller, who runs the UK media monitoring site Spinwatch, says:

"Images do not need to be false to mislead. The photos shown by Colin Powell in his presentation to the UN on Iraq were genuine. They just did not show the things he said they did ... The cutting edge of innovation is in the corporate sector, particularly in the PR industry. Monsanto and other GM interests have been at the forefront of creating fake demonstrations, fake scientific institutes, fake pressure groups with all the paraphernalia of fake leaflets, T-shirts, websites and the rest..."

It is easier to deal with an acknowledged spin doctor than with fake news. You know that the Minister's spokesperson is paid to gloss over problems and spotlight achievements. Only the most unskilled will actually lie – it is easy to disprove an actual lie with alternative research. And thorough preliminary research plus good interviewing technique (see Chapter 5) can shake evasions and misleading emphases. Remember, spokespeople are just doing their jobs, as you are doing yours.

Besides official spokespersons, governments – and quite a few large corporations – have intelligence agencies trying to covertly advance their bosses', and sometimes their own, objectives. The US government used its intelligence agencies to plant stories in the media about Saddam Hussein's 'weapons of mass destruction' which, it turned out later, he didn't have. In the case of the Dulcie September murder in Paris in 1988, the French secret services planted many false reports in the newspaper 'identifying' foreign killers to obscure their own role.

Planting stories is daily routine for secret services, which run entire departments dealing with influencing the media. That they spy on journalists to find out what we know, and that they even attempt to recruit us (sadly, in some cases, successfully) is well-known. But just as often, they feed us (often spectacular-sounding) information with the objective of spinning us, and through us, the public. Be very, very cautious when someone seems all too willing to 'help' you with important tapes and documents, even if their motivating story sounds plausible. Evelyn Groenink was once promised "300 hours of tape-recorded conversations" with a known French arms dealer by a "businessman who had been duped" by this man. The source seemed to have a reasonable motive for going to the press: revenge after having been defrauded. But when Groenink started asking questions about the massive amounts of money, time, surveillance opportunities, plane tickets and network of contacts the 'defrauded victim' appeared to have at his disposal, the source disappeared – to London, where he lived and, Groenink suspects now, worked for the UK government or the UK arms industry. At the time, the UK arms industry had reason to be worried about inroads being made into the African market by its French competitors.

As a rule of thumb, it's always better to find sources yourself than to allow them to find you. Our 'Deep Throat' who claims that we must meet him in the dark, in an alley, and never tell a soul about the meeting because "they are after him", may very well be a part of 'them'!

Given all this, however convincing the evidence you find in documents or on the Internet looks, the possibility of fakery means you must always check the source. What is this 'research institute'? Who owns it? Where do its funds come from? Who sits on the board? What's the writer's history? What are his or her known loyalties?



Reluctance/anonymity

Particularly with 'hot' stories, you will very often encounter sources who are reluctant to speak to you, who insist that what they tell you is all "off-the-record", or will not agree to be named. First, you need to know who the person is; if you don't have details about your source's background, you will not know what they are in a position to comment on. The most risky source is the unidentified voice on the end of a phone line – even if Deep Throat did power the Watergate investigation.

You cannot force someone to speak to you or go on the record. You need to understand their reasons for this attitude. Ask them. A good question is: "What might happen if your name became known?"

Sometimes the reason is to do with personal fear: the undocumented migrant will be deported if her identity becomes known; the senior civil servant may be fired or even imprisoned; the person living with Aids may be attacked by his community. You may need to consult your editor at this point, to see how the news organisation can help to keep the person safe. (You may be asked by your editor to disclose the name of the source. When you do this, make it absolutely clear that this information must go no further

than the editor's office.) But never make promises to a source you cannot keep; it is better to use an anonymous or off-the-record source than carry the moral responsibility for a tortured or dead one.

To name or not to name

"My worst experience as a journalist was to have a source assassinated, because the source had a lot more information than he provided for me, but he wanted to test the waters. He did not want his identity revealed, but of course all the people he was involved with did not have much difficulty to work out who he was and he got wiped out. So maybe as a source it's better that you don't feed things in dribs and drabs, so that there's no reason to kill you, or you take the risk rather of using your name so that any action that is taken against you subsequently is very clearly in response to your whistle-blowing action. That's the other side of source protection" – Sam Sole, *Mail & Guardian*, Johannesburg.

However, these are usually the only reasons for settling for a nameless source. Nameless sources are hard to monitor, can encourage inaccurate reporting – and will certainly cause readers to have less faith in the story. But they may also provide first hand, insider knowledge, important confirmation or leads to additional evidence. Make your final decision based on the specific circumstances of your publication, the source, and the story. Agree with the source how you will refer to them in your story, and make the description as explicit as is safe. "An environmental scientist working with the forestry ministry" is better than "a scientist" – unless she is the only environmental scientist the ministry employs!

If a source is merely reluctant rather than literally scared for his life, try persuasion. South Africa-based investigative reporter Evelyn Groenink explains how she persuades reluctant sources – and what she does if she has to settle for 'off-the-record' information:

"Most people think of themselves as inherently good. I have had regular success with addressing people on that basis, explaining to them that I want to help correct something that is wrong and asking if we can work together in this effort. If only [the source] could make me understand how things are supposed to work and why or how they sometimes don't..."

