

<p>1 2 (The luncheon adjournment) 3 (1.45 pm) 4 LORD JUSTICE LEVESON: Yes, Mr Jay. 5 MR JAY: The outstanding issues we left open at lunch -- the 6 position is that the Section 19 order that you made has 7 been put on the website. It is therefore formally 8 promulgated. 9 In our view, it covers any further publication -- 10 because publication is continuous -- on anybody's blog 11 or website. That has been pointed out to Guido Fawkes, 12 so I can be explicit about it, and he should take the 13 appropriate immediate steps to rectify the matter. So 14 there's that. 15 Whether or not Mr Campbell's witness statement 16 should not be published, I can see arguments both ways 17 but maybe Mr Caplan should say what he wishes to say and 18 if necessary I will revert. 19 LORD JUSTICE LEVESON: Yes. Thank you. Mr Caplan, it might 20 be best to wait and see what happens during the course 21 of the afternoon, might it not? I haven't yet directed 22 that it should go on the website, and it isn't there, so 23 this might be a case of wait and see. 24 MR CAPLAN: Yes. Sir, perhaps we can return to it then at 25 the end of the day.</p> <p style="text-align: center;">Page 1</p>	<p>1 A. Charlotte Maria Church. 2 MS PATRY HOSKINS: You have provided a witness statement to 3 the Inquiry. Could you confirm that the contents of it 4 are true to the best of your knowledge and belief? 5 A. Yes, again. 6 MS PATRY HOSKINS: If you just wait there, I understand that 7 Mr Sherborne, your barrister, wishes to ask you a few 8 questions. 9 Questions from MR SHERBORNE 10 MR SHERBORNE: Thank you. I think I'm part of the unusual 11 agreement. 12 LORD JUSTICE LEVESON: I'll agree with that, Mr Sherborne. 13 MR SHERBORNE: The chairman described it as an unusual 14 environment. Can I ask you: have you ever given 15 evidence before. 16 A. No, never. 17 Q. So I think the next question that must follow from that 18 is: why have you agreed to come and give evidence to the 19 Inquiry? 20 A. I've agreed to be here today basically because I think 21 that the things that I went through when I was younger 22 were -- when I was quite young, I was a minor -- it was 23 from when I was 12 years old and therefore I kind of 24 wanted to show through my experiences how I think it's 25 imperative that children are protected. Also, after</p> <p style="text-align: center;">Page 3</p>
<p>1 LORD JUSTICE LEVESON: I think we'll probably find out if it 2 comes off. 3 MR CAPLAN: Thank you. 4 LORD JUSTICE LEVESON: Right. 5 MS PATRY HOSKINS: Sir, the first witness this afternoon is 6 Ms Charlotte Church. 7 LORD JUSTICE LEVESON: Very good. Thank you. 8 MS CHARLOTTE MARIA CHURCH (sworn) 9 LORD JUSTICE LEVESON: Please sit down and make yourself as 10 comfortable as you can in the context of this rather 11 unusual environment. 12 A. Okay. 13 LORD JUSTICE LEVESON: First of all, relax. 14 A. Okay. 15 LORD JUSTICE LEVESON: I don't pretend it's necessarily 16 easy, but I'm very grateful to you for volunteering to 17 do this. You've probably heard me say to others that 18 I think it's very important that we hear everybody's 19 perception of what's going on. I know it's difficult 20 because you're talking about things that, by definition, 21 you don't want broadcast around the world, or even 22 anywhere, so I'm grateful to you for coming to do it. 23 Thank you very much. 24 A. My pleasure. 25 MS PATRY HOSKINS: Could you state your full name?</p> <p style="text-align: center;">Page 2</p>	<p>1 becoming a mother myself of two young children, I really 2 want to be able to protect my children in the future as 3 much as possible and their privacy is their right. 4 And also just in terms of my family, who have had to 5 deal with this for years and years, and who are very 6 happy for me to be speaking here at this Inquiry today. 7 Q. Thank you. We've heard from a number of witnesses who 8 have already given evidence about various particularly 9 intrusive practices, such as being doorstepped, stalked 10 or followed wherever they go. Are these practices which 11 are familiar in your experience? 12 A. Absolutely. All of them. 13 Q. I know you're going to be asked some specific questions 14 about that in due course by Ms Patry Hoskins so I'm not 15 going to ask you now, but in general terms, can you just 16 explain what the impact that has on you and your family? 17 A. Well, obviously a massive impact. It infiltrates your 18 everyday life to the point where, even nowadays, when 19 I'm not doing too much, they'll follow we quite 20 regularly wherever I go, whether it be shopping, taking 21 my children to nursery, even though I expressly asked 22 them not to take photographs when I'm with my children 23 at nursery because therefore -- I don't want the 24 nursery -- I don't want people to know where it is, 25 et cetera. But I mean, it's just everywhere. I think</p> <p style="text-align: center;">Page 4</p>

