

The Leveson Inquiry

Witness Statement of Paul Dacre

A. Career history

Journalistic

1. I am the Editor of the Daily Mail and Editor-in-Chief of Associated Newspapers, which publishes the Daily Mail, Mail on Sunday, Scottish Daily Mail, Irish Daily Mail, Irish Mail on Sunday, Metro and Mail Online. I have been Editor of the Daily Mail since 1992 and Editor-in-Chief since 1998. Until January 2009 I was also responsible for the Evening Standard, and between 2006 and 2009 London Lite. I was appointed an executive director of Daily Mail & General Trust Plc ("DMGT") in 1998. Associated Newspapers Limited ("ANL") is wholly-owned by DMGT.
2. I began my newspaper career in 1970 as a reporter for the Daily Express in Manchester. I joined Associated Newspapers in 1980 as American Bureau Chief of the Daily Mail based in New York, having previously worked as the Washington correspondent of the Daily Express. Before I became Editor of the Daily Mail I occupied a succession of senior editorial posts on that title, including News Editor from 1981 to 1985. I was Editor of the Evening Standard from March 1991 until July 1992. While Editor-in-Chief of Associated Newspapers I was responsible for the launches of Metro, London Lite, the Scottish Daily Mail, Irish Daily Mail, Irish Mail on Sunday and Mail Online.

Public

3. From 1998 to 2008 I served as a member of the Press Complaints Commission ("PCC"). In 2004 I was nominated by the Newspaper Publishers Association to be a director of PressBoF. In 2008 I was appointed chairman of the Editors' Code of Practice Committee with the unanimous support of the industry. In 2007 I was asked by the Prime Minister to chair a government review of the 30 year rule for the release of public records. My colleagues, Professor Sir David Cannadine and Sir Joe Pilling, and I recommended that the period should be reduced to 20 years and this became law in 2010.
4. The role of the Editors' Code committee is to draft, review and revise the Editors' Code which sets guidelines as to what is and is not acceptable behaviour by the press. When

introduced in January 1991, it was the first time there had been a comprehensive, binding code for the British press drawn up by editors for editors. To secure the respect of editors and their staff, and to bring both breadth and depth of experience, membership of the Editors' Code Committee is drawn from the ranks of senior editors across the industry. One of the strengths of the self-regulatory regime is its ability to evolve and adapt to changing circumstances. Indeed, the Code has been changed 40 times in 20 years. For example, in relation to the protection of personal data, when the Editors' Code Committee responded to the Information Commissioner's concerns by strengthening the Code to impose explicit prohibitions on (a) hacking into digitally-held private information unless there is a demonstrable public interest and (b) using agents or intermediaries, such as private investigators, to circumvent the rules.

B. The need for ethical standards and behaviour in the print media

5. As chairman of the Editors' Code of Practice Committee, a former Commissioner and an editor, I am committed to upholding the Editors' Code. Adherence to both the letter and spirit of the Editors' Code is mandatory and all journalists employed by ANL are contractually obliged to comply with the Code. In many cases, adherence to the Code is a straightforward matter, but fine judgments sometimes need to be made to achieve a proper balance between freedom of expression and the rights of individuals. A successful editor needs to exercise boldness and caution in roughly equal measures, but allowance also has to be made for the practical realities. Editorial decisions have to be made quickly and with less information than may be available when reviewing the matter later at leisure. It is unreasonable to expect that in matters of judgment any more than matters of accuracy, newspapers will always get it absolutely right. Where we get it wrong or where a mistake is discovered, we strive to put it right at the earliest opportunity and to learn by our mistake. A free press is an essential part of a true democracy and the cost of that freedom is that, occasionally, editors make mistakes and have lapses of judgment.
6. It would be wrong to consider the effectiveness of the Code and the current systems of regulation and corporate governance within our newspapers without stressing two matters. First, I am held to account by my readers every day. The act of paying 55p for a newspaper is a voluntary one. If I do not connect with my readers' values and reflect their interests and aspirations, or if I offend them or am unfair or prurient, they will stop buying our newspapers. If that happens in great numbers I will lose my job. Newspapers only survive by connecting with their readership, by representing their interests, reflecting their