We will look at interviewing techniques for dealing with reluctance in the next chapter.



Payments

Never offer to pay for information, and be wary of sources who want to talk money before they talk about the story. The credibility of the source is immediately questionable, and so will your story be if your audience finds out it was paid for. You are open to the charge that the witness said what you paid him or her to say. This discredits both of you.

If your story relates to a legal case, you could be accused of compromising the integrity of evidence or robbing the accused of the opportunity for a fair trial.

If your source simply will not talk unless a payment is made, you must ask yourself why. Are they doing this only for the money; are they genuinely in such need that this offers a chance of survival – or do they and you operate in a culture where favours are always reciprocated and 'dash' oils the wheels of all transactions: for example, where registry clerks customarily receive a small under-the-counter payment for providing copies of birth certificates or government documents?

If you have good reasons to believe the source's motive is purely mercenary, the story stops there. You have no way of knowing that what is brought to you is even true. Experience and your journalistic instincts will guide you, but if you are a relative beginner, the advice of a more experienced colleague can be helpful. If you are writing the story for an international outlet, remember most international media have strict rules about payments and simply will not accept a story reported on this basis.

If the issue is cultural, you need to explain carefully why, in this particular case, making a payment could compromise the story: "No-one will believe us if they know I paid you." Appeal to your source's better instincts; ask why they brought you the information in the first place and whether correcting that wrong is not more important than collecting cash. If this doesn't work however, and the source is genuine with unique information, the story important, and the payment within the normal range for this type of favour, you face a hard either/or decision: drop the story or make the payment. (For more on this type of decision-making, see Chapter 8.)

Among poor communities, reporters sometimes have the reputation of vultures who exploit the stories they find there to build careers and become rich – while informants stay poor. In these circumstances, asking for payment for information is understandable. Again, you need to explain that the story is not to benefit you personally, but in the public interest, and why payments could cause problems for the final story. But it is also justifiable to look for legitimate ways to compensate informants.

A limited payment to compensate for time or income lost as a direct result of cooperating with a reporter is legitimate and widely practised, as is repayment of any expenses informants may have incurred. Make sure this doesn't appear to be covert payment for the story; get a receipt that spells out what the payment was for and ensure the amounts shown are reasonable. If you bring in TV cameras, you can pay a 'facility fee' for any disruption the filming has caused, including the cost of any local power you use. And small courtesies while you are reporting, such as bringing a meal with you sufficient to share with your source's family – as well as remembering to express thanks, and do any follow-up you have promised – can improve the reputation of journalists and the community's respect for their work.

If a story incurs big expenses, such as paying for security, a safe house, or relocation for a source, these must be noted in the story.

It should not need saying, but as a reporter you should never ask for payments or accept significant payments or favours from people connected with a story. This rule stands whether or not an explicit request is made to you about how the story should be handled. Obviously, commonsense judgements rule in these situations; being bought a single beer or offered a lift to the bus station are not significant favours. Many newsrooms have an ethical code setting a financial cap on the value of 'acceptable' gifts and favours. But whatever the rules, if it becomes public knowledge that you received money, gifts or favours from a role player in a story you wrote (even if you did not change the story), your reputation will be compromised beyond repair.

Serving too many masters

A Congolese journalist, Franck Ngyke Kangundu, may have been assassinated for trying to serve too many political masters at once. He served as the eyes and ears of the new Kabila government on the opposition paper *La Reference Plus*, but had not cut all ties with the previous Mobutu regime and, using a range of pen-names, wrote both investigative stories attacking government (based on information from his old Mobutu-ist contacts) and stories praising government. In July 2005, *La Reference Plus* published a story accusing President Kabila of channeling US\$30million of government funds to Tanzania, where he grew up. Soon after the Congolese secret service found and questioned the newspaper's editor (who had gone into hiding), and got Kangundu's name, he and his wife were shot down on the doorstep of their home. (See the full report on this, "30 Millions de dollars et la trahison du Marechal" in the archive at www.niza.nl)



Protecting your sources

It is your responsibility to alert your source to any potential danger that could result from the story being published – but also to point out to them the social benefit and public interest of the disclosure. Only when you have discussed both these aspects can you say the source gave 'informed' consent to being named in the story.

Open, identified witnesses talking without ambiguity is in many cases the only effective way to counteract the spinning, lies, errors and crimes of the great and powerful. So you need to take time to get that.

If, having done your best to persuade your source, he or she still fears to go public, you need to follow the following steps to protect them:

- Explain before any information has been exchanged that you may have to share their identity with some other people, such as your editor or media lawyer. Explain that this means not all the decisions about protecting their identity will stay in your own hands.
- Discuss how you will hide their identity, including how you will refer to their location, background, status or even gender.

"Fire them!"