<p>1 there is kind of a shadow network where everybody is 2 infiltrated, in terms of hotel concierge, restaurants 3 who will tip off journalists or paparazzi, the airlines, 4 everywhere -- I haven't been on a holiday since I was 16 5 where I haven't been found and photographed, and much of 6 that, I believe, was bought information because 7 I can't -- if I haven't even been followed to the 8 airport, there have been no paparazzi at the airport, 9 I can't really see how else it could have come about. 10 Q. Those holidays, do they include holidays with your 11 children as well? 12 A. Yes. 13 Q. Finally, we've heard from a number of editors and 14 newspaper representatives that the practices, the 15 culture that we've been hearing about this week, belongs 16 to a bygone era and that things are much better now. In 17 your experience, is that correct? 18 A. No. 19 MR SHERBORNE: I'm sure you'll be asked a lot about it. 20 I'll leave you with that. Thank you very much. 21 A. Thank you. 22 Questions from MS PATRY HOSKINS 23 MS PATRY HOSKINS: Thank you very much. Can I just have one 24 word with the technician. Can we have up, please, 25 document 33122, which is the first page of Ms Church's Page 5</p>	<p>1 taken against the press in the past. 2 A. Okay. 3 Q. Finally, I'll let you say whatever you want at the end 4 if there's anything that you'd like to add. Let's start 5 with press intrusion into your life, please. I want to 6 start with the early days while you were still a child. 7 You've explained you started life as a singer age 8 11. Did you have media scrutiny right from the start? 9 A. I wouldn't say it was right from the start. There was 10 definitely a massive amount of interest right from the 11 start, which was generally always positive because 12 I didn't have any skeletons or anything when I was 12, 13 et cetera, and they kind of treated me with kid gloves 14 because I was so young. So it wasn't necessarily right 15 from the start. There was a lot of press intrusion in 16 terms of, you know, they were always at my school and 17 things like that, taking photographs of me going to 18 school, but at that time it didn't feel that intrusive, 19 and it was all rather new and exciting and totally 20 different to the life I had previously lived. 21 Q. Yes. When did that start to change then? 22 A. It started to change probably when I was around 14. 23 Q. What changes did you notice? 24 A. Just people were more willing to be negative. It just 25 got a bit more intrusive, really. That's all I can kind Page 7</p>
<p>1 witness statement. 2 LORD JUSTICE LEVESON: It's there. 3 MS PATRY HOSKINS: Oh, is it? I can't see, you see. 4 Let's start with introductions. I'm sure that you 5 need no introduction, but by way of summary, I'm going 6 to read out parts of paragraph 3 of your statement. 7 A. Okay. 8 Q. You started your professional life as a singer when you 9 were just 11 years old and you explain that through 10 numerous TV and radio appearances you became an 11 internationally recognised musical success, going from 12 a typical school girl to a bankable commodity in less 13 than a year. 14 A. Mm-hm. 15 Q. You were marketed by an aggressive record company 16 campaign and you were branded "The voice of an angel" 17 before you were even 12 years old, and you explain that 18 little did you know as a 12-year-old that this 19 description would be used and distorted repeatedly to 20 mock you in catchy tabloid headlines. 21 I'm going to cover a number of issues with you this 22 afternoon, Ms Church. I'm going to deal with them in 23 this order. First I'm going to ask you about press 24 intrusion, then about false and fabricated stories and 25 then I'm going to ask you about the action that you've Page 6</p>	<p>1 of categorise it with, but also there was a lot of 2 articles at that time which were not necessarily 3 accurate and a little -- and, you know, just really 4 negative in general. 5 Q. Can I ask you about one particular incident which took 6 place when you were 13 years old. It's at paragraph 7 7 of your statement. I'll read you a couple of lines and 8 if I could ask you then to just explain and elaborate 9 a bit further. You say when you were 13, you were asked 10 to perform at Rupert Murdoch's wedding in New York. 11 When it came to the payment for your work, your 12 management at the time informed you that either there 13 would be a £100,000 fee, which is, you say, the biggest 14 fee you'd ever been offered, or, if the fee for your 15 performance was waived, you would be looked upon 16 favourably by Mr Murdoch's papers. 17 A. Yes. 18 Q. You explain that despite your own reluctance to agree to 19 anything other than the £100,000 fee, you were convinced 20 into taking the latter option? 21 A. That's true. 22 Q. Can I just ask you about this, because 23 News International have denied that this offer was ever 24 made to you at this time. Can you tell the Inquiry as 25 much as you remember about that particular incident? Page 8</p>

