1 1 will be at least some consideration of the extent to 2 which civil law remedies provide, both for the reader 2 (The luncheon adjournment) 3 3 (3.15 pm)and complainants and for the press, speedy, effective Opening submissions by MR DINGEMANS 4 and reasonably cheap proceedings. 4 5 MR DINGEMANS: Sir, Mr Field and I appear for the Daily and 5 LORD JUSTICE LEVESON: That breaks down into two, doesn't 6 Sunday Express and the Daily Star and the Daily Star it? The first is whether the substantive law is 6 7 7 appropriate or sufficient, and secondly whether the Sunday newspapers. 8 LORD JUSTICE LEVESON: Yes. 8 process is. 9 MR DINGEMANS: May I thank you for fitting these opening MR DINGEMANS: Indeed, sir, and as far as the law is 10 concerned, one can well understand the proposition that submissions into your timetable and may I reassure you 10 11 11 that might be a step too far for any Inquiry dealing that the newspapers we represent hope to provide full 12 12 assistance to your Inquiry and avoid any further with the full range of issues that are engaged before 13 disruption to the timetable. 13 you. 14 LORD JUSTICE LEVESON: Thank you very much. 14 LORD JUSTICE LEVESON: I'm pleased that somebody thinks MR DINGEMANS: We have lodged some short written 15 there are some steps that are too far. 15 16 submissions, and may I just pick up a couple of points 16 MR DINGEMANS: But so far as process is concerned, then, 17 from those. 17 of course, if one is looking at any structures that 18 First, we noted your comments yesterday about 18 might engage both civil and other matters, there are 19 considering freedom of expression and freedom of the 19 possible ways in which those matters could be raised 20 press to be fundamental to our democracy, but also 20 before you. 21 21 noting that all freedoms have to be exercised with That, sir, really is as far as we wanted to take it. 22 regards to the rights of others. 22 It's obviously very much a matter for you and your team 23 One authority that was referred to in our note was 23 how far you consider the extent to which you have time 24 McCartan Turkington Breen v the Times newspapers, and 24 to explore that consistently with the terms of the 25 25 Lord Bingham, just at the end of that, had noted that reference. Page 1 Page 3 courts here and elsewhere have recognised the cardinal LORD JUSTICE LEVESON: Let me just argue with that a momen 1 2 2 I would be very keen that if you felt that there were importance of press freedom, and the need for any 3 3 things that I ought to be thinking about which I'm not, restriction on that freedom to be proportionate and no 4 more than is necessary to promote the legitimate object 4 particularly if you've canvassed the views of others of 5 5 the core participants, that you raise them with Mr Jay of the restriction, which is of course easy to say and 6 6 and the team to see how, if at all, they can be coped then sometimes difficult to work out in practice. 7 7 with. That does bring me on to the first substantial point 8 that we hope to raise before you, sir, today, which is 8 I am very happy to be responsible for what emanates 9 9 from this Inquiry, but in taking the spirit of the the extent to which any investigation into possible 10 10 assistance which everybody has promised me, that extends changes to the civil law governing the relationship 11 between the press and public will be a matter for your 11 to suggesting things that I really need to be looking at 12 Inquiry. 12 and then seeing how one can fit the time around them. 13 MR DINGEMANS: We will certainly attempt to do that, and 13 We had noted in the written submissions the comment 14 14 I entirely accept that the hard work of any core that you had made in your ruling on the application by 15 Ms Elaine Decoulos to become a core participant, and you 15 participant is all done behind the scenes rather than 16 noted that the approach of the press to proceedings in 16 necessarily in open court. 17 17 LORD JUSTICE LEVESON: That's true. court to correcting libelous errors "may, I repeat may, 18 18 MR DINGEMANS: Can I then turn to the other matter that we arise at one end of the spectrum of issues to which this 19 19 wanted to raise, and I hope in the same vein, and that's Inquiry relates". 20 20 regulation of the press in other jurisdictions. Plainly, if any regulation is to be no more than is 21 21 If one looks around the world -- and there was necessary, to paraphrase Lord Bingham's comment, then 22 22 the existing civil and criminal remedies are plainly an a very short comparative review, not in any sense to be 23 relied on --23 important part of the picture that will need to be 24 addressed by the Inquiry. For those reasons, we submit LORD JUSTICE LEVESON: Yes. 25 MR DINGEMANS: -- of different approaches in different 25 that, properly engaged within the terms of reference, Page 2 Page 4

