

OPENING SUBMISSION: MODULE 2

Your Inquiry now moves to its second module; and the Police, in particular the Metropolitan Police, occupy centre stage.

By your Terms of Reference, you are inquiring into the culture, practices and ethics of the Press including *'contacts and the relationship between the Press and the Police, and the conduct of each'*. So, pausing there, the conduct of the Police falls under your scrutiny, but only to the extent that it meshes with the Police's relationship with the Press, not more generally. The Terms of Reference further enjoin you to consider making recommendations regarding *'the future conduct of relations between the Police and the Press'*. So, pausing there, and thinking to the future, the primary focus of the evidence-gathering exercise will be directed to the recommendations you might be minded to make in your report, rather than criticising past conduct for its own sake.

The question also arises as to whether in this Module you should be thinking about relations between the Police and the public, and perhaps even relations between the Police and politicians. It might be objected that your Terms of

Reference do not specifically refer to these sides of the various overlapping triangles which appear to be in play. However, you are entitled to consider these interactions to the extent that they throw light on the core relationships spelt out in the Terms of Reference, and strict demarcation lines would be artificial. Illuminatingly, Lord Blair, former Commissioner of the Metropolitan Police, has told you in his witness statement that he believes that *'relationships between police and politicians and police and the press must be seen as only two sides of a three-sided triangle, with the third relationship, that between the press and politicians, having an enormous impact on the other two relationships'*.

In many ways the ground-rules for this module of your Inquiry as the same as they were for Module 1. You have said in relation to Module 1 that you are seeking to draw out a 'sufficient narrative' which will enable you to say enough about past events in order to allay public concerns and to diagnose the essential problems, and to lay the ground for recommendations as to the future. The principal objective here is not to reach findings as to 'who did what to whom'. What you said in relation to Module 1 equally applies to Module 2 because the constraints on you are broadly speaking the same. That is, the necessity for fine detail is not required by Part 1 of the Inquiry as opposed to

Part 2, and in any event the ongoing Police investigation renders any close, forensic examination of evidence which also forms the subject-matter of that investigation undesirable.

It follows that we will be looking as closely at the underlying material as we could and did over the 40 days of Module 1, but we will not be going further at this stage.

That said, Module 2 should not last as long as Module 1 because the scope of your investigation is not quite as broad.

What then of the subject-matter of Module 2?

Public concern hereabouts may be expressed in just one sentence. The relationship between the Police and the media, and News International in particular, was at best inappropriately close and if not actually corrupt, very close to it; furthermore, the nature of this relationship may explain why the Police did not properly investigate phone-hacking in 2006 and subsequently in

2009 and 2010, preferring to finesse the issue on those later occasions by less than frank public statements.

Module 2 will investigate this core issue in appropriate detail, subject to the constraints I have already mentioned. The key police witnesses will be called, as will the former and present Director of Public Prosecutions. A mass of relevant material has been disclosed by the MPS in judicial review proceedings brought by Lord Prescott and others, and obtained by the Inquiry. This throws light on the MPS' contemporary thinking and decision-making in relation to the original Goodman/Mulcaire prosecution and its aftermath.

But the phone-hacking issue is really only of interest to this Part of your Inquiry to the extent that it may throw light on the bigger picture. In making that point it is of course necessary to outline what that bigger picture might look like as well as its key features. Here, as always, I should not be interpreted as prejudging the issue or suggesting even tentative conclusions. I am simply throwing ideas out for further consideration.

The bigger picture cannot be fairly depicted without stating the obvious, namely that interactions between the Press and the Police are not inherently harmful. On the contrary, conducted in the right way, such interactions are advantageous to both parties, and ultimately to the public, in a mature democracy. Putting to one side the manipulations which exist in totalitarian regimes, the Inquiry has already seen the distortions which are capable of ensuing from the stifling of a free and frank flow of information between police and press in the McCann case.

The benefits of what might be described as a healthy relationship between Press and police have been clearly identified in some of the MPS witness statements provided to the Inquiry.

For example, at paragraph 18 of his statement, the current Commissioner Mr Bernard Hogan-Howe, says as follows:-

Keeping the media properly informed about policing and criminal matters is critical to the functioning of the MPS. First, through the media, the organisation is able to communicate its key messages regarding prevention and detection of crime. Second, a healthy relationship with the media can serve to increase the

public's understanding of how the MPS go about the work of policing London. Third, it provides an important means by which the MPS can seek the assistance of the public in that work; maintaining a regular and professional dialogue with the media greatly assists the MPS in providing information to the public concerning crime appeals. Fourth, contact with the media, properly handled, serves to increase public confidence in the police and to promote a greater understanding of MPS policies and initiatives. Fifth, it provides the means by which the public can scrutinise police actions and policies. It also allows police to test the persuasiveness of their strategies, policies and tactics.