<p>1 A. Well, I remember being told that Rupert Murdoch had 2 asked me to sing at his wedding to entertain and it 3 would take place on his yacht in New York, and 4 I remember being told that -- you know, the offer of 5 money or the offer of the favour in order to basically 6 get good press, to be looked upon favourably, as I said 7 in the statement, and I also remember being 13 and 8 thinking: "Why on earth would anybody take a favour or 9 £100,000?" and you know, me and my mother being quite 10 resolute on this point, that the £100,000 was definitely 11 the best option, but being advised by management and by 12 certain members of the record company to take the latter 13 option, that he was a very, very powerful man, I was in 14 the early stages of my career and could absolutely do 15 with a favour of this magnitude. 16 Basically, he flew us in on his private jet from LA 17 to New York, which was amazing, and then we went on to 18 his boat, which had a grand piano on it, which I was 19 amazed by, and, yeah, I sang at the ceremony. 20 Q. Can I ask you this: News International say that the fact 21 that you sang at his wedding was in fact a surprise to 22 Rupert Murdoch. It was arranged secretly as a surprise 23 for his wedding. 24 A. Mm-hm. 25 Q. And that therefore he could not possibly have known</p> <p style="text-align: center;">Page 9</p>	<p>1 A. Okay, when maybe you think about this, I'd kind of like 2 to remove myself from the situation and maybe for people 3 in this room to think about whether it be their children 4 or their grandchildren and just that -- you know, I was 5 16 and, you know, after seeing this and after my whole 6 family seeing this, just being totally appalled. You 7 know, I was really, really severely uncomfortable with 8 any kind of innuendo like that, you know, let alone from 9 kind of people my own age possibly, but never mind kind 10 of journalists or newspapers as a whole. 11 Q. Can I just go back, just for those of us who don't have 12 the statement necessarily -- 13 A. Sorry. 14 Q. -- as to what the feature was about? 15 A. So basically it was on the Sun's website and it was 16 a countdown clock, which -- I can't remember exactly how 17 long it ran for but it ran for, I think, maybe more than 18 a month, a countdown clock to my 16th birthday, 19 basically with it the innuendo of the age of my passing 20 of consent, where basically I could have sex and it was 21 kind of a countdown until that date, which was a little 22 bizarre. 23 Q. Do you remember seeing it at the time? 24 A. I do, I do. 25 Q. How did it make you feel?</p> <p style="text-align: center;">Page 11</p>
<p>1 about this alleged deal, this favour. Is there anything 2 you'd like to say about that? 3 A. Well, I had been told by my management that he had 4 specifically asked for me to sing "Pie Jesu", and when 5 I raised to my management the point that "Pie Jesu" was 6 actually a requiem, which is a funeral song and does he 7 really want a funeral song at his wedding, and there had 8 been other the correspondence went back and forth and he 9 said he didn't care whether it was a funeral song, he 10 liked that song and he wanted me to sing it, which 11 I did. 12 Q. So when you are told that he didn't know you were going 13 to sing, that it was a surprise, is that something that 14 accords with your recollection? 15 A. No. Not in the slightest. 16 Q. Okay. Can I ask you to turn now to paragraph 23 of your 17 statement. We're still back sort of in the early days. 18 You explain the intense scrutiny. At the beginning of 19 paragraph 23 you say: 20 "As I went through my teens, the tabloids increased 21 their interest in me, and whether it was smoking, going 22 out, putting on weight, their scrutiny was intense." 23 Then you tell us about a distasteful feature on the 24 Sun website featuring a countdown clock. Can you tell 25 us about that in your own words, please?</p> <p style="text-align: center;">Page 10</p>	<p>1 A. Just horrible. You know, I was a 16-year-old girl and 2 I was just really uncomfortable with it in general. 3 Q. I'm going to move on to a period when you were aged 4 between 16 and 20, if I can. Paragraph 24, just the 5 next paragraph from where we were, you say this: 6 "From the ages of 16 to 20, I had to endure the 7 worst excesses of the press." 8 You then set out a number of ways in which the media 9 intruded on your life. At times, you had photographers 10 stationed 24/7 by your door: 11 "On one occasion, my manager found that a reporter 12 had cut holes in a shrub on my property and installed 13 a secret camera near to the entrance to my home so as to 14 track and document my movements." 15 A. Yes. 16 Q. How did you find out about that? 17 A. Basically my manager just came to me and said that he'd 18 found a camera or evidence of a camera, and basically 19 that there was a -- something cut out of the hedge, 20 a little circle cut out of the hedge, and there was 21 really no other person in the world who would kind of do 22 that other than the press. And you know, they'd 23 often -- in previous properties, they'd cut holes in 24 other people's property, in, you know, kind of the 25 shrubbery or the hedges, in order to be able to get the</p> <p style="text-align: center;">Page 12</p>

1 right actual of my house that they wanted. So it had
 2 happened before, but not quite so dramatically.