1 1 MR DINGEMANS: And whether you end up with the situation in jurisdictions, we do respectfully submit that there are 2 2 the United States, broadly speaking, for print media, some lessons that might be learned from that review and 3 3 other lessons that can be absorbed for all from the where there is effectively the civil and criminal 4 4 regulation, or whether you end up with something more different approaches that have been taken. 5 5 In that respect, we had noted a principled sophisticated, and indeed whether you can then engage 6 6 the Internet, and if so, how, in circumstances where, of distinction between regulation of the print media and 7 7 course, publications can be made both within this regulation of the Internet media, and in circumstances 8 8 jurisdiction and outside this jurisdiction, to be read now where you have, for libel awards that are made 9 9 against national newspapers, an attribution normally of within this jurisdiction. 10 10 LORD JUSTICE LEVESON: Yes. This is the litany of problems about 50 per cent towards the print media and 11 11 that I do have to address. 50 per cent towards the Internet media -- because, of 12 MR DINGEMANS: My short submission, sir, which I accept has 12 course, no one is interested in arguing between the 13 13 two -- then it is perfectly plain that regulation, if limited help is that there is at least a starting point 14 14 to be gained from looking around the world and -there is to be any and if it is to engage newspapers, 15 15 LORD JUSTICE LEVESON: I'm sure that's right. has to deal with the Internet publication of online 16 papers. 16 MR DINGEMANS: -- taking those into account --17 17 Those were the very few short matters that we In those circumstances, one can see, for example, 18 the approach taken in the United States, which appears 18 respectfully wanted to raise. Everything else we 19 19 propose to do we would hope to feed directly into your to be very permissive, to the distinct approach taken, 20 for example, in India. I have shown those examples. We 20 team and wouldn't need it to be said in opening. Thank 21 21 you very much. will certainly attempt to assist and feed in some 22 further information as it becomes available to the team 22 Housekeeping 23 23 LORD JUSTICE LEVESON: Thank you. Well, we're all here, in relation to those matters. 24 24 LORD JUSTICE LEVESON: One of the questions which is back. Is there anything else that I can do this 25 25 afternoon? Mr Jay? particularly going to cause me some pause for thought is Page 5 Page 7 the question of the voluntariness of the whole process. MR JAY: Sir, I need to update you and the core participants 1 2 2 MR DINGEMANS: Yes, sir. with the state of the evidence on the system. 3 LORD JUSTICE LEVESON: That's particularly relevant, 3 LORD JUSTICE LEVESON: Thank you. MR JAY: There are, in my understanding at the moment, eight 5 MR DINGEMANS: To those newspapers that I represent? 5 or possibly nine witness statements on the system. 6 LORD JUSTICE LEVESON: Correct. 6 Either by close of play tonight or first thing tomorrow 7 MR DINGEMANS: Indeed, sir. At the moment, the requests 7 morning, there will be seven or eight more, namely the 8 from the Inquiry haven't yet been targeted to the 8 statements of HJK, who has been anonymised pursuant to 9 approach and the reasons why, and therefore any 9 your order, JK Rowling, Christopher Jefferies, Sheryl 10 submissions will be made in relation to the evidence of 10 Gascoigne, Gary Flitcroft, Graham Shear and Margaret 11 that, but there has been, as you can see in the past, 11 12 engagement with the process, and then, because of views 12 There are five or six further statements which 13 13 taken about whether that was a proper process, should be available by close of play tomorrow. Various 14 14 a disengagement -redactions have been looked at and I think now have been 15 LORD JUSTICE LEVESON: Yes, Mr Dingemans, your clients are 15 agreed: Steve Coogan, Ian Hurst, Charlotte Church, Anne 16 entitled to take what view they like about a system that 16 Diamond, a supplementary statement from Hugh Grant, and 17 is entirely voluntary. 