Other senior police officers, present and retired, have spoken along similar lines. For example, Lord Blair, Commissioner between 2004 and 2008, explains that *'the MPS is a hugely controversial and yet visible organisation, surrounded by mythology and rumour'*. Thus, in my words and not his, part of the rationale for open and frank interactions with the Press, the latter acting as the clear conduit through which Police messages pass unmediated, is to demythologise and debunk.

In order to fulfil these objectives, the MPS has a Directorate of Public Affairs which employs at least 50 people. The Inquiry will be hearing in due course from the current director and press officer.

Yet there are obvious risks when individual members of two powerful institutions, or groups of institutions, come into contact, human nature being as it is. The model which the current Commissioner outlines assumes that both parties will always tend to act in a disinterested way. However, there is plenty of scope for at least the possibility of self-interest entering into the equation.

As so often happens in human affairs, the difference between healthy and dysfunctional behaviours does not have to be vast. By this I mean at least two things. First, that it does not necessarily take many 'rotten apples' to undermine the whole body politic; and secondly that very often it does not take many adjustments in behaviours, objectively measured, to turn what is good into what is bad, and vice versa.

More precisely, the potential for abuse on both sides of this bilateral equation is significant, leading to the risk if not the reality of unhealthy, over-cosy and overly close relations between the two.

The Press for example will tend to want to obtain information from the police which could form a new or different angle on events or policy, preferably one which will provide an 'exclusive'. I am borrowing here from Lord Blair's witness statement. Secondly, the Press will tend to seek to assist the editorial line of their newspaper by putting the most supportive interpretation of that line as possible on events.

From the perspective of the Police, and putting to one side at this stage the risk of frank corruption, the issue has arguably been encapsulated in qualitative terms, although not necessarily quantitatively, in paragraph 49 of Lord Blair's witness statement, as follows:-

I believe that where the problem may have become significant is that a very small number of relatively senior officers increasingly became too close to journalists, not I believe for financial gain but for the enhancement of their reputation and for the sheer enjoyment of being in a position to share and

divulge confidences. It is a siren song. I also believe that they based their behaviour on how they saw politicians behave and that they lost sight of their professional obligations. The MPS did not have adequate defences against this behaviour and in previous decades would not have needed it.

So, we are in the realm of 'spin' and the 'political dark arts', this last term being used not quite in the sense in which we saw it deployed in Module 1. Put slightly less dramatically, we are back to the subterranean influences I mentioned when opening the Inquiry in November, the trade in 'political' and perhaps even personal favour through largely covert exchanges. Ultimately, the vice here is lack of democratic accountability and the perception if not the reality of personal gain. The noun 'gain' in this context needs, of course, to be broadly interpreted, and should certainly be apt to accommodate the enhancement of an individual's professional or personal profile.

The Inquiry will need to consider and investigate the different potential manifestations of this arguably over-cosy relationship, since it is only through examining these manifestations that the true nature of the underlying problem might be ascertained.

In no particular order, these manifestations are:-

- First, the acceptance and conferring of inappropriate hospitality. The risks here are self-evident.
- Secondly, the giving and receiving of 'off the record' briefings. Again, the risks here are pretty much self-explanatory, but apart from the obvious lack of transparency the person doing the briefing will often have an agenda and each party will be hoping for, if not expecting, future favours.
- Thirdly, the kindred problem of 'leaks', putting to one side genuine whistle-blowing.
- Fourthly, the equally associated problem of the attribution by the Press of 'police sources' to stories. This is a term which is redolent of impropriety, or at the very least carries with it the possibility of inappropriate behaviour, either because the police officer has indulged in gossip or leaks, or because the term is in truth a cipher or fig-leaf for an invented story because the source does not in fact exist. It should also be recognised, as Sir Paul Stephenson makes explicit in his witness statement, that the so-called 'police source' may not be a police officer but someone associated with the Police but from outside the MPS.

- Fifthly, the Press turning up at incidents, or at newsworthy occasions, because they have been tipped off by a Police officer. Again, this is indicative of an unhealthy relationship existing between individual police officers and individual members of the press. Even if the 'deal' here is only the 'sheer enjoyment' which Lord Blair refers to, and of course it might be more than that, we are talking about an inappropriate transaction.