 3 Q. Did you ever find out who was responsible for that?
 4 A. No.
 5 Q. You go on to say:
 6 "I've been repeatedly chased in my car and had
 7 photographers force open doors to try and photograph me.
 8 When attending public events, I had to suffer the
 9 indignity of paparazzi trying to take photographs up my
 10 skirt and down my top. Photographs of my homes were
 11 printed so that the security of my family was
 12 compromised."
 13 I'll come on to the rest of the paragraph in
 14 a moment. You explained to Mr Sherborne earlier how
 15 this all made you feel, but can you tell us how
 16 regularly was this occurring during this period? Was it
 17 every time you went out? Was it occasionally?
 18 A. It's difficult to say because at different times there
 19 were different levels of interest. If there has been
 20 a story that has just come out, then there's a massive
 21 level of interest. Obviously I live in Cardiff, I don't
 22 live in London, so a lot of photographers would have to
 23 travel, although there are a lot of freelance
 24 photographers in Cardiff as well. So I mean
 25 generally -- generally, from 16 to 18, there was at

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1 least one photographer there most days, and by "most
 2 days", maybe five out of seven days in a week. If there
 3 was a story that had just broken or anything like that,
 4 then they would literally be there all the time and
 5 there would be a lot of them. Maybe, you know, six to
 6 eight, possibly. Yeah, so it was -- it was really,
 7 really intense.
 8 And then of course, when you get to a situation
 9 where if you're out in public and they're trying to take
 10 photos -- you know, those are really indecent photos
 11 that they're trying to get because, you know, at the
 12 time it was all the rage to take these photos and expose
 13 these celebrities for whatever it might be -- their
 14 cellulite, I'm not really sure -- but it was once again
 15 just a really unpleasant experience, yeah, and something
 16 I hope I don't really have to go through again.
 17 Q. Can I ask you about paragraph 256 your statement. We're
 18 still in the period between the age of 16 and 20. You
 19 explain that when you became pregnant with your first
 20 child, the Sun printed an article, which is headlined
 21 "Church sober shock", headed as an exclusive. The
 22 article reported that you were not drinking or smoking
 23 and had put on a bit of weight and that this had caused
 24 rumours that you were pregnant.
 25 A. Yes.

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1 Q. You recall that. You say:
 2 "At the time of the article, I was in my first
 3 trimester, the most sensitive time in a pregnancy and
 4 even my parents didn't know I was pregnant."
 5 Then you say this in brackets:
 6 "The source, never cited, was probably a hacked
 7 voicemail message from my doctor or via other
 8 surveillance."
 9 The question I've been asked to put to you is: do
 10 you have any evidence that that information was obtained
 11 because your phone was hacked?
 12 A. I don't have any particular evidence of that. I have
 13 evidence that my phone was hacked, obviously, as a lot
 14 of other people giving evidence to this Inquiry do, but
 15 I didn't tell anybody. I hadn't told anybody apart from
 16 when I'd gone to have my initial scan, so I just --
 17 I just can't see that it came from any other area.
 18 Q. That's what I was going to ask you. Who knew? You say
 19 your parents didn't even know you were pregnant. You
 20 knew?
 21 A. Yes.
 22 Q. Your doctor knew?
 23 A. My partner knew.
 24 Q. And that's it?
 25 A. Yes.

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1 Q. Do you have any evidence that you may have been subject
 2 to surveillance, that the information might have been
 3 obtained by surveillance?
 4 A. Once again, no evidence, just -- just, you know,
 5 probable actions of what were the kind of things that
 6 I knew they would -- they were up to at the time.
 7 Q. You explain that you explained to the PCC about this
 8 article. I'll come back to your experiences with the
 9 PCC later on, but you tell us that your complaint was
 10 upheld but that given the article had been published,
 11 that was no good to you?