aspirations and guarding them against injustices. For every complaint I receive, I receive many letters from readers thanking me for helping them, through the pages of the Mail, in matters of both personal and wider importance to them. Indeed, we receive very few critical letters from ordinary people. The bulk of the complaints we get come from the rich, the powerful, the corrupt and the famous, not least politicians, and are often designed to intimidate and prevent us from doing our proper job as a newspaper. These complaints, incidentally, have intensified in recent years because of the emergence of a new breed of predatory, ambulance chasing lawyers using the incentives of Conditional Fee Agreements and After The Event Insurance premiums to get as much money as they can out of newspapers. The rich and powerful would love to see the media tamed but the rest of society would pay a heavy price. No other force in our society is so effective at exposing and restraining the corruption of power.

7. Secondly, journalists are subject to the same legal constraints as every other citizen and the law is becoming more, not less, onerous. The press in this country works under some of the most stringent and powerful laws of any Western democracy: the laws of libel, data protection, the new Bribery Act, the new law of privacy, harassment laws, the law of contempt of court and restrictions on reporting the courts, laws restricting access to the family courts, the Official Secrets Act and laws dealing with the regulation of investigatory powers. To add more would add to the burden, not only on a free press but on the courts and force ordinary people into the onerous and expensive process of going to court to exercise their rights. That is why I passionately believe that an efficient process of self-regulation protects people not generally in the public life much better than a statutory one.
8. I am disgusted by the revelations of phone hacking at the News of the World. By hacking into the mobile phones of Milly Dowler and the families of victims of crime, those responsible showed a disregard for the most basic standards of human conduct. Such actions, if proved, are flagrantly against the law. I unequivocally condemn the bribing of police and use of phone hacking, and I support sensible moves to ensure that such malpractices never occur again. But there is a danger of throwing out the baby with the bathwater. Self-regulation has been a success story. The News of the World's activities should not be allowed to besmirch the whole British newspaper industry.
9. Most newspapers are financially in a parlous state. We value the freedom of the press but the press is a commercial enterprise and can flourish only by selling newspapers. To be free, newspapers must be independent. To be independent, they must be commercially viable. To be commercially viable, they must appeal to a large audience. To appeal to that

audience, they must to some extent follow public taste and any laws or regulations that unreasonably inhibit them from doing so imperil their very existence.

10. Newspapers are hierarchical organisations and I rely on my senior executives and department heads to assist me, and in turn, manage their departments. The managing editors' office at the Daily Mail consists of three managing editors. They answer to me and are responsible for managing the editorial budgets. They investigate complaints and alleged breaches of the Editors' Code if and when they arise, and at the same time are proactive in ensuring that we do not breach the Editors' Code by educating our journalists about the requirements of and developments in the Editors' Code.

C. The impact of financial pressures and incentives on editorial decisions

11. It is a fundamental principle within DMGT that editors have complete editorial independence. In my time I have turned down editorships of The Times and The Telegraph. One reason I did so is that at the Mail I enjoy total freedom from proprietorial and managerial interference, a freedom that is not necessarily found in other newspaper groups. This freedom stems from my and the DMGT board's belief that in order to be successful, each of our titles must be free to maintain a relationship of trust with its readers which is responsive, receptive and free from proprietorial intrusion. The DMGT board rely on my and my fellow Editors' skill, judgment and experience to ensure that the stance and content of the titles are true to their readership, and are not interfered with by the papers' managerial or commercial departments.
12. The extent of our editorial independence is illustrated by the decision in 2005 by a leading retailer to suspend its advertising in the Mail following the Mail's criticisms of its management. At no point did I or my City Editor come under any pressure from DMGT's executives to change our coverage of that retailer's business. Many other examples of this could be provided.
13. I received a one-off lifetime bonus in 2010. I receive share options as part of my remuneration, but these are awarded annually and are tied to the financial performance of DMGT as a whole, not to editorial performance.

