



CPS

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**Conference CPS and Metropolitan Police**  
**Friday 1<sup>st</sup> October 2010, 10:30am**  
**Conference Room 5.06, 5th Floor, Rose Court, London**

<b>ATTENDEES</b>	<b>CPS: Simon Clements (SC), Asker Husain (AH) Sid Wickremasinghe (SW) (Minutes)</b>
	<b>Police: DSI Dean Hayden (DH) and DCI Mark Pointing (MP)</b>
<b>APOLOGIES</b>	<b>Kim O'Neill (KO)</b>
<b>ITEMS</b>	
<b>1.</b>	<b>Welcome and Introductions</b>
1.1	SC welcomed everyone.
1.2	SC stated that the meeting would centre on an update in the police investigations and also to discuss Mark Heywood QC's advice.
1.3	DH stated that the previous seven lines of enquiry amounted to phase 1 of the investigation; and that in recent days the investigation had gone onto phase 2 - a further 6 lines of enquiries. DH noted that there will be a programme aired on Channel 4 (Dispatches) that will be discussing the issue of phone-hacking; to be aired next Monday.
<b>2</b>	<b>Existing Investigations (Phase 1)</b>
2.1	DH provided an update of the phase 1 of investigation.
2.2	<b>New York Times:</b> DH stated that there was no change in communications with the New York Times, who maintain journalistic privilege. The police have now made three attempts at liaising with the New York Times - all proving unsuccessful.
2.3	<b>Sharon Marshall:</b> DH stated that she was interviewed but not under caution. She fully co-operated, but did not disclose any new evidence and claims that she was misquoted by others in relation to her book and in the New York Times article which identifies her.
2.4	<b>Sean Hoare:</b> He was interviewed under caution with a solicitor, but made no comment.
2.5	<b>Ross Hall:</b> He was interviewed under caution. He worked as an audio transcriber and in the same offices as Clive Goodman. Additionally, Hall is known as the author of the Neville email; which he claimed that he has on a memory stick along with detailed transcripts. DH said that Hall obtained legal advice and now states that he lost the transcripts whilst on holiday. He produced on his hard drive a copy of the Neville email.
2.6	<b>Paul McMullan:</b> DH stated that he has so far refused to co-operate. DH wrote to him with a 2 weeks turnaround but has failed to get back in contact. He was also identified in the New York Times article.
2.7	<b>Brendan Montague:</b> DH stated that he was interviewed but is seen more as a 'victim'; again bringing no new evidence to light.

2.8	<b>Andy Coulson:</b> DH stated that no approach had been made as yet to interview him. DH noted that he was in regular contact with Coulson's solicitor – David Gold. DH noted that Coulson has requested that any interview if it takes place should be low key, especially due to the Conservative Party Conference next week.
2.9	DH stated that Dispatches has approached the police and requested a live interview; which was duly declined.
2.10	DH stated that he will liaise with both Gold Group and CPS to co-ordinate a responsible approach if Coulson needs to be interviewed in due course when required.
<b>3</b>	<b>New Investigations (Phase 2)</b>
3.1	DH then explained phase 2.
3.2	DH stated that the subjects of enquiry all appear in original investigation of Goodman and Mulcaire – Operation Caryatid. He also stated that he feels it is right to follow these lines of enquiry as the following names have constantly been announced in the press and media.
3.3	<b>Clive Goodman:</b> DH approached him last night; he was extremely hostile and completely un-cooperative and does not envisage will speak further.
3.4	<b>Glen Mulcaire:</b> Was more approachable and friendly, but stated that he will wait till Tuesday to decide what action he will take (after the Dispatches programme is aired.)
3.5	<b>Greg Miskew:</b> DH had contact with his solicitor, will be interviewing him next week
3.6	<b>Neville Thelbeck:</b> The 'Neville' in the Neville email? Will be interviewed next Tuesday
3.7	<b>Matt Driscoll:</b> Will be interviewed next Tuesday
3.8	DH stated that Miskew and Thelbeck were extremely influential in Fleet Street.
3.9	DH stated that though all were part of the original investigation, they are not re-investigating this case. DH wants to enquire about the nature of the Neville email in particular.
3.10	AH stated that thought Thelbeck is referred to in the Neville Email, this does not of itself make him liable or guilty in any way.
3.11	SC also agreed, stating that David Perry QC looked at this in the original investigation and stated that if they pursued the element of the email and its contents would not have had any real effect as it had no real evidential value.
3.12	DH stated that the following were named in an anonymous letter that was received by both the police and copied to the Parliamentary Standards committee which named Lee HARPING, Gary THOMSON and James SCOTT (All previous editors of the News of the World apart from SCOTT who was