 12 A. Absolutely. My family --
 13 Q. Tell about me bit about that?
 14 A. My family were really upset that, you know, I hadn't
 15 told them first and it had come out in this way and the
 16 one thing I do say in my statement -- I mean, surely
 17 it's any woman's right to tell her family or her loved
 18 ones, when she feels the time is appropriate, that she's
 19 pregnant and it was my news to tell and that opportunity
 20 was taken away from me, and luckily, I went on to give
 21 birth to a healthy child, but if I would have had any
 22 complications, then once again, it would have been
 23 something that -- you know, it should have been left to
 24 me to have been able to tell people, et cetera. So
 25 yeah, the PCC complaint was upheld, but what does that

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<p>1 mean? There was a small retraction and I just -- I just 2 didn't think that it could deter any other paper from 3 doing the same in the future. 4 Q. Can I ask you about the small correction that appeared. 5 Can you remember anything about that correction or 6 apology that appeared? 7 A. No. 8 Q. Its prominence or -- 9 A. No, I can't remember anything about it. 10 Q. Just for the sake of completeness, I'd like us to look 11 together, please, at what the Sun said about why they 12 had published this article. 13 A. Okay. 14 Q. If you look in your exhibits -- for the sake of the 15 technician it's document 33143 -- you should have it in 16 the little exhibit cc1 after your statement. It should 17 say 33143 at the bottom, or page 8 as well it says. Do 18 you have it? 19 A. Yes. 20 Q. Fantastic. We can see from the top of the page that 21 you're the complainant and the publication you're 22 complaining about is the Sun. You explain that you 23 complained to the Press Complaints Commission about this 24 article, "Baby rumours for sober Church". We can see 25 from the third paragraph down, the one that starts</p> <p style="text-align: center;">Page 17</p>	<p>1 it had merely reported rumours that the complaint was 2 pregnant because of a change in her behaviour, but the 3 newspaper had provided no evidence of any rumours and 4 had not denied that it had known for a fact that she was 5 pregnant when it published the piece. In these 6 circumstances, it seemed to the Commission that the 7 newspaper had simply tried to circumvent the privacy 8 provisions of the code by representing the story as 9 speculation. This was not acceptable within the spirit 10 of the code. The complaint was upheld." 11 So we'll see, sir, that the PCC took a view as to 12 what the newspaper was in fact saying. 13 LORD JUSTICE LEVESON: Yes. 14 MS PATRY HOSKINS: Still on the subject of press intrusion, 15 please, Ms Church, I'd like to come back to press 16 intrusion which you considered put your life at risk. 17 In that respect, let's look back at paragraph 24, which 18 I said I'd come back to. The second half of paragraph 19 24. 20 This is the incident where photographs of your house 21 were printed and also, on one occasion, a threat to 22 kidnap you was published in the News of the World. Can 23 you just tell us a bit about that? 24 A. A lot of this -- a lot of this information kind of about 25 any kind of kidnap stuff or really, really obsessive</p> <p style="text-align: center;">Page 19</p>
<p>1 "Mr Milton said" -- do you see that? 2 A. Mm-hm. 3 Q. "... that the newspaper had told your PR agent that it 4 had received firm information that you were pregnant. 5 The newspaper was told in response that such information 6 was private and would not be commented on and that they 7 in fact told the newspaper that you were not more than 8 12 weeks pregnant and that no statement would be made 9 until after the 12-week scan, and in spite of this, the 10 newspaper published an article referring to rumours 11 about a pregnancy." 12 A. Mm. 13 Q. Does that confirm your recollection of events? 14 A. Yes, pretty much. 15 Q. Thank you very much. 16 LORD JUSTICE LEVESON: The newspaper's response was that it 17 had merely reported speculation to that effect. 18 MS PATRY HOSKINS: Yes, that's absolutely right. For the 19 sake of completeness, if we look at what the Commission 20 says other the page: 21 "The Commission has recently made clear that 22 newspapers should not reveal the fact of someone's 23 pregnancy before the 12 week scan without consent and 24 when the information is not known to any significant 25 degree. The newspaper's defence in this case was that</p> <p style="text-align: center;">Page 18</p>	<p>1 fans was kind of kept from me in order to try and 2 protect me and my sanity, but the News of the World 3 deemed it acceptable to publish that there was a kidnap 4 plot and when I became aware of this story, asked the 5 publication not to print in any terms where I lived. It 6 was quite well-known that I lived in Cardiff but, you 7 know, due to the recent threats, not to publish where 8 I lived, but they did, and -- I can't remember exactly 9 what it said, but it was basically: "She lives in 10 Pontcanna, round the corner from her parents' hotel", or 11 words to that effect. It was really quite exact. 12 MS PATRY HOSKINS: Sir, those documents are in exhibit cc2 13 but they will not be published on the website for 14 obvious reasons. 15 LORD JUSTICE LEVESON: No. 16 MS PATRY HOSKINS: If you wanted to see the exact words 17 used, you can see them there. 18 Thank you very much. Can I ask you now, still on 19 press intrusion, about the impact on others, and in this 20 respect I'd like us to look at paragraphs 26 onwards of 21 this statement. You preface these paragraphs by saying 22 this: 23 "Whilst the coverage about me could be hurtful, it 24 has been the coverage about my parents that has been 25 particularly painful to deal with. The events I am</p> <p style="text-align: center;">Page 20</p>