D. How ANL seeks to ensure lawful, professional and ethical conduct

14. High professional standards are the key to the success of our newspapers. I set out below the methods we use to ensure that our journalists rigorously observe the highest professional and ethical standards and comply with the Editors' Code and the law, including the Data Protection Act 1998 ("DPA") and the Bribery Act 2010.

(1) Recruitment

15. I believe we run the most professional newspapers on Fleet Street. We expect high professional standards from the journalists we employ, and we offer good terms and opportunities to our journalists in order to attract the high calibre of people who work for us. Many of our writers and sub-editors have worked with us for years. At both the Mail and The Mail on Sunday we have a very extensive sub-editing process, where sub-editors are encouraged to check facts where it is appropriate to do so. One of the most important things I believe a newspaper can do is to employ first rate reporters, writers and subs who are more concerned than anybody to ensure that their journalism is of the highest professional standards.

(2) Contractual obligations on employees and freelancers to comply with the Editors' Code and the DPA

16. All journalists employed by ANL are required under the terms of their contract to maintain the highest professional standards and to comply with the Editors' Code and the DPA. Since March 2007 it is an express term of all new editorial staff contracts on the Mail that journalists must comply with their obligations under the DPA. An identical obligation was introduced into all new contracts for freelancers in December 2007.

(3) Enforcing editorial discipline by management controls and reporting lines

17. It is made clear to any journalist working for ANL that failure to abide by the Editors' Code and the DPA (which is expressly reflected in the Editors' Code since August 2007) will have serious consequences for them, the Editor and the company. The importance of the Editors' Code is instilled in the culture of our newspapers. Editorial decision-making is informed by the need for compliance with the Code and I constantly stress the need to abide by its requirements, both in meetings with heads of departments and through my managing editors.

18. We publicise in our newspapers the fact that we subscribe to the PCC and how readers can contact the PCC. Complaints that the Code has been breached, whether from the PCC or by complainants directly, are taken very seriously and investigated by the managing editors in conjunction with the relevant head of department and the legal department. Where we offend, the managing editors review our practice to ensure that lessons are learned and that mistakes are not repeated. Examples of letters to staff and instructions from the managing editors have been disclosed to the Inquiry. The managing editors and legal department have developed a good and efficient 'legal warnings' system. Every complaint that we receive, undertaking we give or notice or guidance that we receive from the PCC is summarised as a legal notice by an in-house legal adviser, placed on the editorial system and circulated to editorial staff and every lawyer giving pre-publication advice, whether in-house or on the support rota. It is also attached to and flagged on the relevant cutting in the electronic cuttings database.
19. We have a whistleblowers' procedure in our staff handbook and a Speak-Up policy, but what is important in the organisation of newspapers is clear lines of communication between staff, department heads and the managing editors. At ANL the managing editors' offices are on the editorial floor and they are a constant presence on the floor. The managing editors are independent of any other department and are not involved in editorial decision-making, save where they are seeking to ensure that a legal or PCC warning or notice is noted. If, for example, a reporter was asked to do something he or she was unhappy about, or a head of department was unhappy about a signing off payment, there is no reason why they would not feel able to discuss this with the managing editors, one of whose functions is to ensure that our journalists understand and comply with the highest professional standards.

(4) Regular internal briefings and training sessions

20. The managing editors keep all journalists informed about our internal procedures and policies, developments in the Editors' Code, adjudications and guidance issued by the PCC and Pressbof. Staff receive regular updates by email through the legal warnings system and notices pinned on our notice boards. Every time the Code is revised the managing editors' office order new copies of the wallet-sized Code for each of our journalists. ANL's DPA and Bribery Act policies and a link to the Editors' Code are available on the intranet in order to give staff immediate access to the policies in force and available guidance. The PCC also hosts training or refresher courses on the Editors' Code. For example, senior editors and heads of department attended the PCC seminar on subterfuge and

newsgathering in the Crowne Plaza Hotel, Blackfriars on 3 July 2007. The PCC has also given our journalists in-house seminars. For example, on 11 November 2009 and 16 February 2011 Will Gore, public affairs director of the PCC, was invited to hold sessions for our journalists on the operation of the Code and recent cases.

