NI Group Limited
J. Edwards
First Statement
"JE1"

IN THE MATTER OF THE LEVESON INQUIRY INTO THE CULTURE, PRACTICES AND ETHICS OF THE PRESS

WITNESS STATEMENT OF

JOHN EDWARDS

I, John Edwards c/o The Sun, News Group Newspapers Limited, 3 Thomas More Square, London E98 1SN, will say as follows:

1 A brief description of your career history to date.

1.1 I am the Picture Editor of The Sun and was appointed to that role in 2000. Before that I was an Assistant Picture Editor on The Sun, having joined the title in 1992. I began my newspaper career in 1988 as an Electronic Picture Desk (EPD) operator at the Today newspaper and was then promoted to the main desk assisting the Picture Editors, and then to the position of Night Picture Editor. My father is Arthur Edwards, who has been The Sun's widely respected Royal Photographer for more than 30 years.

2 How are the photographs which appear in your newspaper obtained? The Inquiry assumes that some are bought from paparazzi or other freelance photographers, and others are taken by staff photographers. Are there any other sources of photographs?

2.1 Pictures are obtained in a variety of ways by The Sun. Some are commissioned directly from our staff and others from our regular freelance photographers. We have five staff photographers and a pool of 20 regular freelancers. Freelancers are paid for each commission and a percentage of any syndication fees earned from the sale of the pictures to other outlets after publication in The Sun. The title is also supplied by picture agencies that specialise in news, showbiz and sport images and individual freelance photographers worldwide. The advent of digital photography and the ease with which images can be sent electronically has driven an exponential increase in the number of images offered for publication from all sources. The booming mass market for mobile phones fitted with HD cameras is also creating a new stream of contributions as we are increasingly sent pictures direct from members of the public. My picture desk is sent about 15,000 - 20,000 images a day for consideration.

3 Please provide a copy of any code of practice or manual which regulates the activity of your employed photographers. What sanctions are imposed if your photographers fail to act in accordance with that code? How many times have you imposed sanctions on your employed photographers over the last four years? Please give specific examples. If there is no code, then please explain how

photographers are given guidance as to which photographs it is appropriate to take?

3.1 Our staff and regular freelance photographers work within the PCC Code and have been supplied with copies of the Code. The PCC Code is published on the News International intranet as part of the staff handbook and forms part of staff's obligations under their contract of employment. Guidance on whether or not a picture is appropriate is given whenever the occasion arises by either myself or my deputies. The five staff photographers that I employ at The Sun are experienced and well versed in the application of the Code in any given situation; they are encouraged to raise any misgivings they have with me or my desk team. In the last four years I have had no need to impose any sanctions on any of my team.

4 **How do you ensure that photographs taken by your employed photographers have not been taken in a private context, or taken in a situation that has caused distress or fear to the subject of the photograph? How often do you refuse to publish a photograph on the grounds that it was taken in a context of harassment, or without regard to privacy?**

4.1 If I have any concerns - particularly about privacy or harassment - regarding pictures taken by our staff or commissioned photographers, I will raise them immediately by discussing with the individual exactly how the events occurred, e.g. where the picture was taken from and whether the subject was aware they were being photographed. I have an experienced team who I trust and who are well aware of the boundaries and standards that I expect of them.

4.2 Some of the most obvious rules are that they should not take pictures inside hospitals or outside schools, shoot pictures into a private residence or picture children without parental consent. If, after these discussions with my team, I still feel there are any outstanding concerns, these are passed on to the Editor or his deputies before a decision is made on whether or not to publish the images. Since my staff and freelance photographers are well aware of the PCC Code, a referral to the Editor or his deputies does not occur very often. In my time as Picture Editor I cannot recall any occasions when I have had the need to "pull" (abandon) a set of pictures taken by a staff photographer. However, there are frequent examples where I have refused to publish a photograph on the grounds that it may have been taken in a context of harassment or without regard to privacy, some of which I have referred to in paragraphs 5 and 7 below. One recent example of restraint is the funeral of the murder victim Joanna Yeates. We were asked not to attend by the family via Avon and Somerset police and complied with this request. We did use images in the following day's paper but they were supplied to us by the Press Association, which had been given permission to be there and supplied the same images to many media outlets. Staff on The Sun picture desk, who are making difficult ethical choices every day, have attended PCC workshops at News International, at which press behaviour is discussed and PCC judgements are analysed.