<p>1 about to describe include: blackmail, bribery, phone 2 interception, innuendo and most importantly, the 3 invasion of the privacy of private, non-public people. 4 To my mind, it reveals the tabloids at their very 5 worst." 6 Then you refer to an article dated 11 December 2005 7 in the News of the World which reported that your father 8 was having an affair. Again, I'm not going to put those 9 documents back in the public domain by publishing them 10 on the website, but can you tell us a bit about that 11 particular article? 12 A. Absolutely. On 11 December, as you said, the 13 News of the World reported that my father was having an 14 affair. 15 Q. Can I pause there. Had you received any prior 16 notification that that article was going to be 17 published? 18 A. Yes. 19 Q. Okay. 20 A. Yes. I'm not sure whether it was -- we were given 21 knowledge of this article being published because -- to 22 comment on it or just -- I'm not really sure how it came 23 about, and I don't know if they were even asked for 24 their comment, I'm just not sure. But yeah, it was 25 11 December and the News of the World reported my father</p> <p style="text-align: center;">Page 21</p>	<p>1 and her hospital treatment, which we also think the only 2 way they could have known about that hospital treatment, 3 et cetera, was either through the hacking or possibly 4 through the bribing of hospital staff, et cetera. So 5 they knew how vulnerable she was and still printed this 6 story, which was horrific. And I just -- I can't think 7 of any justification for printing a story like that. 8 Q. That was going to be my question. Perhaps the answer to 9 it is obvious, but can you see any public interest in 10 publishing a story about the fact that your father, not 11 you, had had an affair? 12 A. I see no interest -- no public interest at all that it 13 serves, other than to sell papers. 14 Q. Okay. Can I unpick what you said after that about your 15 mother's health? You say in your statement your 16 mother's a vulnerable person. Shortly before the 17 publication of this story, she'd actually been admitted 18 to hospital after an attempted suicide. This was in 19 part due to the fact, you say, that she was aware that 20 this story was coming out? 21 A. Yes, at least in part. Just because, as I go on later 22 to say, it's totally different -- you know, the way that 23 a lot of newspapers explain this type of behaviour is 24 that, you know: well, the truth should out and the 25 family have a right to know. Well, yes, possibly the</p> <p style="text-align: center;">Page 23</p>
<p>1 was having an affair, which he was, and the article -- 2 the front page headline was: 3 "Church's three in a bed cocaine shock." 4 With my picture beside it, which -- obviously, if 5 you hadn't bought the publication and read the entire 6 story, you could have made your own assumptions, which 7 would have been entirely wrong. 8 Q. Is that it was you? 9 A. Yes, and the first line of the article which -- after 10 going back to a lot of the articles, actually, that 11 I put into this bundle, I think maybe I've just kind of 12 blanked out just quite how bad they were but I just want 13 to read out the first line of the article, which was: 14 "Superstar Charlotte Church's mum tried to kill 15 herself because her husband is a love rat hooked on 16 cocaine and three-in-a-bed orgies." 17 You can imagine what followed it, in true 18 News of the World style. It was basically just totally 19 sensationalised, and whether partially or wholly true, 20 I just really hated the fact that my parents, who had 21 never been in this industry apart from in looking after 22 me, were being exposed and vilified in this fashion. It 23 was just had a massive, massive impact on my family 24 life, on my mother's health, which the News of the World 25 had reported on before then, on her mental health state</p> <p style="text-align: center;">Page 22</p>	<p>1 family have a right to know, but you know, everybody 2 else doesn't have a right to know and lots of couples 3 have to deal with situations like this between 4 themselves, as ordinary normal people do, but having to 5 deal with it on this scale, with your -- in terms of my 6 mother, with her mother and father, her elderly mother 7 and father having to go through all of this, my nana 8 having to go to church on a Sunday and listen to 9 people's comments, et cetera, is just unacceptable. 10 Q. What was the impact of that whole story on you? 11 A. The story had a massive impact on me, obviously nowhere 12 near as much as the impact on my mother, but it's 13 totally unnatural for a daughter to know that about 14 their parents, and -- yeah, it had a massive 15 psychological effect on me, which -- you know, obviously 16 we've all managed to come through it because there is -- 17 you know, there's really no other option. It's not like 18 you can go to the PCC and kind of have something there 19 or get something back or -- you know, so you've just got 20 to get on with it, really. 21 Q. Before we leave the topic of press intrusion, let me ask 22 you about some of the common arguments that you hear 23 rehearsed, what I call the whingeing celebrity 24 arguments. First of all, can I start from this point: 25 do you accept that someone who is in the public eye, who</p> <p style="text-align: center;">Page 24</p>