21. In relation to the protection of personal data, in early 2009 ANL in-house lawyers conducted training sessions for journalists to educate them about the DPA. I am informed by my legal department that between February and May 2009, 164 journalists from ANL's publications attended this training, in groups of no more than 12. Copies of the slides used in those presentations and materials handed out have been disclosed to the Inquiry. An interactive training module on data protection specifically aimed at journalists has been developed by senior editors, the managing editors and the legal department.
22. We also believe in the importance of investing in the training of young reporters, sub-editors and photographers. Successful applicants for our reporters' trainee scheme, who in almost all cases have completed a post-graduate journalism training course, start their one year paid trainee scheme with a two week intensive period of training at our offices by a former regional newspaper editor who has been training journalists for 30 years. One of our own in-house editorial lawyers assists with their training. There is a strong focus on the teaching of ethics throughout these two weeks. I am informed by Sue Ryan, the scheme organiser, that around 20 Daily Mail executives and writers give talks to trainees to give them a sense of what the Mail is about and that one of the strongest messages given to the trainees is 'never do anything that you feel uncomfortable about.' They subsequently receive further training on a regional paper before they return to the Daily Mail where they circulate through the departments. It is the brief of the scheme organiser to ensure that they gain experience that is best for their developmental needs rather than just to fill a gap where a department is short of staff. This scheme has been in operation since 2005.
23. Since 2003 we have also invested in a sub-editors' trainee scheme, in partnership with the Press Association, as part of which trainee sub-editors (who again are usually post-graduates in journalism) go through a five week induction course at the Press Association where they receive focused teaching on how the law and the Editors' Code operate, including from ANL's editorial lawyers, before they are then sent to a regional paper to receive further training. Over the past nine years the scheme has provided ANL with 54 production editors and 35 reporters. In 2011 we instituted a trainee scheme for photographers. I am not aware of any other newspaper group investing well over half a million pounds a year on training young journalists.

(5) Internal procedures and guidance

Ban on use of inquiry agents

24. In April 2007 I banned the use of inquiry agents by journalists working at ANL. I explain my reasons for this further in section F below. Following the introduction of the ban I regularly asked my heads of departments to remind their staff of the prohibition.

DPA Policy

25. ANL's DPA policy sets out the clear requirement that our journalists must contact the Editor or deputy Editor in the event that they come into possession of apparently illicitly obtained material or believe there is a potential public interest in obtaining information which they know or suspect to have been illicitly obtained. Where it is decided that there is a clear and compelling public interest to justify obtaining or trying to obtain such information, the reasons should be recorded in writing where possible.
26. The steps we have taken to ensure that we are complying with the DPA and clause 10 of the Editors' Code since the Information Commissioner's reports of 2006 are set out in Schedule 1 to this witness statement. Those steps were reviewed with Richard Thomas, the Information Commissioner (as he then was), at my meeting with him on 4 June 2008. At that meeting Mr Thomas expressed his satisfaction with the measures we had put in place to ensure journalists at Associated Newspapers were aware of and complied with the DPA.

Bribery Act guidance

27. In summary, we have taken the following steps to ensure that our staff and freelancers understand and do not infringe the Bribery Act 2010:
- The DMGT board approved an updated Code of Conduct, which provides that all full-time, part-time and fixed term employees and other temporary workers must adhere to the Anti-Bribery and Corruption Policy and the accompanying Policy for Working with Third Parties and the Entertainment and Gifts Policy and must promptly report any concerns or violations.
 - In July 2011 the managing editors sent to all journalists a letter drawing their attention to the new Bribery Act and reminding them of their obligations regarding payments made

for news and information gathering purposes. Our practices in relation to such payments are explained further below.

- Two training seminars on the Bribery Act were held for heads of department led by Jonathan Caplan QC and Liz Hartley, head of editorial legal services. We also undertook training sessions for selected senior individuals in the company, which are continuing.
- All editorial staff on joining ANL are provided with a copy of the Editors' Code and a letter informing them about their obligations regarding payments to third parties and the provisions of the Bribery Act. Links to the staff handbook and Code of Conduct have been placed on the staff intranet homepage.