In 1992, the then editor of the Zimbabwean *Financial Gazette*, Trevor Ncube, and reporter Regis Nyamakanga, were summoned before a Parliamentary Committee following their publication of a story in which they had quoted an unnamed member of the Committee. The member had alleged that (Committee investigations showed) that government ministers had received favours from a corrupt businessman. The Committee felt that it had been prejudiced in its investigations by the publication. Parliament ordered the two to reveal their sources or face prosecution. Fearing the possibility of a prison sentence, Ncube revealed his source. *Source: MISA/IFEX*

- Agree with them explicitly what will be in the story, when it will appear, what the deadline is for alterations to content, and whether the information will be embargoed (held back from publication for a certain time).
- Make sure they understand the risks of meeting you, discussing the story over the phone or in e-mails.
- Make sure you keep any notes or records relating to the source in a safe place; perhaps with a third party unconnected with the story, the source, or your paper. Do not discuss matters related to the source where you can be overheard, bugged, tapped (a phone) or hacked (e-mails on a computer). Remember it is now very easy to track records of phone calls, including cell phone calls, and to use your cell phone company's routine tracking signals to locate you. Switch off your phone and remove the batteries before going to meetings that need to be secret.
- Accept your source's requirements for certain information to be 'off-the-record' or 'for background only' – though you can try to change their mind about these aspects.
- If you have given a commitment to conceal someone's identity, you must honour it, even if that means your going to jail. Make sure your editor and any other colleagues involved in the story understand this too. This is the single most important principle governing relationships between reporters and sources.
- However, bear in mind that in many African countries, reporters and editors are tortured for the names of sources (as was

the case with Franck Ngyke Kangundu's editor, above). And since media offences in these countries often fall under criminal rather than civil law, verdicts may turn on your sources of information, and refusal to reveal these may count as obstruction or contempt of court, and carry a prison sentence. You need to be certain in your own heart of how far you are prepared to go to protect a source, before you even embark on the investigation. See Chapter 8 for much more on these issues.



Protecting yourself

The law protecting journalists (or not) varies from country to country, as does what is admissible as evidence in court. We discuss general principles in Chapter 8. But it is your responsibility to know the law and to understand any risks you are taking and their possible consequences.

However you keep records – in written notes, on a computer, or as sound or video recordings – they must be as accurate as possible, dated and filed in such a way that they can be recovered when necessary. Be crystal-clear about:

- What the source has actually seen, or knows and/or is prepared to say
- How they are in a position to have the information they claim
- Their motives
- What the source actually says – their full words, not paraphrases, or a tape if you can persuade them to make one.

Make sure you record fully all interactions with your source, including what you may have discussed around payments requested or made. Keep receipts connected with story expenditure.

Take every precaution to keep documents and other information secure. If you are a full-time employee of a media house with reliable legal and technical advisers, keep constant contact with these people and take advantage of their technical know-how to, for example, encrypt information stored on your computer hard-drive, or find secure storage for hard copies. If you are a freelancer, or have doubts about the trustworthiness of your newsroom, you will have to rely on your own common sense – and you are far more vulnerable. Seek advice and support from professional organisations of colleagues, such as FAIR, or online advice and protection sites such as that of the Committee for the Protection of Journalists (CPJ).

Ensure a transparent and honest relationship with your sources. Never lie to them or mislead them for any reason. Don't make promises you cannot keep, or predict consequences you cannot ensure. Don't get so personally attached to your sources or involved in their problems that you cannot maintain professional distance.

You must make every effort to ensure you are being told the truth. So treat their information, however critical it is to you, with professional coolness and normal skepticism. Verify their personal details and be suspicious of any parts of their life they try to hide. Ask difficult questions. Be prepared for unexpected stalls and problems in your relationship with them, and always interrogate what has gone wrong. There is no such thing as a perfect witness and you don't want to be surprised later by information about the source you hadn't previously known.

Beyond what you may have mutually agreed for source protection, resist any suggestion that your source has a right to control the content of your article or broadcast. In all but very rare circumstances, this is your editor's decision.

One form of protection for both you and your witness may be a legally-recognised signed, witnessed statement: an affidavit. And remember that important people often have large egos, and that the same personality traits that make the person so individualistic and bossy in dealing with you, may be the traits that made them 'stick their neck out' and come to you with information.

This kind of statement, initialled on every page and signed in the presence of a lawyer, is acceptable to courts in most countries and has important legal consequences. It signals that your source is willing to appear in court and give evidence if required. An affidavit should be given to a trustworthy lawyer for safekeeping. If your story results in legal challenge or action, the existence of the affidavit makes clear to anyone challenging it that your source is prepared to reveal him or herself if offered the protection of the court. It also protects you if your source later retracts the story.

However, in countries where there is limited trust in the rule of law, where the courts can offer little real protection, it may be very hard to persuade your source to sign an affidavit. It is, however, worth trying.

But protecting your professional integrity is only one part of self-protection. There is also the important issue of protecting your personal safety, your family, and your sanity. If you intend to spend time in a risky and traumatic area of the profession, you need to

- Have conversations with those close to you, not necessarily about the detail of your work, but about what it might mean for your and their safety. Work out the best ways of staying safe, precautions to take, and the options for an 'escape plan' if you think you may need one
- Use journalists' organisations and websites to pick up hints on professional safety and security and secure international comradeship
- Recognise that you may need psychological support at some stages in your career, if you have witnessed traumatic events or been subjected to brutality, bullying or torture. The reading list at the end of this chapter suggests some useful resources.