I have listed five possible features or manifestations of what may be an underlying problem, but it would be naive to ignore more sinister possibilities. Corruption can of course occur in different ways. There is the relatively straightforward case of a journalist paying a police officer, whether or not using the euphemism of 'police source', for information which ought to be kept confidential and would not have been freely provided. Some commentators have observed that paying a police officer is not necessarily unlawful – the consideration might be regarded as the reimbursement of expenses, for example – but the breadth of the terms 'any inducement or reward' in the Prevention of Corruption Act (and similar terminology in the Bribery Act) would lead one to advise anyone minded to test the boundaries of the law to think again. Such cases may be simple enough to articulate but as

DAC Akers told the Inquiry earlier this month they are not easy to prove, since the documentary evidence may not be available and the journalist will always say that the source is entitled to protection. Then there are the less straightforward cases of police officers being employed by press organisations after leaving the force. This may well be entirely above-board, but one can at least visualise the possibility that past favours are being called in. Finally, and perhaps the most sinister and certainly the most difficult to prove, is the suggestion that the police turn a blind eye to known criminality on account of the unhealthy, over-cosy relationship I have already mentioned.

Some of these issues have been touched on in the reports of Elisabeth Filkin and Sir Dennis O'Connor, and the Inquiry will be hearing from them in the near future. Their recommendations will need to be considered and tested.

The difficulty in bottoming out these matters and reaching the subterranean depths I have mentioned should not be ignored. Whistleblowers are thin on the ground, even anonymous ones, and the Inquiry is not in a position to call any at this stage. That said, information has been provided which may be used in questioning of witnesses. I have already said that corruption is difficult to

hunt out and prove, and the problem is compounded by the existence of the concurrent police investigation. The irony of this has not been lost on the Inquiry team: your Terms of Reference mandate an inquiry into police conduct, but that inquiry is precluded at least in part by the police's own (entirely proper) criminal investigation into police misconduct. A further, related irony has not escaped us too. The Press, or sections of the Press, complain that the criminal law should always be enforced, that the police have turned a blind eye to corruption involving the press and the police, and that the full force of the criminal law should be visited on the police; but now that journalists have been arrested the cry goes out from some quarters that the police are acting disproportionately.

But, these ironies aside, the difficulties to which I have referred do need to be recognised and understood.

I have outlined the general issues with which we will need to engage in this module. I have not delved into the detail of the witness evidence directed to these issues, nor have I attempted to summarise it. I have merely set the scene for the witnesses whose evidence we will receive in due course.

However, there is one area which probably does merit further iteration at this early stage of Module 2, and this concerns the MPS investigation into phone-hacking at the NOTW in 2006, and its aftermath. This issue is clearly relevant to your Terms of Reference, whether under paragraph 1(c) or 1(d) of Part 1.

Operation Caryatid was started in December 2005 to investigate possible interception of the voicemails of mobile phones within the Royal Household. The investigation was carried out by Unit SO13 within the anti-terrorist branch of the MPS. The head of that branch was DAC Peter Clarke and the Senior Investigating Officer was Detective Superintendent Philip Williams. From April 2006, the Investigating Officer was DCI Keith Surtees and the Case Officer was DS Mark Maberly. In each case I have given the police ranks back in 2006.

Operation Caryatid soon established that Clive Goodman was accessing the voicemail of one member of the Royal Household. On 30/1/06 DS Williams completed a 'decision log' (p14) which makes quite interesting reading:-

CG's home phone is shown as calling JLP's voicemail direct on relevant dates to JLP's suspicions being raised and certainly within the right time-frame. The

implications are quite far-reaching because Vodaphone have apparently not appreciated that this was even possible, i.e. someone obtaining the separate unique mail box number of vodaphone service users and literally phoning in to listen to voicemails belonging to other people without their knowledge and permission ... if this is possible it is likely to be far more widespread than CG, hence serious implications for security confidence in vodaphone voicemail and perhaps the same for other service providers... [JLP is Mr Jamie Lowther-Pinkerton, then Private Secretary to Princes William and Harry]

By April 2006 a number of potential victims within the Royal Household were identified, on my reckoning 10, and in the course of a report to DAC Clarke DS Williams again noted that this practice was highly unlikely to be limited to Goodman alone. However,

Taking this inquiry forward will impact on core SO13 operations and the resource implications for a prosecution could be significant.