5 **To what extent do you, or can you, regulate the conduct of agency photographers?**

5.1 I work alongside my father at The Sun, and have benefited from his advice, gleaned from his many years of balancing privacy issues as a photographer of the Royal family. I am in constant dialogue with agency bosses and their staff. In the past, for example, I have warned them on privacy matters and given advice on when not to take photographs of

popular or controversial subjects (for example, of Pippa Middleton, sister of the Duchess of Cambridge, when she is leaving her home or arriving at work). I have also advised them to withdraw sets of pictures from sale – by way of recent example, I advised an individual that a set of photographs of the singer Robin Gibb, who is suffering from liver cancer, attending a medical appointment, be withdrawn from sale. I have good relationships with the majority of photograph agencies and am known for expressing my views and advice frankly and clearly. On many occasions my advice has been acted on. However, I have no ultimate authority over independently-run agency photographers who, it should be remembered, often supply pictures to, for example, celebrity magazines published outside the UK that may not exercise the same restraint. My final sanction is simply to refuse to provide a market for images on a case by case basis. Outside the PCC there is an informal self-regulation among national newspaper picture editors. For example, if I have concerns over a particular picture set I will often consult with picture editors of other daily newspapers and this will result in either a blanket ban on publication being agreed between us or, at the very least, some of our main rivals following our approach of not using the images. A recent example of an informally agreed blanket ban, when normal competitive pressures are set aside, was the offer of pictures of the singer Lily Allen, heavily pregnant, shopping in Central London. Even though she was in a public place and seemed to be happy in the images I was mindful of her condition. After picture desk staff asked showbiz staff from The Sun to call her agent, we established she would not be happy with the pictures being published. I then warned the picture editors of other titles that this was the position. This has happened on regular occasions, for example, as regards pictures of the television presenter Christine Bleakley taking the children of her partner, footballer Frank Lampard, to school. I am not aware of this set of pictures being used by UK tabloids following this type of discussion with fellow picture editors.

6 How do you ensure that photographs taken by agency photographers have not been taken in a private context, or taken in a situation that has caused distress or fear to the subject of the photograph?

6.1 If I am concerned about a set of pictures and think that privacy may be an issue or that the subject may be in distress, then I will ask the agency head or picture editor to give me a full description of how the pictures were obtained. We are constantly monitoring pictures for tell-tale signs which indicate concern eg: photographs which appear to have been taken outside hospitals, which involve long lens photography, or interior locations etc. If I am uncomfortable with the answers given, then I will not offer the pictures to The Sun's executives on the production backbench for publication in The Sun.

7 What sanctions are you able to impose against photo agencies or individual photographers if you discover that photographs have been taken in an unacceptable context? Do you blacklist agencies or individuals known to accept photos taken without regard to privacy or harassment? How many times have you imposed sanctions or blacklisted an agency or individual over the last four years? Please give specific examples.

7.1 Imposing sanctions, for me, usually means simply refusing to purchase the offending pictures. We regularly turn down picture sets on the grounds of privacy and harassment. Recent examples of this include: Victoria Beckham attending a medical appointment; Prince Harry partying in the US; Fabio Capello on holiday; the children of Holly Willoughby; and Gordon Brown shopping with his children. With certain public figures or

celebrities, we do not offer any pictures for publication, except for those that have been taken at a photocall or film premiere, because of their previous experiences of extreme paparazzi harassment or involvement in privacy litigation. To my knowledge, no agency or freelance has been blacklisted in my time as Picture Editor of The Sun. This is because no agency or regular freelance supplying The Sun has repeatedly offended to such a degree that blacklisting would be appropriate action. If one did, then I would consider blacklisting them in consultation with the Editor and Managing Editor.

8 You will be aware of the famously faked photograph published in the Mirror newspaper of Diana, Princess of Wales, kissing Dodi al Fayed. What measures are taken to ensure that any photo provided to your newspaper by an employed photographer or otherwise has not been digitally altered? Is digital alteration of photographs ever justified?

8.1 Since we receive up to 20,000 images a day, it would be impossible to check every one of them for digital alteration. Once the supply is edited down to images with a real chance of publication, our desk editors are guided by their experience built up over many years, the context of the photograph, the caption, the source (is it a regular source or new one?) and an overall consideration of the image. I do not believe that our staff and regular freelance photographers on The Sun would alter any of their images to manipulate a news story. I have never known regular suppliers to engage in this practice. It is an absolute rule at The Sun: digital alteration must never be used to change the presentation of the news. To do so would be to cheat our readers. If such an offence was discovered, the member of staff responsible would face disciplinary proceedings and, if a freelancer was responsible, I would not commission them again.

9 As noted above, the inquiry has heard from a number of individuals who have complained about their treatment by the paparazzi. The inquiry would like your comment on these examples:

(a) **The mother of Hugh Grant's baby**

Did your newspaper instruct any photographer, employed or otherwise, to follow or take photographs of the mother of Hugh Grant's baby (Tinglang Hong) before or after the birth of her child? Did an employed photographer from your newspaper follow or take photographs of the mother of Hugh Grant ' s baby at any time before or after the birth of her child? Was an employed photographer from your newspaper present outside the home of the mother of Hugh Grant's baby in the first two weeks of November 2011? If the answer to any of these questions is yes, please explain why.

Were you offered pictures of the mother of Hugh Grant by any agency or individual photographer? Were any pictures purchased?