Sources and spin doctors: **documentary evidence**

Ironically, just as access to a huge range of documents is made easier by the Internet, so the usefulness of those documents is more often being called into question. As investigative journalist Stephen Grey puts it:

"The age of documents is finished. We are faced with a situation where, more and more, we can no longer rely on documents. It is so easy now to forge them ... During the Iraq war we saw how one of the key arguments used by the President to justify the war was a claim that Saddam Hussein had been buying uranium from Niger ... looking back, it's astonishing they ever believed these documents. The documents carried names that were from 5-10 years ago and letterheads that weren't even in use any more; even the names of government representatives ... were wrong. Nevertheless, the information passed all the way through the system..."

Grey's assertion that "the age of documents is finished," though, is controversial. We still need documents to construct stories, provide the background to an interview, or provide the facts to cross-check answers. What his anecdote (and many others) about forged documents tells us is that we need to treat documentary evidence just as carefully as what human sources tell us.

You can use an internet archive such as Lexis-Nexis (see Further Reading) to source documents; but many documents produced before digitisation need to be hunted down as hard copy in physical archives or libraries, or from your sources.

Lexis-Nexis is an electronic archive of 'secondary' sources: books, magazines, newspapers, scientific journals and the like. A primary source is the actual document: not a photocopy of it or a quote from it or analysis of it in some other document: a company's account book, a test result, register or hospital discharge paper. Original documents carry far more weight than copies, unless you can verify that your copy is genuine by getting it notarised (certified by a legal professional).

1 The public record

A huge amount of the information you need may already exist and be available in documents that are open to the public. This is what we mean by the 'public record'. It might turn up in newspaper archive searches, internet and book searches, bibliographies, court records or official registrations (property, vehicle, corporate, marriage or divorce). We tend to underestimate the public record, assuming that because it is out there, it is no longer news. But remember:

- The documents you search may be public, but not everybody has read them. You are bringing something from a narrow, specialised readership to a broader audience
- No-one may have asked your specific questions before
- Putting together (synthesising) information from many different sources actually creates new information when it reveals links, contradictions or gaps.

Do not forget the basics, such as phone books, staff directories, annual reports and organisational publicity documents. These can provide names, contact details, lists of responsibilities and sometimes even photographs of people you may be interested in. Public record searches can be time-consuming and tedious. But they are always worth doing.

Exercise #1

Public record documents

What public record documents would you expect to find from the following bodies? Brainstorm your own ideas for about 10 minutes before reading on.

1 Businesses

2 NGOs

3 Government and parastatal bodies

What public record documents would you expect to find from the following bodies?

- | | |
|---|--|
| 1 Businesses | <ul style="list-style-type: none"> Business licence Articles of incorporation Website if large Staff directories Financial statements Contracts and tenders Legal documents if involved in any cases Press releases If large/public, agendas and minutes of shareholders meetings |
| 2 NGOs | <ul style="list-style-type: none"> Registration or licence to operate Annual reports and budgets Website Staff directories Press releases Reports, policies, newsletters and other publications Media stories on activities |
| 3 Government and parastatal bodies | <ul style="list-style-type: none"> Policy statements Reports Website Staff directories Speeches in parliament by relevant minister Press statements and releases Contracts and tender documents Letters from spokespeople Media coverage of activities |

Many of these documents will, of course, represent the organisation as it would like to be seen. But they can be very useful for establishing the gaps and contradictions between what is supposed to be happening and the reality.

2 The previous work of others

Check with all those who have studied the question before. Has the research already been conducted and the witnesses found? Be prepared to stand on the shoulders of others' earlier work.

Check out the work that has already been done

"I spent weeks looking for the records of the former East German secret service, the Stasi, trying to find out who the spies were in the UK. We looked through thousands and thousands of documents all marked 'Streng Geheim': top secret. We spent weeks looking and trying to decode the whole system – until we found out there was a book available in the bookshops that had done that already. In fact, this book even named some of the Stasi sources in the UK." – Stephen Grey

Other journalists, NGOs, independent researchers, doctors, government investigators, experts, academics and authors may all have done relevant work. In rare cases private investigators or privately-commissioned researchers may co-operate if they have looked at the subject, but they require the consent of their client.

3 Government and official information

Regulatory bodies are often required to make information public, about what they do and who they are. Government departments may be a source of partial but useful information:

- Births, deaths, wills, marriages and divorces
- Court records in criminal cases, as well as coroners' courts
- Property records and mortgage information
- Military service records
- Company registrations

- Regulatory commissions and inspectorates (environmental, industrial, trade union, medical and sometimes criminal and military commissions)
- Electoral rolls.

Other national governments can be excellent if unusual sources of information. The US Government keeps archives and active files on most countries in the world, their principal economic, political and military activities, policies and statistics. These may produce different information from a domestic source. These files may be available under the US Freedom of Information Act to which anyone, anywhere can apply and receive the relevant materials with minimum payment. It can be a lengthy process, taking months, and it will be necessary for you to keep accurate dated records of your enquiries, who answered them, when, and when you hope for a reply.