17 a statement from Jane Winter. 18 MR DINGEMANS: Yes. 18 So we're waiting for the statements from Sienna LORD JUSTICE LEVESON: That's the necessary conclusion of it 19 19 Miller and the supplementary statement from Mark Lewis. 20 being voluntary. 20 We don't believe Sienna Miller's statement, once 21 MR DINGEMANS: Indeed. 21 available -- I understand it's been approved but not yet 22 LORD JUSTICE LEVESON: The question is whether any more that 22 signed -- will give rise to any difficulty in relation 23 system is -- I suppose the buzz phrase these days is 23 to possible redaction. The same may not be true of Mark 24 "fit for purpose", whether it does what it says on the 24 Lewis's supplementary statement. Consideration will 25 25 tin. have to be given to that. We don't know yet what it Page 6 Page 8

1 says. 2 Various of the exhibits are available on the system. 3 Others are being looked at as a matter of some urgency. 4 Some proposed redactions have been made, but there's 1 LORD JUSTICE LEVESON: depth of colour. 2 MR JAY: Yes. It's that sort of point. We will be ver sensitive to that. We fully understand that these are public proceedings, this is a public Inquiry, but it's	y
3 Others are being looked at as a matter of some urgency. 3 sensitive to that. We fully understand that these are	y
4 Some proposed redactions have been made, but there's 4 public proceedings, this is a public Inquiry but it's	•
paone proceedings, and is a paone inquity, out its	
5 been a difficulty with one copy sent through to us. 5 a question of just applying judgment and common	sense,
6 These are teething problems which we will resolve in the 6 and that's what we propose to do throughout. The	ame
7 very immediate future. 7 sort of principles are going to apply elsewhere, but	
8 The exhibits contain material some of which is in 8 each of the 21 cases we'll be looking at next week in	S
9 the public domain, all of which, however, will be 9 slightly different from the others.	
10 confidential to the core participants at this stage. Of 10 LORD JUSTICE LEVESON: Right. Next week is a	little bit
11 course, we will make those available as soon as 11 different from the rest of the Inquiry because all the	;
possible. How exactly some of the exhibits are treated 12 witnesses are, for want of a better phrase, members	of
when the witnesses give evidence will be a matter of 13 the public.	
14 discussion. May I, as it were, highlight a point? 14 MR JAY: Yes.	
15 I can do it in relation to Mr Mosley's evidence. 15 LORD JUSTICE LEVESON: But I am somewhat co	ncerned that the
He quite rightly puts within his bundle the original 16 core participants should have sufficient time to read	l
17 article in the News of the World which gave rise to the 17 and assimilate the material	
18 claim in the tort of breach of privacy. It will not be 18 MR JAY: Yes.	
19 the Inquiry's intention to, as it were, place that 19 LORD JUSTICE LEVESON: and that we develop	
20 article again in the public domain. 20 gives them plenty of time. I don't suppose there wi	
21 LORD JUSTICE LEVESON: That would defeat the very object and 21 be a very great deal for suggestion to the Inquiry in	
22 I made it abundantly clear that I didn't intend to allow 22 relation to them, because they're providing the Inqu	=
the Inquiry to revictimise those who had been described 23 with a window on the impact on them of whatever	nas
24 as victims or to risk victimisation of those who 24 happened.	
25 complained that they are victims. 25 MR JAY: Yes.	
Page 9 Page 11	
1 MR JAY: Yes. However, the article will be made available 1 LORD JUSTICE LEVESON: Which is hardly lik	ely to be
2 to the core participants, subject to the confidentiality 2 extremely contentious, even if it's not agreed.	•
3 undertakings they have given, and it may be necessary to 3 MR JAY: Yes.	