On 13/4/06 DS Williams decided that only 6 of the potential victims would be notified of the position, for a number of reasons. These included his assessment that the purpose of the intrusion was journalistic and *'to print*

gossip as opposed to anything physically/commercially threatening'. He was also concerned that 'extending the circle of knowledge concerning what is still a highly sensitive covert enquiry runs the risk of the nature of the enquiry becoming more publicly known and possibly alerting suspects thereby preventing the opportunity for offenders to be brought to justice'.

The 'resource implications' referred to by DS Williams in the context of SO13's core operations need hardly to be made explicit. The terrorist threat in 2006 remained at the highest level and must have been assessed at being at a different order of priority to voicemail hacking. At the same time, concerns about leaks and the need no doubt to protect the Royal Family were militating against transferring this investigation out of SO13.

On 20/4/06 DS Williams sought advice from the CPS. He recognised that during the course of the investigation further suspects might be identified, which might lead to additional lines of enquiry. But he also wanted to know whether it was possible to 'ring fence' the investigation and keep it within the bounds of the Royal Household. On 25th April, the CPS gave that assurance, and also pointed out that in their view the effect of s.2 of RIPA was that it was

necessary to prove that voicemail messages were intercepted before being accessed by their intended recipient.

Whether or not this legal advice was correct may be somewhat of a distraction in Part 1 of your Inquiry. Unless it can plausibly be said, and it really cannot, that the legal advice was influenced in some mysterious way by any over-cosy relationship with News International, the fact that it may well have been erroneous advice throws no light on the conduct of the police and the press within your Terms of Reference. However, turning the issue on its head, consideration does have to be given as to whether the fact that this legal opinion was given, at least in the CPS's preliminary advice note, goes some way to explaining the apparent restraint in limiting the scope of the prosecutions.

In May 2006 the police ascertained that Glenn Mulcaire was involved in the interception activity and that he was linked to Clive Goodman. At about that time they also discovered that someone called 'Paul Williams' was involved: they did not appreciate at that stage, although they did soon thereafter, that PW was an alias for Glenn Mulcaire.

In an important document dated 9th May 2006 (there is in fact a typographical error on face of the document which gives the previous year), DS Williams analysed the position to date and set out 3 options for consideration. Option 1 was 'doing nothing'; Option 2 was 'hand over the investigation to another police unit'; and Option 3 was commence a formal investigation to, I paraphrase, prosecute those intercepting the Royal Household voicemails, and, I quote, *'in tandem with the above establish whether or not there are evidential links to the potentially wider unauthorised intrusion/access'* which has been suspected.

DS Williams recommended the third option over the short-term, and gave his rationale as follows:-

"[w]e have discovered a vulnerability that exists within the mobile telephone industry whereby unscrupulous people could intrude upon the privacy of the vast majority of the public through unauthorised access to voicemail. I suspect that the media world may well be aware of this vulnerability and there may well be a host of people using this vulnerability for journalistic purposes. The Goodman connection is potentially an example of this, but the more sinister side would be that the knowledge could be equally utilised by criminals whether that be in the general sense, for terrorism or to threaten national

security. Therefore I believe that this matter has a significant public interest aspect to it particularly in terms of safety and security and risk to life.'

However, DS Williams also made clear that within 2-3 weeks a more informed decision could be made which might well bring back into play either of Options 1 and 2.

In mid-May 2006 the Police were informed that two further victims outside the Royal circle had been identified. Increasingly, it became clear that these were by no means the limit of the scope of voicemail interceptions. However, the police strategy was to concentrate on arresting and prosecuting Goodman and Mulcaire, and not (in the words of DCI Surtees) *'to delay that exercise in favour of identifying a multitude of victims to load a future indictment'*. Furthermore, *'extending the investigation at this point to include other victims would also expose all victims (most of whom are not yet known) to continued exposure to this criminality'* (p129).

By mid-July 2006 the police were in a position to prosecute Goodman and Mulcaire. The next advice from the CPS was to the effect that the 'case', which at this stage was limited to the Royal Household interceptions, was 'cogent and

presentable'. The CPS pointed out that the statutory conspiracy offence did not bring with it the same difficulties which had been identified under s.1 of RIPA in that the Crown did not have to prove that the voicemails were intercepted before being accessed by their intended recipient.

At this stage, the police continued to take the view that there were good reasons for not expanding the scope of the prosecution to other victims, notwithstanding that they were aware that there might well be a much wider range of them. Resource considerations, the need for secrecy, the undesirability of continuing to expose victims to unlawful intrusion, and the belief that arresting Goodman and Mulcaire would effectively bring this criminality to an end, were the principal rationales.