4 Evaluating documents

There are a number of important things that you should always check when evaluating documents:

- (As always) question the source. What might his or her motives have been for providing the documents?
- Is the document genuine? Check the details Stephen Grey mentioned: the letterhead, any verifiable names quoted, whether the date makes sense in terms of the information contained. Look at the language of the document: obvious grammatical errors don't always mean that an official document is forged (civil servants have language problems too!), but a grossly inappropriate style should alert you.
- Is it complete? Do page numbers follow in sequence or have some pages been left out? Has anything been erased, scratched out, or made unreadable by an 'accidental' fold in the paper? The missing information could put a completely new face on what you have read.
- Is the information current? If possible, ask someone familiar with the area concerned to verify that this is an up-to-date document, not an old one that has been overtaken by events.
- Is it accurate? The existence of a document does not invalidate the two-source rule. Ask an expert whether the facts and figures seem likely, or cross-check them with other documents.

Case studies

Case study

"Dune Deal" and three other stories by Erika Schutze

Erika Schutze, a freelance journalist working in the Eastern Cape area of South Africa, found herself dealing with a wide and complex range of sources when she began investigating disputes over titanium mining in the area. Stories emerging from this investigation appeared in the magazine *Noseweek* in August 2007: ("Dune Deal") and November 2007 ("Pondo Uprising"); in the *Sunday Tribune*, 24 June 2007, ("Residents on Warpath over Dune Mining") and September 23, 2007 ("Commando Brandy Cottages Doomed").

Please give us a brief outline of the story:

I set out to cover a conflict in the Xolobeni District of Pondoland, Eastern Cape, where the community is split between those who support an application from an Australian company to mine the dunes for titanium and those who wish to protect their ancestral lands and pursue sustainable development options instead. Coverage in the media until that point had overlooked the concerns of those opposed to the mining. I feel the press is reluctant to do the 'footwork' necessary to find out the opinions of the rural poor. The stories I followed encompassed human rights issues, land rights issues, sustainable development and environmental issues, as well as freedom of speech. Those who are pro-mining have funding from the mining company to caucus: vehicles, phones, and allowances for running these. The anti-mining faction has to walk long distances to meetings, does not have money for telecommunications, and is further weakened by food shortages every winter. The playing fields are clearly not level.

I needed to investigate:

- Why was there conflict in the community?
- How far had community tensions been manipulated by the mining company?
- Were there real prospects for eco-tourism and exactly how had these been undermined? (Was there corruption in the local development trust?)
- In 2003 a man called Mandoda Ndovela was murdered after a meeting where he objected vigorously to prospecting/mining in his area. A case has been opened with the police, but they are not pursuing any investigations, even though many community members claim to know who the murderer is.

- What role has been played by local and provincial government? (They seem to be trying to use the tensions to their advantage, in the context of their broader plans for the commercial restructuring of the Eastern Cape.)
- What was the background and history of the mining company, Mineral Resource Commodities (MRC)?

This instance of conflict between communities and mining companies is very significant in the broader context of South Africa, given the vast mineral wealth here. There is also growing international concern about the problem of mining induced displacement and resettlement, and lack of corporate social responsibility and consultation. I'd read several reports on these issues.

How did the story get started?

Through a tip-off: a friend who initiated a community-based tourism project in the area in 1999, and is still active in rural development work in the area, alerted me to the increasingly tense situation.

What documentary sources did you consult and who did you talk to?

- **NGOs active in the area:** Amadiba Crisis Committee, Sustaining the Wild Coast, National Union of ex-Mineworkers, Sgidi Community, Vuka Mtentu, South African Faith Communities' Environment Institute, Community Organisation Resource Centre, ACCODA Trust.
- **Mining companies:** through its public relations company Maverick Media, and its local BEE beneficiary, Xolco, and the company conducting the environmental impact assessment, GCS Consultants.
- **Development consultants who have been active in the area:** Mintek, Strategic Development Consultants, Eco-nomics & IDS, Dave Arkwright, James Jackelman, Richard King, Travis Bailey, Dave Perkins, Norman Reynolds, Alex Anderson.
- **Government Officials:** Department of Minerals and Energy (national and provincial) and its Deputy Director General: Mineral Regulation; Department of Economic Development and Environment Affairs (DEDEA provincial and regional); Ntinga Development Agency; OR Tambo District Municipality Mayor Capa, Department of Land Affairs.
- **Private Sector:** Wilderness Safaris, Ufudu Flyfishing, Clearwater Trails.
- **Tribal Authority:** Queen MaSobhuza Sigcau, Chief Nkosi Ntabazakhe Maleni, Xolobeni Paramount Chief Yalo.
- **Lawyers:** Andiswa Ndoni, Richard Spoor, Jeremy Riddle.
- **Documents, books, media:** Mineral Resource Commodities (MRC) *Annual Financial Report* (31 Dec 2006); Online Companies and Intellectual Property Registration Office (CIPRO); Online Australian Stock Exchange Limited, MRC website, Grant Thornton study commissioned by the Wild Coast Project in May 2004; *Draft Mbizana Coastal Development Framework*, various drafts of White Papers on Sustainable Coastal Development in the area, Wild Coast Tourism Development Policy (WCTDP) – Special Provincial Gazette, 2001; Wild Coast Sustainable Development Initiative spatial development plan (WCCSDP); Mkambati and the Wild Coast, Div de Villiers and John Costello; The Peasants' Revolt, Govan Mbeki, IDAF (UK), 1984; Benchmarks Foundation, June 2007 Report: *A Policy Gap – a study on the corporate social responsibility programmes of the platinum mining industry in the North West Province of SA*; *Mining Weekly*; Independent Online, *Financial Mail*.
- **Online discussion forums:** two anti-mining interest groups on www.facebook.com exposed me to potential sources and debates.