4 me to refer to a line or two in the article to make good 4 LORD JUSTICE LEVESON: But we're going to	come into
5 the points Mr Mosley wishes to make good. The last 5 witnesses where different considerations may w	
6 thing I'm going to do is, as it were, display anything 6 obtain.	
7 which is, as it were, pictorial in the article on any 7 MR JAY: Sir, I agree with that. As I said, next w	eek's
8 screen in this room. 8 statements are how should I put it? multifar	ious.
9 LORD JUSTICE LEVESON: Mr Sherborne is probably quite 9 There are some common themes, but each witne	ss has
familiar with this article, and therefore you'll 10 something different to say. I think the largest	
doubtless discuss with him 11 statement is only about 21 pages. The statemen	s will
12 MR JAY: Yes. 12 not take long to read. Core participants may have	e lines
13 LORD JUSTICE LEVESON: how you intend to present it. 13 of questioning to suggest in some of the cases.	
14 MR JAY: Yes. What is likely to happen is that everybody in 14 I wouldn't have thought very many.	
this room will have the article in front of them. I say 15 Some of the exhibits appear quite forbidding.	In
16 "everybody in this room"; the core participants will, 16 Mr Mosley's case, his second exhibit is 450 page	es long.
but any member of the public, I'm afraid, will not see 17 LORD JUSTICE LEVESON: Yes, but he include	s all the
the article on the screen and therefore the material 18 statements in his	
will not be on the live system, which we know about. 19 MR JAY: Yes.	
20 So the proceedings will be 98 per cent intelligible 20 LORD JUSTICE LEVESON: civil action and the	ne submissions
but not 100 per cent, and the missing 2 per cent is to 21 made to the European Court and the judgment of	f the
22 protect Mr Mosley from precisely 22 European Court.	
23 LORD JUSTICE LEVESON: They're likely to be intelligible, 23 MR JAY: Yes, and we're not going to go there. I'	m going to
24 but perhaps not the full 24 summarise it. We're not going to relitigate what	
25 MR JAY: No. 25 happened before Mr Justice Eady. Certain poin	s will be
Page 10 Page 12	

1 brought out. 1 emanated quite recently, both in relation to Mr Grant 2 2 The position may be a little different elsewhere. and in relation to Mr Lewis. 3 What I'm saying is that although the statements are 3 MR JAY: Yes. That last issue is a bit of an open question, 4 going or some of the statements are going on the system 4 because although one can speculate on reasonable grounds 5 slightly late, this is not going to prejudice anybody 5 what that additional material might relate to, we 6 haven't seen it. But there is enough flexibility in the and I would hope that any lines of questioning, which of 6 7 7 course we will treat on a confidential basis -- we're timetable with goodwill all around to accommodate that, 8 8 not going to attribute, if I ask a question, that but the basic point is that we will finish -- I repeat, 9 question to any particular core participant because that 9 we will finish -- these 21 witnesses by, if necessary, 10 10 would be quite wrong. 5 pm on Monday, 28 November, and then within the next 11 But those will doubtless come by the end of this 11 day or so, we will have finalised the witness list for 12 week or perhaps over the weekend and if there is any 12 the succeeding three days; that's to say 29 November to 13 line of questioning which I consider to be 13 1 December. 14 inappropriate, we will let the relevant core participant 14 By way of sneak preview, I'm able to say that we'll 15 know, which will give rise to the possibility -- I put 15 be having Mr Richard Thomas, the former 16 it no higher than that -- of an application under rule 16 Information Commissioner. He will be on the Thursday, 17 10(3), I think it is, for the core participant to ask 17 1 December, and his statements, which I think at the 18 the question, although you've already indicated that 18 moment run to three and we're waiting for the fourth, 19 your preliminary view is that that would be highly 19 will be made available in the next day or so. We're 20 unlikely in any of these 21 cases. 