<p>1 is famous, will necessarily attract a certain level of 2 media interest? 3 A. Yes, I totally accept that. 4 Q. It's been said -- and you agree, you accept this in your 5 statement -- that you yourself have, on occasion, gone 6 to speak to magazines such as Hello and OK and received 7 a fee presumably for those interviews. 8 A. Mm-hm. 9 Q. Does that, in your view, the fact that you've done that, 10 mean that you deserve a higher level of media interest? 11 A. Categorically no, but then also to expand upon that 12 point is that -- I think -- I wrote some little bits of 13 points down. Basically, there is no rule book for 14 dealing with the tabloid press and I tried lots of 15 different approaches of how to deal with it. Sometimes 16 I've not given interviews, hidden myself away at home, 17 even done my food shopping on the Internet so as not to 18 go out and be photographed and be written about, and 19 generally the way that that was counteracted was by -- 20 that they made up stories and used old photographs. 21 So with OK and Hello, I tried something different, 22 to see whether that would work, because they were 23 obviously insatiable for information and new photos, 24 et cetera, but I think -- I think those particular 25 articles need to be seen in context with what I was</p> <p style="text-align: center;">Page 25</p>	<p>1 Q. Another myth is that you need the press as much as they 2 need you. In that respect, look at paragraph 6 of your 3 statement, where you say this: 4 "It's often argued that as someone in the public 5 eye, I need the media and that intrusions into my 6 private life and the negative coverage are and always 7 have been a fair trade off for success, that I need the 8 press just as much as they need me. However, I cannot 9 see how this is actually the case." 10 And you say as a singer, a newspaper in particular 11 is a very bad medium for promoting my work. Why is it 12 a very bad medium? 13 A. Well, when I was a young girl especially, basically it 14 was kind of a commodity. It was that I was this really 15 small girl with this big operatic voice and therefore 16 you kind of needed to see it. You know, it was quite 17 a visual and audio thing at the same time, which 18 obviously a newspaper cannot give. So I think at the 19 very start of my career, and generally as a singer or a 20 musician, it's not that much of a great medium for your 21 work. TV and radio are much more important. As a TV 22 presenter, definitely you need the press more than -- as 23 a musician. You know, they definitely do aid people and 24 encourage people to watch your shows when they're on, et 25 cetera, so ...</p> <p style="text-align: center;">Page 27</p>
<p>1 going through at the time. So basically, I was pregnant 2 with my first child. I was having a home birth. Whilst 3 I'm giving birth to my first child at my house, I'm well 4 aware that there are six photographers outside my house 5 who are waiting, waiting for those first pictures, and 6 by signing an exclusive deal, I took the value of those 7 paparazzi pictures away. 8 At this point, I'd lived with the paparazzi for 9 a while. I knew the tactics they used. I knew it 10 wasn't always safe. I knew there were car chases, 11 et cetera, involved, especially because there's a large 12 number of them, therefore they're all fighting for which 13 one gets its first and the best picture, and I didn't 14 want to subject my tiny newborn children to that. 15 There's also something to be said where they do take 16 nice photos and they actually print what you say, which 17 I haven't found in a lot of tabloid interviews and 18 things that I've done, or whether they've been 19 interviews or not, and basically my decision was based 20 upon the fact that photographs of my children would have 21 been taken anyway, with or without my consent, and this 22 was the lesser of two evils. So basically it's kind of 23 a no-win situation. 24 I'd also like it to be noted that any money that 25 I earned from those type of things I gave to charity.</p> <p style="text-align: center;">Page 26</p>	<p>1 Q. I understand. You then say, same paragraph: 2 "I have interacted with the media on a number of 3 occasions, as is required of any signed recording 4 artist." 5 Can I ask you a bit about that? 6 A. It's not even necessarily just a signed recording 7 artist. If you have a new show on television, if you 8 have a book or, you know, kind of whatever, generally 9 it's -- you're signed to a company, whether it be a book 10 company or TV company, and therefore you are 11 contractually obliged to promote that product. So maybe 12 a lot of the decisions that were made by the promotion 13 staff, whether in the record company at the time or the 14 TV company, wouldn't have been the publications I would 15 have necessarily gone for but you have a contractual 16 obligation. 17 Q. I understand. So in a nutshell, you've interacted with 18 the press on a number of occasions because you were 19 obliged to do so? 20 A. I was obliged to do so and also because I didn't really 21 have any formal training from when I was 12, and 22 generally whenever asked a question, just told the 23 truth, and sometimes, you know, you get yourself into 24 a conversation with a journalist and you just tell the 25 truth and I kind of started to -- journalists started to</p> <p style="text-align: center;">Page 28</p>