	deputy editor of the Sunday Mirror). The author of the letter also stated that these individuals should be approached with regards to any investigations regarding phone hacking. DH stated that he will send a letter to all three asking if they will co-operate
3.13	SC stated that CPS press office has been in constant liaison with the Met on uniformed Press lines.
3.14	DH noted that thought things has quietened down, the Dispatches programme will re-ignite interest in the issue.
3.15	DH stated that increased number of MPs have been lodging FOI requests with the police's legal services department in relation to whether their phones have been hacked. Naz Saleh and Emma Harroway have been dealing with FOIs at the Met (2 lawyers working on FOI requests and dealing with JRs that have been lodged)
3.16	DH also noted that Coulson has received a letter from Dispatches asking him to do a live interview; which he declined. Coulson's solicitors have also approached the police and asked for a statement on what the current situation is – which once again DH noted that the police declined. He also went onto state that the CPS may be approached in a similar manner.
<b>4</b>	<b>Further Investigations</b>
4.1	MP stated various facts in relation to wider issues and investigations relating to phone hacking.
4.2	MP noted Sienna Miller has lodged a judicial review on the Met in relation to phone hacking.
4.3	MP noted that this was linked to an on-going set of events in relation to a Kelly Hoppen.
4.4	MP stated that the police received a letter from the News of the World stating that Kelly Hoppen has decided to take civil action against the News of the World in relation to unlawful hacking of her phone.
4.5	MP then stated a chain of events that have taken place. He stated that [REDACTED] News of the World reporter has been suspended by the newspaper in relation to Hoppen's allegations.
4.6	MP noted that Hoppen wrote to the police in relation to the original investigation of Goodman and Mulcaire to see whether her name was listed as someone whose phone had been hacked. The police duly informed her that her name was not on the list and advised her to make contact with her phone service provider.
4.7	Hoppen did this, 5 months after making contact with the police and was told that her voicemails were hacked; pointing to [REDACTED].
4.8	Hoppen then again wrote to the police to check their records again which resulted in the same reply.
4.9	Hoppen has not taken this as a criminal matter. MP stated that Hoppen and her team are still currently analysing material. MP stated he finds it peculiar that

	Hoppen has not complained to the police despite possessing this information of unlawful hacking of her phone. MP noted that Hoppen has followed the civil as opposed to criminal proceedings despite having evidence.
4.10	MP stated that he suspects that Hoppen's investigation has wider connotations to the whole phone hacking issue.
4.11	SC stated that he was surprised that Hoppen's story had stayed out of the public domain; especially due to the link between Sienna Miller and Hoppen (Hoppen is stepmother to Sienna Miller, after marrying Ed Miller)
4.12	MP stated that the police have held their ground and await further communications by Hoppen.
4.13	DH stated that for the purpose of evidence, he will approach all seven service providers to obtain information on how long data is usually stored for (with the assumption that this is likely to be 12 months). DH stated that it would be essential to get a clarified view on this.
4.14	DH also stated that Chris Bryant MP wrote to the police previously asking if there was any information with regards to his phone being hacked; he was told to speak to his service provider as there was no reference to him in the original investigation.
4.15	Bryan then spoke to Orange who stated that his voicemail had been accessed. DH stated that he will speak to Bryant and ascertain what information was held and to what extent/period information was accessible by the phone providers.
4.16	<b>DH to contact all seven service providers in the UK to ascertain further information on data storage, methods, formats and time periods in which information is kept on records.</b>
5	<b>Legal Aspects</b>
5.1	SC stated that the Director has had a further silk to review RIPA 2000.
5.2	SC noted that Mark Heywood QC has provided advice on the scope of RIPA 2000 due to its ambiguity. SC informed that Mark Heywood has on balance favoured a broad interpretation of the statute and that a prosecution could go ahead in respect to a message being listened to (in the course of transmission) even after the intended recipient had listened to it. However, Counsel states this is untested in courts who could interpret the statute both ways.
5.3	SC stated that it is for the Home Office to consider the law and to change it if necessary to remove any ambiguity.
5.4	SC also stated that the Director will be writing to the CMS committee to clarify the result of the advice and discussions surrounding RIPA 2000 in due course.
5.5	DH stated that he did not want a copy of the advice as yet but this will help further when the police decide to submit a file.
5.6	SC stated that it would be a good idea to have another conference next week after further interviews have been completed.
5.7	DH stated that he will call SC on Tuesday next week to have a telephone

	conference on current proceedings; and then propose a meeting later that week or the following week depending on availability.
5.8	DH to call SC on Tuesday (5 October 2010) to clarify proceedings and any progress made with interviews.
5.9	DH and SW to liaise to organise a further meeting towards the end of next week