20 just finalising with him that there are no redactions 21 LORD JUSTICE LEVESON: Yes. 21 which he wishes to be made. His material is quite 22 MR JAY: The position may be different elsewhere, although 22 voluminous and there is a range of background material 23 you haven't excluded it out of court in time. 23 which may need to be put to him. So we are allocating 24 LORD JUSTICE LEVESON: The considerations are, it seems to 24 a whole day, exceptionally, to his evidence. As 25 me, different. 25 I anticipated in my opening yesterday, we expect there Page 13 Page 15 MR JAY: Yes. 1 to be lines of questioning put to us by core 2 LORD JUSTICE LEVESON: Given what Mr Rhodri Davies has said 2 participants, and Mr Caplan has already indicated or 3 this morning, all those that come within the generic 3 foreshadowed what one of those lines may be, because 4 descriptions that he there talked about, it is only to 4 there's a witness statement from Ms Hartley which 5 provide -- I say "only"; it is importantly to provide 5 indicates precisely that. 6 that background and to paint the impact side of the 6 We also expect to be hearing that week from 7 picture. 7 Mr Alastair Campbell and one or two other witnesses 8 MR JAY: Yes. 8 whose identities will be vouchsafed in the very near 9 LORD JUSTICE LEVESON: In relation to other potential 9 future. 10 alleged ethical abuses, slightly different 10 LORD JUSTICE LEVESON: Yes. 11 considerations might arise but it doesn't seem to me 11 MR JAY: What we're aiming to do is to give 10 to 14 days' 12 that they're likely. 12 advance notice of witnesses so that everybody can be 13 MR JAY: No. 13 geared up. 14 Sir, the remainder of -- well, next week is catered 14 LORD JUSTICE LEVESON: I'd be grateful for that. I'd also 15 15 be grateful if forewarning could be given of the for. It's a four-day week starting on the 21st and 16 finishing on the Thursday, and the core participants 16 contents of statements, because I am sure that much 17 have seen the list. We're working on the basis of 17 value can be obtained from meetings between counsel --18 usually four, but on one occasion I think five witnesses 18 I don't necessarily mean members of the bar; it could be 19 19 a day. My assessment is that some of the witnesses may solicitors, it could be legal advisers of the relevant 20 be quite short. Others, however, may be longer than the 20 core participants -- as to perceptions of time. 21 average one hour that is being allotted, but it ought to 21 22 be quite obvious who those are. Mr Mosley, for example, 22 LORD JUSTICE LEVESON: You will know broadly what you want 23 23 may be a bit longer. Mr Grant, and one or two others. to elicit and how long that will take, but I'm very keen 24 LORD JUSTICE LEVESON: Of course, to some extent, we now 24 to fill up the days. 25 25 MR JAY: Yes. have to cope with the additional material that's Page 14 Page 16

LORD JUSTICE LEVESON: I've been conscious of the problem 1 any background materials we provide. The witnesses will 2 today. We allowed rather longer for people to speak 2 be invited to confirm that their statements are true and 3 3 than some have spoken. That's not a mistake I'll make that they've signed them and of course they're giving 4 4 in the future. It's not a mistake at all, actually, the evidence on oath. We will be treating their 5 I hasten to add. But I don't want to have many days 5 evidence more expansively than some of the later 6 that, as it were, we have the afternoon off. 6 witnesses, where perhaps there will be more highlighting 7 MR JAY: No. 7 just of key points and then moving on to the more 8 LORD JUSTICE LEVESON: Neither do I want particularly to 8 probing questions, but basically there's, I hope, 9 have days where I have to start at 10.00 and finish at 9 a degree of common sense and sensitivity in relation to 10 10 6.00 to get through it, because that suggests a rush all the evidence you're likely to hear over the next few 11 which I don't wish to --11 months. 12 MR JAY: Yes. 12 LORD JUSTICE LEVESON: Good. Well, it's important that 13 LORD JUSTICE LEVESON: -- provide by way of impression at 13 I get the right picture and everybody can help me do 14 14 that by applying their minds to the way in which it's 15 MR JAY: Yes. It's quite difficult, though, to calibrate 15 presented and the time it takes. 