Full details of the steps we have taken to ensure compliance with the new Bribery Act 2010 and to ensure that payments to third parties for news and information are adequately monitored are set out in Schedule 2 to this witness statement.

Practices and policies on payments to third parties

28. We pay for news and information in some cases where the news and information would not otherwise be available to us. The payments we make are of the following kinds:
- Fees to freelance contributors and agencies who provide us with information. (Sometimes the fee reflects the contributor's own work on the article or story. In that case, we would regard the fee as payment for journalistic services, not a payment for news or information.)
 - Fees to members of the public for information, tips or other assistance.
 - Fees to members of the public for the right to tell their story ("buy-ups").
 - Fees to members of the public for pictures.
29. We operate certain procedures in relation to payments of these kinds and these procedures are described in the following paragraphs. I have not dealt in this section with payments to commercial news and picture agencies such as PA and Reuters. We do, of course, pay for the right to use their material in our publications, but those payments are dealt with on normal commercial terms based on contractual relationships going back many years.

Similarly, we deal on a normal commercial basis with information suppliers such as GB Group and J & E Hitchcock (see paragraph 46 below). We also often contract on a normal commercial basis with other publishers whose material we wish to publish (e.g. book publishers for serialisation rights or magazine publishers for syndication rights).

30. Our procedures governing payments for news and information are intended to satisfy the following objectives: (a) the need to ensure that the payments are being made for a legitimate purpose and do not offend any relevant legal or regulatory requirements; and (b) the need to maintain adequate financial records. In relation to (b), it should be noted that in order to protect the identity of confidential sources some payments are made in cash and have no invoice or receipt to support them.

31. The current procedures have been introduced in the last six months as part of our review of payments to third parties in light of the new Bribery Act. Before that time, our procedures were not centralised and approval systems differed between Editors and department heads. I have, however, no reason to think that the more informal systems we used previously permitted journalists to make payments for news and information otherwise than in accordance with the law and the requirements of the Editors' Code.

32. The new system for payments is set out in a letter sent to all staff and freelance contributors from the managing editors in July 2011, which made it clear that the rules for payments, whether in cash or by cheque or bank transfer, apply to all payments made for news gathering purposes and are additional to the requirements of the Editors' Code. The current procedure is as follows:
 - i. All requests for payment for information must receive prior approval from department heads or other nominated senior editorial executives.

 - ii. Payments will be documented, usually by means of a pro forma.

 - iii. An explanation must be given of why payment is necessary, including, if appropriate, the nature of any public interest. In the case of payment to a whistleblower, the pro forma requires specific explanation of the relevant public interest issue.

 - iv. The system "applies to requests for payment made by our journalists and by freelance staff on a retainer or for freelance stories if we are told or it is obvious

from the information supplied to us that they require part of the payment in order to pay others for information".

- v. Requests for payment by someone who may be an employee providing information possibly in breach of their contract of employment need to be very carefully scrutinised and justified and the public interest in the information needs to be assessed as well as justified.
33. Although buy-ups fall within the rules, in practice they will receive greater attention than other payments for news and information since they usually involve more substantial sums of money and may therefore have a direct impact on editorial budgets. They will have been discussed at senior editorial level and are usually the subject of contractual documentation.
34. On the Mail, each desk head has authority to approve payments up to a certain limit, but copies of the approvals are also sent to the managing editors for counter-signature. Larger sums require the approval of the Editor or my deputy. For cash payments, we maintain a cash float in a safe in the office of the News Editor.
35. In some cases, the recipients of payments are confidential sources. As our July 2011 letters acknowledge (and as the pro forma recognises), our journalists are entitled to protect the identity of their confidential sources in accordance with established journalistic practice. Journalists are obliged under clause 14 of the Editors' Code to protect the identity of confidential sources and they are entitled to as a matter of law. I would still expect the person approving the payment to such a source to satisfy himself that the payment was legitimate.