On 8th August 2006 Goodman and Mulcaire were arrested at their home addresses and the premises of News International were searched.

The searches revealed, as it well known, the Mulcaire notebook extending to some 11,000 pages. A paper copy of the 'for Neville' email was also found at Mulcaire's home address. A cursory review of the material was conducted on

the day, and the potential scale of the unlawful activity must have been appreciated. On 10th August 2006 DCI Surtees wrote in a decision log:-

“Having reviewed the material seized at the address searches it is clear that there is a wealth of sensitive documents relating to hundreds of individuals including Royal Household, Members of Parliament, Sports stars, Military, Police, Celebrities and Journalists. I have instructed that all copies of documentary exhibits remain locked in the exhibits officer’s cage and that copies are not provided to our partners as is normally the case.....”

On 12th August the police began to put together what became known as the ‘Blue book’, namely a list of those who were described as ‘potentially compromised’. I have not counted up each and every name, and the copy of the book which has been provided has been heavily redacted rendering a head count somewhat difficult; but Mr Paddick has estimated that there are 418 names extending over 24 pages.

A decision was made at about this time not to widen the investigation significantly, notwithstanding that one of the rationales for not doing so before had disappeared, namely that victims were not likely to be exposed to future

harm. Moreover, there was now a wealth of evidence which tended to substantiate the potential criminal case beyond, as it were, the Royal Household. But in explaining the decision not to widen the investigation significantly, DAC Clarke in a witness statement submitted in the JR proceedings states:-

“We had considered undertaking an exhaustive analysis of the material that had been seized in August 2006 and I made the decision not to do so. First given the wider context of counter terrorist operations that posed an immediate threat to the British public when set against a criminal course of conduct that involved gross breaches of privacy but no apparent threat of physical harm to the public I could not justify the huge expenditure of resources this would entail over an inevitably protracted period. Instead a team of officers were detailed to examine the documents for any further evidence and to identify potential victims where there might be security concerns’

Leading Counsel and Junior Counsel were instructed to advise the CPS and the Police in conference on 21st August 2006. A manuscript note of the conference is available, but it is difficult to decipher. The note records that the total number of potential victims was 200 – DS Williams has confirmed that what looks like 800 on his document is in fact 200. It is unlikely that Counsel were

asked to examine the underlying evidence, although Junior Counsel saw the Mulcaire notebook as part of the unused material. His review of that material would have been limited to the ascertainment of any possible exculpatory, as opposed to additionally inculpatory, evidence. It is however clear that it was decided at the conference that up to 6 additional victims would be added to the indictment to reflect the extent of the criminality involved. If the evidence of DS Williams and DCI Surtees is correct on this issue, the advice given was along the lines that the sentencing would not increase if more than 6 victims were added. Finally, the note of the conference does make it clear that Leading Counsel considered the 'technical argument on interception' (i.e. the interpretation of s.2 of RIPA) and advised that it was preferable to proceed under that statute rather than under the Computer Misuse Act 1990. It follows that Leading Counsel could not have thought that the technical argument was fatal to the Crown's case in relation to the non-conspiracy charges involving the additional victims – those who were in due course to feature on the indictment under counts 16-20.

The case proceeded against Goodman and Mulcaire on this basis, and the rest is history. There were guilty pleas on 29th November 2006 and the two men received their prison sentences on 26th January 2007.

A number of issues arise in relation to the period August 2006 to January 2007 which will be explored with the relevant witnesses. These include:-

- First, the Police developed a strategy for notifying at least some of the potential victims, but it has been accepted by the MPS that this strategy was not properly executed. For that reason the MPS have conceded the JR proceedings in which that issue occupied central stage. The MPS's breaches of public law duty in this regard are not central stage in this Inquiry, save to the extent that it might be argued that the Police deliberately failed not to notify people in order to avoid a public furore which might have called their whole strategy, including their relationship with News International, into question.
- Secondly, the MPS were provided with extremely scanty documentation from those then advising News International. The effect of PACE 1984 was that it was not open to the MPS to obtain a search warrant against News International because journalistic material was involved, provided that the latter appeared to be co-operating. Whatever the rights and wrongs of the matter, the lack of fulsome documentation could not have helped.

- Thirdly, there was at least one victim who was contacted by the MPS who made it clear that she did not wish to participate in any prosecution.