16 this. We form a judgment as to how long a witness might 16 MR JAY: Yes. 17 take. We were going to build into the timetable the 17 LORD JUSTICE LEVESON: Right, thank you. 18 possibility of summarising statements, inviting you to 18 One other thing, Mr Jay. Mr Caplan mentioned the 19 read statements. Of course you'll do that behind the 19 protocol for anonymous witnesses. 20 scenes, not during Inquiry time, but we still have to 20 MR JAY: Yes. 21 21 make allowance for that, since you're not working until LORD JUSTICE LEVESON: Without pressing the pressed team 22 1.00 am in the morning, I hope, reading statements. 22 I would be quite keen that that was resolved --23 LORD JUSTICE LEVESON: I'm no longer of the bar, Mr Jay. 23 MR JAY: Yes. It has been put out for consultation, so the 24 24 MR JAY: In fact, frankly the priority is, although we don't core participants have seen it. We've invited 25 want to be working to 6 o'clock in the evening and then 25 representations. If there are any representations on Page 17 Page 19 preparing for the following day, it seems to us more the protocol, then we will probably have to sit early at 1 1 2 2 important that we don't have fallow periods during the some point and resolve them. 3 3 hearing. LORD JUSTICE LEVESON: We'll resolve it. Okay, thank you LORD JUSTICE LEVESON: Well --4 very much. MR JAY: Perhaps we'll err slightly on the side of toughness 5 MR JAY: Let's see how we get on. Mr Caplan has raised on 6 than on the side of laxity --6 point of principle on anonymity which he may well invite 7 LORD JUSTICE LEVESON: I have no doubt that everybody will 7 you to resolve without prejudice to the protocol. 8 work together very quickly and you'll get an impression 8 That's absolutely fine. We'll just have to make time 9 very quickly about the pace that we can take this. 9 LORD JUSTICE LEVESON: Yes. I've already dealt to some 10 MR JAY: Yes. 10 11 LORD JUSTICE LEVESON: But that's one of the areas where I'm 11 extent with that issue in the ruling that I've given. 12 looking to everybody to assist. 12 MR JAY: Yes. 13 MR JAY: Yes. Certainly, the last point, in relation to the 13 LORD JUSTICE LEVESON: Yes, Mr Caplan. 14 first 21 witnesses, we do not wish to give the 14 MR CAPLAN: Sir, thank you. May I just make one or two 15 impression that any of this evidence will be rushed. It 15 comments about the witness statements? 16 won't be. 16 LORD JUSTICE LEVESON: Yes, please. 17 In our view, given the likely absence of any, as it 17 MR CAPLAN: Thank you for the observation, obviously, that 18 were, probing questions -- most if not all of the 18 the core participants need early sight of the 19 questions will merely be to elicit the evidence -- one 19 statements. Sir, I fully understand that the private 20 hour or one and a quarter hours is a long time for 20 individuals, 1 to 21, are coming to give primarily 21 a witness, and we are confident that the periods 21 impact evidence. Of such statements that we have seen 22 22 allocated will be more than sufficient to give each of those 21 individuals, though, they also do make 23 23 witness the opportunity to say precisely what he or she allegations against a number of publishers and it is 24 wishes. Of course, it should be understood by everyone 24 important, if I may respectfully say so, that we have as 25 25 that you will have pre-read the witness statements and much forewarning of the evidence that they're proposing Page 18 Page 20