(6) Support from ANL editorial legal department

36. ANL has an editorial legal department consisting of four full-time solicitors who specialise in media law. All editorial staff are required to seek advice from the legal department and/or the managing editors in relation to any stories they are writing which pose potential legal problems or raise issues under the Editors' Code. In order to identify potential problems and facilitate communication, a member of the legal department normally attends the afternoon news conference at the Daily Mail. The in-house team are supported at night and weekends by a rota of specialist barristers and solicitors in order that there is a lawyer available to advise 24 hours a day, every day of the week on pre-publication matters. In respect of each title the lawyer remains on the editorial floor until the first edition goes. All copy is read by

our lawyers and our lawyers read copy assiduously for compliance with the Editors' Code, as they do for compliance with the law. The managing editors work closely and alongside the legal department. For example, on a story concerning a suicide, if the managing editors receive, either directly or from the PCC, notice from the family about press intrusion they will speak to the news editor or reporter responsible for covering the story, and may raise it with the lawyer to ensure that the reporting is not in breach of the guidelines on suicide reporting. The witness statement of Liz Hartley contains further details of the steps she takes to ensure that the legal advisers employed by ANL are briefed on developments in the law and the Editors' Code.

(7) Oversight by DMGT Data Protection Committee and annual data protection audits

37. DMGT has a Data Protection Committee ("DPC") which is chaired by a Group Legal Adviser. Its remit is to oversee a broad range of data protection issues within the Group and its subsidiaries, focusing largely on data security issues. I am informed by Liz Hartley that, as a result of data security concerns within the Group in 2007, the DPC reviewed its approach to data compliance in all aspects of its business and drew up a Data Protection Compliance plan for ANL, with the assistance of the law firm Taylor Wessing LLP. The central planks of the plan were to review ANL's DPA policy and training schemes and to institute a scheme of data protection audits by Taylor Wessing, which would provide the DPC with an independent assessment of whether policies and procedures are in place and being adhered to. The first audit of ANL and its divisions, which consisted mainly of a series of face to face interviews with relevant executives, was carried out in the second half of 2007. In 2009 an Information Security Management Committee was set up to manage information security issues within the Group as a whole, to which the DPC reports.

(8) Oversight by DMGT Risk Committee

38. DMGT has a risk committee which oversees risk management in the company, including risks arising from editorial matters. In 2009 the Committee considered the draft Bribery bill and its implications for DMGT. In 2011 I tasked Liz Hartley, head of editorial legal services, with leading an internal review of our editorial policies and procedures. Her report, when finalised, will be presented to the Risk Committee and any recommendations for improvements to our procedures will be implemented.

Adherence to policies

39. Since implementing the ban on inquiry agents there has only been one incident where ANL has taken action against a journalist for breach of the ban. This concerned a young casual freelance reporter who was discovered in February 2009 to be using an unapproved external agency in researching stories for the Daily Mail by using a Sunday Express account. As a result of this breach of ANL policy, we took a decision to immediately terminate the services of that freelance reporter.
40. From time to time ANL takes disciplinary action against journalists in respect of breaches of the Code. We have disclosed to the Inquiry some redacted memos illustrating the kind of action we take.

E. Sources of information

41. Information comes into newspapers from an almost infinite number of sources. Each reporter has to make an initial judgment on the quality of the information, both as to its accuracy, and as to the circumstances in which it has come into their possession and whether it is publishable. If they have concerns, they have to discuss them with their head of department. Heads of department will in turn often make other investigations to satisfy themselves that it is suitable to be published, or will consult my deputy or other senior executive. I in turn make my own enquiries in conference if I have any reason to doubt the accuracy of the story or believe that the sourcing of a story may involve a breach of the law, the Editors' Code or proper journalistic practice.

F. Use of inquiry agents

42. Data protection policies and practices have developed over the last 10 years in response to a number of developments, including the rapid growth of online databases and increased public awareness of the law of data protection and data security issues. However, the main reasons for strengthening our DPA policies at ANL were (a) the 2006 reports of the Information Commissioner; (b) the work of the PCC, in conjunction with the Information Commissioner, in improving the Editors' Code on the issue of data protection, and (c) the

government's proposals to introduce a custodial sentence for offences under section 55 of the DPA.