There is one very interesting email which I should draw attention to at this stage. It appears under tab 147 of the JR bundle, page 739, MOD200003655. [see email Tom Crone/Andy Coulson]

The possible inferences to be drawn from this saga are multifarious, and I do not intend to spell them out. Although the Police knew that the likely victims extended far beyond those who were named on the Goodman/Mulcaire indictment, the proposition that they had the evidence to prosecute others within News International is likely to be far more controversial. There is no necessary, cast-iron link between the number of victims and the number of News International employees who were implicated, although the inherent probabilities and ordinary common-sense would tend to suggest that there might well be. What is or may be less controversial, on the other hand, is that the MPS did not pursue lines of inquiry which might have netted the relevant evidence. The reasons for this

will of course be examined further, as will be the MPS's strategy for notifying the victims and its poor execution, as well as the MPS's failure to draw its suspicions to the attention of senior management at the NOTW to enable proper internal enquiries to be undertaken.

The MPS played no further role in this history until the publication of the article in The Guardian on 8th July 2009 relating to the Gordon Taylor settlement. In the meantime, they were forced to listen to News International's public statements and the 'one rogue reporter' defence. On what appears to have been 12th July 2009, SO13 briefed AC John Yates in writing about Operation Caryatid to date. The precise wording of the briefing document will need to be considered, and I am not going to attempt a précis at this juncture. However, the document did include these statements at paragraphs 21 and 22:-

"When it came to working with CPS/Counsel as to who was a victim and how could they be used to support a prosecution, best evidence lay with the individual complainants. In terms of those who were chosen to subsequently reflect the wider scale of the criminal activity there is a degrading level of proof in terms of precise definition of interception. It would be fair to say that this case was groundbreaking in seeking to push the boundaries and establish

greater clarity of what is meant by interception. Add into this sheer scale of data, complexity of what the data might and might not be showing and factors like O2 being unwilling to supply fuller details of victims from their own research, the true scale of Mulcaire's activity is not known....."

But before the date of this briefing note, that is to say on 9th July 2009, AC Yates gave a statement which included the following assertions:-

'Their potential targets may have run into hundreds of people, but our inquiries showed that they only used the tactic against a far smaller number of individuals'

...

It is important to recognise that our enquiries showed that in the vast majority of cases there was insufficient evidence to show that tapping had actually been achieved.

Where there was clear evidence that people had potentially been the subject of tapping, they were all contacted by the police.

These people were made aware of the potential compromise to their phones and were offered preventative advice.

However, after extensive consultation with the CPS and Counsel, only a few were subsequently identified as witnesses in the proceedings that followed.

...

I emphasise that our enquiries were solely concerned with phone tapping. This, as far as we are aware, affected a much smaller pool of people.

There has been a lot of media comment today about the then Deputy Prime Minister John Prescott. This investigation has not uncovered any evidence to suggest that John Prescott's phone had been tapped.

This case has been subject of the most careful investigation by very experienced detectives. It has also been scrutinised in detail by both the CPS and leading Counsel. They have carefully examined all the evidence and prepared the indictments that they considered appropriate.

No additional evidence has come to light since this case has concluded.

I therefore consider that no further investigation is required.

In the event, the matter was not re-opened in July 2009, nor was it re-opened the following year. The Inquiry will doubtless need to consider why this was not so, and what inferences may be drawn from possible errors or oversimplifications in public statements.

I am conscious that I have merely touched on some of the evidence which bears on these complex events. A more detailed analysis will be performed,

including the consideration of other relevant documentary evidence, when the key witnesses testify.

Finally, in opening Module 2 to this Inquiry, consideration will need to be given to the type and nature of any recommendations you might make. We are not in the realm of possible legislative changes. The current Commissioner has said in his witness statement that the relationship between the Police and the Press needs to be re-set. This must be more than aspirational. The Inquiry will no doubt be considering issues of internal governance, leadership, discipline, training, standard operating procedures and similar guidance.

The evidence will be called in broadly speaking the following sequence. First, we shall be hearing from victims, but nothing like as many as in Module 1. Secondly, we will be turning to the events of 2006 – January 2011 and the matters I have just outlined. Then we will be hearing from other MPS witnesses, before turning to regional police forces for a different perspective. More specifically, and aside from providing the Inquiry with general evidence bearing on their relationships with the media, which evidence may well fall to be contrasted with the MPS evidence, the evidence from a number of regional forces will cover the issue of how significant enquiries and major incidents are

addressed. Finally, and subject to any unforeseen witnesses, we will be hearing from the current and immediately past DPP.