to give so that we can do our own researches and respond to those allegations if accessary. Of the witnesses next week, there are eight whose evidence we simply have not seen at all. Solary SUFICE LEVESON: hope those are the ones that Mr Jay is a survivence we simply have not seen at all. MR CAPLAN: Or tomorrow. Robert Jan. Or tomorrow. I ORD JUSTICE LEVESON: hope those are the ones that Mr Jay is a survivence we simply have not seen at all. MR CAPLAN: The other matter is – I'm sure this is the case – If witness statements and be distributed as soon as they are available. I know, for example, Mr Thomas is going to give evidence all day on I December. His involve us making enquiries of our own journalists and interfere the sooner we can have this evidence, the sooner we can have this evidence, the sooner we can have this evidence, the objective meant of the sooner we can have this evidence, the objective meant of the sooner we can have this evidence, the victims, but you will understand — and hope that they will understand — that I will not be making findings of 22 and the public domain, it may be necessary to respond to them. I ORD JUSTICE I EVESON: Mr Caplan, I entirely agree. It's obviously upromata, and recognise that some allegations are made against publishers by some of the 20 and the public domain, it may be necessary to respond to them. I ORD JUSTICE I EVESON: Thank you. Yes. Mr Jay, that's obviously a very important point about the witnesses and we have the sout to out. We she there anything else that anybody else wanted to respond to them. No, In sorry, Mo Decoulos, you're not a core made in the public domain, it may be necessary to a statement, you could do. You haven't. That's it. Thank you. MS DECOULOS: (inaudible) Di ORD JUSTICE LEVISON: That's fair enough. Then you'll be dealt with like all the other witnesses but you don't have a standing in the finguity. Thank you every much. Right. MS DECOULOS: (inaudible) Di ORD JUSTICE LEVISON: What's the order? LORD JUSTICE LEVISON: What's t				
Of the witnesses next week, there are eight whose evidence we simply have not seen at all. I OND DUSTICE LEVESON: Thope those are the ones that Mr Jay Say you'll see tonight — MR CAPLAN: Or tomorrow. I OND DUSTICE LEVESON: — or first thing tomorrow morning. MR CAPLAN: The other matter is — 'In sure this is the case — if witness statements can be distributed as soon as they are available. I know, for example, Mr Thomas is ignored by the Value of the content of the	1	to give so that we can do our own researches and respond	1	MR JAY: NUJ first, through the general secretary. I think
the Mr. Sherbonne at quarter to 12, 12 o'clock. Again. 1 IORD JUSTICE LEVESON: 1 bope those are the ones that Mr Jay Say you'll see tonight — 7 MR CAPLAN: Or tomorrow. 8 MC APLAN: Or tomorrow. 9 MR CAPLAN: The other matter is — I'm sure this is the oracle — if witness statements can be distributed as soon 1 as they are available. It know, for example, Mr Thomas is evidence, we're told by Mr Alyz, contains a vast amount, or a significant amount of documentation. That may 1 row a significant amount of documentation. That may 2 row or a significant amount of documentation. That may 3 row coner we can — 18 LORD JUSTICE LEVESON: Mr Caplan, I entirely agree. It's 1 o'choices we making enquiries of our own journalists and 1 therefore his somer we can have this evidence, the 2 victims, but you will understand—and I hope that they 2 victims, but you will understand—and I hope that they 2 victims, but you will understand—and I hope that they 2 victims, but you will understand—and I hope that they 2 victims, but you will understand—and I hope that they 2 victims, but you will understand—and I hope that they 2 victims, but you will understand—and I hope that they 2 victims, but you will understand—and I hope that they 2 victims, but you will understand—and I hope that they 2 victims, but you will understand—and I hope that they 2 victims, but you will understand that. It's just if allegations are made against because that takes me down a track which 2 vool he very difficult to reach the end of, not least 2 victims, but you will understand that. It's just if allegations are made against that you were a victimal and therefore you have no standing in froat 2 victims and the republe domain, it may be necessary to 2 victims and therefore you have no standing in froat 2 victive beneford with if you wanted to 2 victims but to respond to them. 10 No. This statement, you could do. You haven't. That's it. Thank you. 11 Was there anything clae that anybody clse wanted to 2 victims and therefore you have no standing in froat 2	2	to those allegations if necessary.	2	about one hour. Mr Rusbridger of the Guardian is coming