What difficulties did you encounter and how did you deal with them?

- The Chairperson of Xolco, the black economic empowerment company associated with MRC, wrote a letter to the *Sunday Tribune*, disputing whether I ever attended a tribal authority meeting (and my facts) even though she herself was not there. This letter remains on the website of MRC and defames my reputation as a journalist.
- Some newspaper editors resist carrying stories that do not have 'national relevance'. Initially I could only place the stories in the regional *Sunday Tribune* (which publishes in another province, KZN) and independent magazine *Noseweek*. Likewise, many newspapers are reluctant to carry long, in-depth, analytical stories, and prefer event-driven stories with little context and background. My final story on the topic remains unpublished.
- Like all freelancers I operate at my own expense. Initially I had to take a risk and go to the area at my own expense, not knowing who would buy the story. I had to seek my own funding and was lucky to receive a media fellowship from the Open Society Foundation to pursue the matter.
- Another problem is editors 'stealing' a story idea from a freelancer's submitted story, and getting their own reporter to cover it – this happened to me twice. *Noseweek* did not credit me for either published story, although they later apologised and blamed being "rushed at deadline" – I've given up even complaining about this!
- I faced intimidation from certain community group members, who would come to meetings armed, verbally threaten me, and use racial and party-political slurs. Likewise, one mayor while addressing the broader community in the local language, switched into English as she spoke of the media, and accused me and a colleague from the *Tribune* of pushing an environmental agenda. A lawyer for the BEE company regularly threatened legal action whenever one of my stories was published. In all these cases I tried to explain the role of the media as an impartial truth-seeker, and referred the lawyer to the human rights lawyers working with the anti-mining community committee.

- As an English first-language speaker with only a conversational grasp of Xhosa, I have hit language barriers. I was forced to hire translators for all the community meetings I attended, and I am sure I lost many nuances and textures of the story.
- Some sources backed out of letting me quote them due to intimidation – for example, some teachers lost their jobs when they told the press they opposed mining.
- The Australian mining company, MRC, and its local subsidiary, TEM, refused to speak to the press, labelling all South African media as biased. I resorted to dealing with its PR company.
- Officials, especially those from Department of Minerals and Energy often treated my questions as hostile, and refused to explain complex mineral laws. They simply referred me to the licences and regulations. I received abusive e-mails from officials, including very personal character assassinations. I enlisted the help of mining lawyers and development consultants to try to overcome this problem and get the laws explained – and, of course, I have kept the abusive e-mails.
- I suffered from not having sufficient financial journalism background to investigate the shareholding discrepancies of MRC. I know I need to get training in this. Also, as a freelancer, I did not have the benefit of a newsroom or editor's opinion or company legal guidance. So I had to source my own accounting experts and call in favours from knowledgeable friends.

What resulted from the publication of the stories?

Public sentiment was definitely heightened, judging from letters to the editor. Other local and international media picked up the story – CNN came to film a short piece on the struggle.

NGOs opposed to the mining company grew their membership and some even received funding from individual private donors. Advocacy and lobbying work was consolidated – Johannesburg-based activists with much knowledge of the problems communities face when threatened by mining, came to the area, and conducted workshops with local communities.

At that point there was a perplexing development. On November 29 2007, at 8.04 am, the daily e-mail subscription for *Mining Weekly* declared that mining in Xolobeni had been put on hold, stating: "Wild Coast Xolobeni heavy-minerals project on hold: Australian mining junior Mineral Commodities (MRC), and its wholly owned subsidiary Transworld Energy and Minerals (TEM), has put on hold its proposed heavy mineral mining operation at Xolobeni, along the Wild Coast of South Africa." However, later that day, the story was removed from the website. When the editor was asked, he said: "Your observation is correct. We felt that our story was based on reliable information when it was first published. But on further investigation we discovered serious gaps. We are continuing to follow up and hope to do a more thorough report soon."

My informants and I could not understand this. But it took place soon after the mining environmental impact assessment was released to very critical public response. So perhaps someone in mining camp couldn't stand the anxiety and leaked the story, hoping to save some face. Now the national *Mail & Guardian* has started to pursue the story and the *Sunday Tribune* has picked it up again. In addition, *Mining Weekly* is now pursuing the matter more vigorously. Perhaps this is a small success for freedom of speech and community self-determination!

How long did the investigation take and what were the most time consuming and/or expensive aspects:

I investigated the story for five months (June to November 2007).