Has your newspaper published any photographs of the mother of Hugh Grant's baby? Before publication did you, as picture editor, enquire into the context in which these photos were taken?

The Sun did not send any photographer to the home of Tinglang Hong prior to the announcement of the birth. Following the announcement, The Sun did send one of our regular freelance photographers to her home on the 2nd November 2011. The event - the birth of a Hollywood actor's child to a woman with whom he had had a fleeting affair - was

of keen interest to millions of our readers. However, I believe we acted with restraint: Ms Hong was not followed by the photographer; – instead he took pictures of her without the baby as she walked down a public street. We also commissioned a regular freelance photographer to wait outside the address the following day, Tuesday 3rd November 2011. We instructed this photographer to withdraw once we received a note from our internal lawyer passing on a privacy request which had been channelled through the PCC. We always comply with such requests. We have not returned to the address since.

In addition to always complying to PCC requests, I am sometimes asked directly for advice by people in the public eye. For example, after the death of Jade Goody I was asked for advice by a member of Simon Cowell's staff at Syco who wished to help Jeff Brazier, her partner (who had also presented a Syco television programme). Mr Brazier and Miss Goody had two children and he was wanted to protect them against intrusion by the press. I advised him to write to the PCC, or alternatively to all the national newspapers, requesting that the privacy of his children be respected until the age of 18. To the best of my knowledge, I have not bought photographs from an agency or freelance after a staff photographer has been pulled off from an assignment after a request from the PCC.

We were offered another set of pictures of Ms Hong after the news broke of the birth. These had been taken some weeks before on 21 September 2011 by a freelance photographer. Along with several other papers, The Sun bought and published these images. This story ran on 1 November 2011, and included a photograph of Hugh Grant and Ms Hong together, taken in January 2011, which was also purchased from a freelance photographer. The duty picture editor that day felt no need to inquire about the circumstances in which these pictures were taken as they were clearly on a public street and there were no visible signs of distress.

(b) **Kate McCann**

Did your newspaper instruct any photographer, employed or otherwise, to follow or take photos of Kate McCann on her return from Portugal in September 2007? Did your newspaper publish any photos of Kate McCann taken in this period? If so, did the picture editor inquire into the context in which the photos were taken? If so, what in your view justified the publication of these photos?

The Sun has never employed any photographer to follow Kate McCann but we did photograph her and family on their return from Portugal. On one occasion pictures were provided by the Press Association after their arrival at East Midlands airport. This was arranged on a pool basis. We did continue to cover this story in the days to follow. We were part of the press and TV crews who were stationed on public land at the exit to the housing development where they live. From this vantage point our photographer took pictures of them leaving and arriving home by car. We did not follow them at any time. On one occasion we took photographs of Mr and Mrs McCann walking to and from church, but we were already there and photographed them as they approached. I believe that in the early days after Madeleine's disappearance, they were prepared to be photographed without pixilation of their children's faces. However, as the story unfolded and media attention increased, the family's media representative requested that their children's faces should be pixelated and this was respected. At that time, no complaint about our behaviour was made, and we believed that continued publicity of this terrible story was paramount in the search for Madeleine. Had we been aware that our behaviour was causing the McCanns concerns, we would have acted upon them. I believe that The Sun has had a positive relationship with the McCanns since the very beginning of the search for their

daughter. For example, I helped design, print and distribute about 2,000 missing posters of Madeleine with full co-operation from the family, especially Mr McCann's sister who had asked for our help directly (see Exhibit "JE1"). In May of this year The Sun serialised the McCann's book, running extracts every day for a week; and to promote the book Mrs McCann agreed to be photographed and interviewed by The Sun, and appear in a video that has been posted on the title's website.

(c) **JK Rowling**

Has your newspaper ever published photographs of the children of JK Rowling? If so, what is the justification for such publication?

Neither I, nor my staff, have commissioned or published any pictures of the children of JK Rowling.

(d) **Charlotte Church**

Did your newspaper ever instruct a photographer, employed or otherwise, to take photos up the skirt of Charlotte Church? Has your newspaper ever published photos taken up the skirt of Charlotte Church or up the skirt of any other individual? What is the justification for such publication?

Neither I, nor my staff, have ever published or purchased pictures taken up the skirt of Charlotte Church. We have never instructed any of our photographers to take pictures up the skirts of anyone. I should say that we make a distinction between this very deliberate and invasive practice and occasional photographs of celebrities emerging from cars at clubs and premieres who may accidentally reveal more flesh than they mean to. To my knowledge we have never published any photographs deliberately taken up anyone's skirt. We have been offered such images, including pictures taken up the skirts of Katie Price and Alicia Douvall, and have always turned them down. We have also called photographers and agencies and specifically advised them against this behaviour and have told them we have no interest in these images.

I believe that the facts stated in this witness statement are true.

Signed .....

John Edwards

Dated 19-12-11