

22 November 2011



Johnston Press plc

Printers & Publishers *Established 1767*

Mr Khaleel Desai,
The Leveson Inquiry,
Royal Courts of Justice,
Strand,
LONDON,
WC2A 2LL

Dear Mr Desai,

Thank you for your letter of 3 October 2011 to me in my capacity as Company Secretary of The Scotsman Publications Ltd. I also note that on 4 October you wrote to Ms Helen Oldham, Managing Director of Yorkshire Post Newspapers Ltd. As you may be aware, both these organisations are part of the group of companies owned by Johnston Press plc (the "Group"). As such, it is generally the case that common corporate practices occur across these organisations, and also other companies within the Group. Except where expressly stated, this letter therefore refers to practices both at Yorkshire Post Newspapers Ltd and at The Scotsman Publications Ltd. This letter is sent with the full knowledge and agreement of Ms Oldham, and we trust that this is sufficient to discharge both her and my obligation to furnish you with the information sought in your respective letters. Please confirm if this is not the case.

The appendices to this letter contain the various items of information in response to your enquiry which we are able to provide. Before referring to the details of these, and on behalf of our Group, I would like to make some general observations in respect of the terms of reference which the Inquiry operates under. I note that Part 1 of the Inquiry's Terms of Reference consist of two questions, each of which is sub-divided into four specific issues. Using the same paragraph numbers, I make the following observations and comments:

- 1a. Neither being United Kingdom national newspapers, this is not directly applicable to either The Yorkshire Post or The Scotsman.
- 1b. We believe that overwhelmingly our staff have good relations with local police, both with their press offices and with individual officers directly. We expect crime reporters to develop and maintain good relations with officers of all ranks, as on an almost daily basis events occur in respect of which comment and information will be sought. The police also regularly provide us with information for publication to assist them with their enquiries.

I must stress, however, that our journalists are prohibited from acting in any way which is unethical, improper, or unlawful. None of our journalists makes payments to police officers for information; they do not bribe officers or provide any kind of indirect financial incentive; and they do not try to obtain information other than by legal and ethical means. If any of our journalists attempted to operate in this way, they would be the subject to our disciplinary procedures which may result in their

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dismissal. So far as we are aware, none of our journalists has ever tried to suborn a police officer. In recent months, we have undertaken a considerable volume of work to review our practices and compliance with them, including requiring 122 of our editors to complete a questionnaire on their practice and experience. A specimen copy is enclosed as an attachment to this letter. None of our editors reported anything untoward. As expected, all of them confirmed that they have always behaved ethically and within the law. Given both these replies and the absence of any concerns from staff under our anti-corruption and whistleblowing policies (see the documents listed in the accompanying appendix at (a) m.), we felt that in the absence of evidence or suspicions, it would be disproportionate to instigate any further enquiries.

- 1c. As an organisation, we take our obligations concerning data protection extremely seriously. In our capacity as processors of personal data, we seek to comply with the Data Protection Act. We employ a full time Data Protection Officer who is responsible for monitoring compliance with the relevant legislation and providing suitable training to our staff.

On occasion, we process personal data for the purposes of journalism. On these occasions, we rely on the provisions of the Act to ensure that we process that data lawfully.

The premise underlying this paragraph is that there has been a failure of both the law and the regulatory framework to ensure compliance with the law by the press when it comes to data protection. Our experience is that the regional press respects the law concerning data protection, and always endeavours to comply with it. We are not aware of any newspaper in the Group ignoring or seeking to avoid compliance with data protection law.

- 1d. To the best of our knowledge, it has never been alleged that any regional newspaper within our Group has ever engaged in "misconduct". Similarly, we are not aware that anyone has ever given "warnings" concerning such behaviour. Therefore, we do not believe that the underlying premise of the sub-section - that any of the newspapers within our Group have ever engaged in "misconduct" or have been the subject of "previous warnings" - is accurate.
- 2a. We have witnessed at first-hand, and participated in, the Press Complaints Commission's work resolving complaints by the public. We count both current and former members of the PCC amongst our editors and remain strongly in support of the PCC's role and more generally of self-regulation of the press. As with any system of oversight, we recognise that there is always room for improvement and reform. However, we do not agree with the proposition that self-regulation is a failed concept in the context of the regional press, although it is difficult to see how U.K.-based self-regulation can regulate internet publishers who are based outside the U.K.
- 2b. See above with regard to the issues of press behaviour and regulation.
- 2c. Although our titles to whom you have written have Parliamentary correspondents (at both the Westminster and, in the case of The Scotsman Publications Ltd, Holyrood

Parliaments) who report on both national and local issues for us, our relations with politicians tend to be direct with our MPs and MSPs. These relationships are important both to us and the MPs and MSPs concerned, and generally work well. Indeed, the MPs and MSPs are regular contributors to a number of our newspapers, which is ultimately of benefit to our readers.

So far as we are concerned, therefore, we do not believe that recommendations need to be made concerning the future conduct of these relations.

- 2d. Our position concerning relations with the police is described above. Our view is that the law as currently formulated is generally satisfactory. It defines the behaviour that is expected of the police, prevents members of the public (including journalists) from trying to encourage improper or unlawful behaviour, prevents corruption amongst officers, and as history shows, if there is any improper or unlawful behaviour by anyone, the legal and regulatory mechanisms exist to protect the public and enforce the law and should be deployed to do so when required.

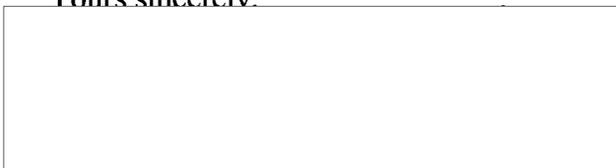
Our experience is that in the context of the regional press, the present system works and we believe caution should be applied before any new legislation is proposed.

Attached to this letter are those documents which we are able to provide in relation to issues (a) a-o, (b) a-o, (c), (d), (e) and (f). Please note that in some cases the information provided relates to Group companies other than the ones you have written to, and to titles other than The Scotsman or The Yorkshire Post. This is due to the common procedures which apply across our Group in relation to many areas. We have therefore included relevant matters on other titles in the interests of assisting the Inquiry as fully as possible.

With respect to the second last paragraph of the third page of your letter of 3 October, we request that confidentiality is maintained around certain of the documents submitted and we have marked those documents with *** on the Appendix. I should be grateful if you could confirm confidential treatment of these.

I trust that this letter and its appendices are sufficient for your purpose, but please let me know if we can be of further assistance in respect of this. As requested, copies of the attached documents will also be provided to you electronically, where possible in Microsoft Word or other editable format.

Yours sincerely,



Peter McCall
Company Secretary and Corporate Counsel

c/Ms Helen Oldham, Yorkshire Post Newspapers Ltd