- **The most time-consuming aspects:** travelling long distances on dirt roads in public transport; eventually hiring a private truck and driver to take me to rural communities and tribal authority meetings; researching the history of tourism initiatives by retrospective document and policy analysis; contacting experts who have since left the country.
- **The most expensive:** hiring interpreters; long-distance phone calls; having to phone all sources back when they sent "Please call me" text messages on my cell phone – since they cannot afford airtime; paying for a minibus to ferry the leaders of the Amadiba Crisis Committee to Port Edward so that I could interview them as a collective voice; phoning the Australian Stock Exchange to follow up its own investigation into questionable accounting methods of MRC and its inflated share prices.

Follow-up stories

- Fred Kockott from the *Sunday Tribune* picked up on the story after I had had my first one published in his paper. The *Tribune* editorial addressed the issue in the week following my initial exposé.
- *Getaway* magazine referred to my *Noseweek* story in its coverage of the matter in its November 2007 edition, Dispatches section.
- Journalists from *Eastern Cape Herald* and *In Route* contacted me for leads.
- CNN came to film a short piece on the land struggle.
- Australian journalist, Lesley Shuttleworth, formerly from the Eastern Cape, wrote about the issue in the Melbourne press, and interviewed me for her story.

What did you learn, and what advice would you give others covering similar stories?

Investigating a story of this magnitude is not a solitary undertaking and it is imperative to nurture a wide range of sources that constantly feed you with information and notify you of new developments you may have overlooked.

- Cultivate 'grass-roots' sources, otherwise the more vocal and better-funded NGOs tend to set the agenda and speak on behalf of the 'disadvantaged' often without mandate or authority to do so, and often with erroneous observations.
- Keep a calm and impartial demeanour, even when aspersions are being cast on your character, so as to appear professional and defuse any explosive situations.

- Research all your facts in advance so that if you face obstinate and rude officials, you can explain your line of questioning and win their confidence.
- Find stress management techniques that work for you, and do not adopt the 'boozy' solutions of many colleagues.

 **NOTE:** Since Erika sent us this case study, the South African Human Rights Commission has summoned national and local officials to explain the human rights abuses that have occurred around these mining rights struggles.

Key points from this chapter

- ✓ **The usefulness of sources depends not only on the sources themselves, but how skillfully you use them.**
- ✓ **Start with your subject, and then 'map' witnesses, people currently or previously involved, experts and relevant official and organisational contacts. Make your selection from these.**
- ✓ **Select and evaluate experts carefully, and find a way of dealing with differences in expert views without distorting arguments.**
- ✓ **Pay particular attention to organisational contacts who act as gate-keepers, surveyors and door-openers.**
- ✓ **Use covert techniques only after careful decision-making on important, public-interest stories.**
- ✓ **Evaluate sources and documents methodically. Use the two-source rule to try to ensure that each of your findings has independent back-up.**
- ✓ **Beware of spin. Question the origins and motives of everything.**
- ✓ **Encourage reluctant sources to go on the record. If they will not, take every possible precaution to protect their identity.**
- ✓ **Avoid making any payments to sources that can be misinterpreted as payment for the story.**
- ✓ **Protect yourself by accurate record-keeping, careful guarding of your story materials and, where possible, getting signed affidavits from important sources.**
- ✓ **There is a wealth of documentary source material in the public record. Look here first.**
- ✓ **Also check work done in your field by previous writers and researchers, to avoid re-inventing the wheel.**
- ✓ **The most important principle is that your relationship with your sources is sacred. Do not make promises you cannot keep. If you have made promises, you must be prepared to put your own liberty or life on the line to see they are kept.**

So, where did Angelique Kimoko go wrong?

We hope you noted some of the following points:

- It sounds as though she let her feelings of sympathy get the better of her. There is no evidence that she verified the woman's story, or had the necessary pre-interview conversations about confidentiality and protection. Both she and her source took far too much for granted.
- By giving the woman money for no clear reason, she could have put the credibility of her reporting at risk.
- She does not appear to have stressed to her editor the importance of protecting the woman's identity – in fact, she completely failed to protect her source, and real harm may have resulted from this.

Angelique will have to come to terms with her own feelings of guilt and inadequacy, and she may need counseling or support from another source. And in future she will, hopefully, have those vital preliminary conversations with sources in which issues of confidentiality are discussed and ground rules for dealing with the story are agreed.

Glossary

- **Confidentiality clause** – part of a contract signed by employees that forbids them from talking about anything to do with their employer: sometimes even extends after the person has left that job
- **Door-opener** – a source who can give you access to others by vouching for your ethics and/or credentials
- **Facility fee** – standard and reasonable payment for occupying premises (including someone's home) for the purposes of filming/reporting/recording/interviewing
- **Forensic accountant** – someone employed by the police or authorities to track financial dealings and misdemeanours
- **Gatekeeper** – a source who controls access to other sources or to stores of information
- **'Housing' a source** – finding out where they live
- **Informed consent** – consent given by a source to use information or identify them AFTER a full discussion of precautions and possible consequences
- **Paper trail** – evidence of conduct or actions discovered through the documentary evidence the conduct has left, using one document to lead you to another
- **Public record** – non-confidential documents kept on file as part of routine public administration, e.g. a driving licence, company or birth register
- **Spin doctor** – a public relations consultant or spokesperson employed to maintain or improve image or influence public opinion
- **Two-source rule** – professional convention that evidence counts as unconfirmed if you cannot find a second source to support it
- **Whistleblower** – an insider who wishes to give evidence to the media about his/her employer or organisation