43. The Information Commissioner's 2006 reports noted that virtually all newspapers, in common with banks, insurance companies, local authorities and solicitors, used the services of inquiry agents to obtain personal data and that steps needed to be taken to ensure that these services were being lawfully performed. For journalists, I believe the purpose of using these agencies was mainly to get hold of addresses and phone numbers quickly so they could contact people with a view to checking facts, or providing the opportunity to comment, in accordance with their duties as responsible journalists. Until the Information Commissioner's 2006 reports I was not personally aware of the extent to which our journalists were using search agencies.
44. Following the concerns raised by the Information Commissioner, we strengthened our procedures in this area. As I have said before, my view was that the industry had been warned by the Information Commissioner and it was up to us to make sure our house was in order and our journalists were complying with the Act. As a first step at ANL we wrote to all third party agencies that had been used by our journalists for research and information, including genealogists, tracing and search agencies, credit reference and information agencies and inquiry agents and asked each for an assurance in writing that their operations complied with the DPA. At the same time we impressed upon staff the importance of ensuring that they understood and abided by the DPA, and that where information was sourced from third parties, such enquiries were approved by a department head and that the outside agency was a reputable one, checked and approved for use by the managing editors.
45. Following further consideration with my senior editors and executives, however, I decided in April 2007 to ban search agencies altogether. I asked the managing editors to write to all editorial staff and freelancers to inform them that we had suspended the use of all external agencies for research and information and obtain a signed agreement that they understood and would comply with the policy. Secondly, we wrote to all the agencies concerned informing them of the ban and informing them that any further work undertaken by them for ANL is unauthorised and would not be paid. My objective was to ensure that I and my senior executives had strict control over who and what we were commissioning. Since implementing the ban, the managing editors have subsequently approved two online subscription services for our library, the use of one genealogical research agency, J and E Hitchcock, and one credit information company, Graydon UK Ltd, for business information. I

am informed by my managing editors that Trace Smart and e-Trace (owned by GB Group Limited), our two online subscription services, are the market leaders in tracing services, are ISO accredited and have been vetted by the former chairman of the DPC. Save for these agencies, the ban remains in place.

46. In anticipation of questions that would be raised by this Inquiry (and have been raised in the s 21 notices addressed to myself and others), ANL has attempted to find out how extensive the use of inquiry agents was in the period prior to the ban and in particular the nature and extent of our relationship with Steve Whittamore, who was the subject of the Information Commissioner's Operation Motorman investigation in 2003. Our findings are set out in the witness statement of Liz Hartley.
47. Now we are decade on, I do not think there can be any journalist working for ANL who does not understand section 55 of the DPA, nor the importance we attach to adhering to the law: I have banned them from using inquiry agents; the DPA is written into their contracts; they have had face to face legal training on the DPA; the managing editors have written to them several times reinforcing the importance of abiding by the DPA in all journalistic enquiries; and there is guidance readily available to them from the PCC, Pressbof, the Editors' Code book and our own policy. I could not have taken the issue more seriously and I cannot think of what more we could have done to ensure that our journalists understood section 55 of the DPA and complied with it. In the light of the efforts by the PCC, the Editors' Code Committee and by my senior executives I am very pleased to hear that the Information Commissioner, told the Inquiry on 12 October 2011 that since he has been appointed Information Commissioner "[he] has not seen a single case of a section 55 offence which has involved the press" and that "what may or may not have been going on in 2003...is not going on now".
48. To the best of my knowledge no journalist employed by ANL has ever hacked into voicemail messages or intercepted phone calls, nor have they ever 'computer hacked'. I refer in this regard to the witness statement of Ms Hartley. I have received assurances from my heads of department and managing editors that we do not pay police officers. On occasion we pay public officials for stories, although usually they will have left public service. It is not something I have or would rule out, provided I was satisfied that we were operating within the Editors' Code and the law.

Signed



Dated

25/10/11

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