s LORD JUSTICE LEVESON: I hope those are the ones that Mr Juy MR CAPLAN: Or tomorrow. MR CAPLAN: Or tomorrow. LORD JUSTICE LEVESON: — or first thing tomorrow morning. MR CAPLAN: Or tomorrow. LORD JUSTICE LEVESON: — or first thing tomorrow morning. MR CAPLAN: The other matter is — I'm sure this is the case — if witness statements can be distributed as soon it as they are available. I know, for example. Mr Thomas it is going to give evidence all day on I December. His cividence, we're told by Mr Jay, contains a vast amount, or a significant amount of decomentation. That may is involve us making enquiries of our own journalists and therefore the sooner we can have this evidence, the sooner we can — LORD JUSTICE LEVESON: Mr Caplan, I entirely agree. It's obviously upnorant, and I encognise that some deal with understand — and I hope that they deal will understand — and I hope that they complains because that takes me down a track which would be very difficult to reach the end of, not least Page 21 because of the police investigation. MR CAPLAN: I understand that. It's just if allegations are made in the public domain, it may be necessary to raise? All right. MR CAPLAN: Thank you. LORD JUSTICE LEVESON: Thank you. Yes. Mr Jay, that's obviously a very important point about the witnesses and we have to sort it out. Was there anything else that anybody else wanted to raise? All right. MR CAPLAN: Thank you. MR CAPLAN: I understand, and balance is going to be dealt with like all the other witnesses and we have to sort it out. Was there anything else that anybody else wanted to raise? All right. MR JORD JUSTICE LEVESON: Thank you wanted to submit a statement, you could do. You haven't. That's it. Thank you MR LORD JUSTICE LEVESON: Thank you were much. Right. MR LORD JUSTICE LEVESON: Thank you very much. Right. MR LORD JUSTICE LEVESON: Thank you very much. Right. MR LORD JUSTICE LEVESON: What's the order?	3	Of the witnesses next week, there are eight whose	3	at 11.00. He'll be however long he'd like to be and
Says you'll see tonight —	4	evidence we simply have not seen at all.	4	then Mr Sherborne at quarter to 12, 12 o'clock. Again,
MR CAPLAN: Or tomorrow. LORD JUSTICE LEVESON: — or first thing tomorrow morning. MR CAPLAN: The other matter is — I'm sure this is the case — if witness statements can be distributed as stoon as the year available. I know, for example, Mr Thomas is evidence, we're told by Mr Jay, contains a vast amount, or a verificent amount of documentation. That may involve us making enquiries of our own journalists and therefore the sooner we can — 17 18 LORD JUSTICE LEVESON: Mr Caplan, I entirely agree. It's obviously important, and I recognise that some obviously important, and I recognise that some of the victims, but you will understand — and I hope that they will understand — that I will not be making findings of complete the because of the police investigation. MR CAPLAN: Thank you. 7 today. MR I APLAN: The other matter is — I'm sure this is the case — i'm victims, but you will understand — and I hope that they will understand — that I will not be making findings of complete the police investigation. MR CAPLAN: I understand that. It's just if allegations are made in the public domain, it may be necessary to respond to them. LORD JUSTICE LEVESON: Thank you. Yes. Mr Jay, that's obviously a very important point about the witnesses and we have to sort it out. Was there anything else that anybody else wanted to raise? All right. No, I'm sorry, Ms Decoulos, you're not a core participant and therefore you have no standing in front of me. You've been told that if you wanted to submit a statement, you could do. You haven't. That's it. Thank you. MR JAY: Tomorrow morning, 10 am, I think, we're hearing from — 20 LORD JUSTICE LEVESON: What's the order? 10 LORD JUSTICE LEVESON: What's the order?	5	LORD JUSTICE LEVESON: I hope those are the ones that Mr Jay	5	he's indicated about an hour and a half-ish.
Solution Lord Dustrice Leveson: — or first thing tomorrow morning.	6	says you'll see tonight	6	LORD JUSTICE LEVESON: We'll have a slightly longer day than
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