Further reading

For a general survey of government and commercial media manipulation:

- <http://www.globalissues.org/HumanRights/Media/Manipulation.asp>
- The Canada-based site www.journalismnet.com lists an impressive range of international web resources that give you expertise on almost every beat, as well as inroads into media and institutions in almost every country.
- The FAIR website www.fairreporters.org (click on 'resource centre', 'library' and 'links') provides a good list of international institutions that maintain online databases on the following:
 - African media and international newsletters focusing on Africa
 - Company registries in SA and Europe, multinationals, resource exploitation and arms trade
 - International corruption monitoring institutions
 - International law and order agencies, statistics, the World Health Organization, human rights, justice, security and human traffic monitors
- The 'Dossiers' section on the FAIR site's resource centre chapter provides background papers on resource exploitation, party funding, media law and a range of other issues. The 'Tipsheets' section (under 'Career Toolbox') gives an institutional directory, with contact details of government and non-government institutions in all sectors of society, of nine African countries.
- [Http://www.publicintegrity.org](http://www.publicintegrity.org) and its partner, the International Consortium of Investigative Journalists (find it on the same website) regularly publish research on international issues of corruption and unethical business practices
- [Http://www.drewsullivan.com/database.html](http://www.drewsullivan.com/database.html) provides a list of US, but also international databases that are accessible online.

For general resources on Africa, see the following links:

- United Nations general (click on 'browse' for a wide range of subjects): www.un.org/
- Stanford University Africana resource: <http://www-sul.stanford.edu/depts/ssrg/africa/guide2.html>
- Africana library: <http://www.digital-librarian.com/africana.html>
- South African local government data: <http://www.loc.gov/rr/international/amed/southafrica/resources/southafrica-libraries.html>

For documents service (companies, assets, deeds, etc.):

- Lexis-Nexis: a fee-bearing service that can be expensive, but may be accessed via a university or law office terminal at that institutions' expense: www.lexisnexis.com

For international labour-related issues:

- The International Labour Organisation (ILO)'s statistics: <http://www.ilo.org/public/english/bureau/stat/portal/index.htm>
- The International Confederation of Free Trade Unions: www.icftu.org
- Global Unions Federation: <http://www.global-unions.org/>
- The European Trade Union Confederation: www.etuc.org
- Labour Start (current trade union news): <http://www.labourstart.org/>

For human rights organisations:

- Human Rights Watch: www.hrw.org
- Human Rights UN: www.ohchr.org/english
- International Organisation for Migration: www.iom.int
- Save the Children: www.savethechildren.net/alliance/index.htm
- Amnesty International: www.amnesty.org
- Oxfam: www.oxfam.org.uk
- International Centre for Transitional Justice: www.ictj.org/en/index.html
- Unicef: www.unicef.org

For environment and resource exploitation issues:

- Greenpeace: www.greenpeace.org.international
- Global Witness: www.globalwitness.org

For international law and police data:

- International Commission of Jurists: www.internationaljurists.com/index
- International Court of Justice: www.icj-cij.org
- Interpol: ww.interpol.int
- Europol: www.europol.eu.int
- UN office on Drugs and Crime: www.unodc.org

For nuclear information:

- The International Atomic Energy Agency: www.iaea.org/Publications/index.html

For freedom of expression and freedom of information issues:

- Article 19: www.article19.org
- IFEX: www.ifex.org
- <http://foi.missouri.edu.html> for freedom of information guidance and examples
- www.saha.org.za for FOI services in South (and southern) Africa

For networking and help if you work in a conflict-ridden area:

- Dealing with stress, trauma and torture
The Dart Center for Journalism and Trauma, which is based at the University Washington in Seattle (<http://www.dartcenter.org>) – in coordination with the International Society for Traumatic Stress Studies – offers journalists a referral service to professional counselors worldwide.
- The Marjorie Kovler Center for Survivors of Torture (http://www.poetics.org/daytonpor/kovler_center.htm) is a clinic in Chicago with expertise in this area.

(The above references are drawn from the very full bibliography of a CPJ report on journalists working in war areas. The full report, with four pages of useful references, can be accessed at: <http://www.cpj.org/Briefings/2003/safety/safety.pdf>)

Other reporters' organisations

- International global investigative journalism (supports requests for information)
<http://www.globalinvestigativejournalism.org/>
- Investigative Reporters and Editors (large archive of stories)
<http://www.ire.org>
- The Center for Public Integrity (regular research on issues of corruption, etc.)
<http://www.publicintegrity.org/default.aspx>
- The International Federation of Journalists
<http://www.ifj.org>
- Centre for Investigative Journalism
<http://www.tcij.org>
- You can find more investigative journalism organisations in the 'library' section of the FAIR website.
- Don't forget your own national or regional journalist's organisation!