<p>1 know that you can ask her anything and she's going to 2 let you know. She's not going to kind of hide or -- 3 hopefully, I haven't been hypocritical ever. So I do 4 think that that has -- that has, you know, throughout 5 my -- throughout my life been something, that I may have 6 been too honest in interviews and therefore they felt 7 that they had more of a claim on me. But then also, 8 because it was since I was 12 and everybody felt like 9 they'd grown up with me, maybe they felt that they had 10 some sort of ownership.</p> <p>11 Q. I said I'd move on after press intrusion to phone 12 hacking and other unlawful means. In that respect, look 13 at paragraph 28 of your statement to remind yourself of 14 what you said in that respect. You say it's been 15 revealed to you that the police have substantial 16 information demonstrating that your phone messages and 17 those close to you were intercepted and monitored by 18 Glenn Mulcaire, who you understand was contracted to 19 News of the World.</p> <p>20 When did you first find out that your phone may have 21 been hacked?</p> <p>22 A. Crikey. I can't -- I can't remember. Earlier this 23 year.</p> <p>24 Q. How did you find out?</p> <p>25 A. I'm sorry, I'm not doing very well on this point.</p> <p style="text-align: center;">Page 29</p>	<p>1 out of my life simply as to reduce the amount of people 2 that I spent time with, to hopefully not have quite so 3 many leaks, and so then to find out that, you know, they 4 were hacked and you'd accused these people -- you know, 5 you're left with a feeling of guilt then, which 6 I just -- you know, it wasn't my fault, but for accusing 7 those people who are closest to you. When I first gave 8 birth to my daughter, Ruby, I wanted to keep it secret 9 for about a week just so I could have some time with my 10 newborn baby, and it was in the papers within about two 11 days. You know, her time of birth, her place of birth, 12 her name, and I remember saying to my mum, you know: "It 13 must be you, it must be one of our family", and her 14 being really upset and in turn going to all of our 15 family and having big arguments, et cetera, when in fact 16 that could have entirely been down to hacking as well.</p> <p>17 So, yeah, it's been a little bit confusing at that 18 time times.</p> <p>19 Q. I understand. This is not the only experience you've 20 had of being contacted by the police and by Scotland 21 Yard in relation to private detectives. You tell us in 22 paragraph 29 that the when you were 19 you were 23 contacted by the police in relation to 24 Operation Motorman.</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 31</p>
<p>1 Q. Don't worry.</p> <p>2 A. How did we find out? I think we were contacted by the 3 police. Yeah, we were contacted by the police, who 4 showed us all of the photocopied notes of 5 Glenn Mulcaire's notebook, which in turn had passwords 6 and PIN numbers and phone numbers of lots of people in 7 my life, my mother and my father, me, their friends, my 8 friends, old boyfriends' numbers. Yeah, it was quite 9 substantial.</p> <p>10 Q. I understand. You say the information you've seen 11 relates to 2003, 2005 and 2006. You refer to the things 12 that you've just had -- names, numbers, notes, 13 addresses, PIN numbers and so on -- and you say that the 14 earliest information revealed you were hacked when you 15 were just 17.</p> <p>16 A. Yes.</p> <p>17 Q. How did you feel when you found out that you'd been the 18 subject of phone hacking?</p> <p>19 A. I mean, even though we, as a family, felt that the press 20 had always used some dreadful tactics in order to get 21 a story, it was still -- it was still quite bemusing, 22 and especially that -- when I was younger, I remember 23 having a big group of girlfriends and the more and more 24 that was leaked that I just thought: "I don't understand 25 how this is getting out", the more I kind of cut people</p> <p style="text-align: center;">Page 30</p>	<p>1 Q. Do you remember much about that?</p> <p>2 A. I do, actually. I remember being in my mother's house, 3 because she said she'd been contacted by them and 4 I should come over, and they brought a massive, massive 5 black book, which was just full of information, and 6 it -- there seemed to be much more information in the 7 stuff that I saw when I was 19 than kind of 8 Glenn Mulcaire's notes, et cetera. It was 9 comprehensive. They just had everything.</p> <p>10 Q. Information about you?</p> <p>11 A. Yeah, information about me, information about my 12 friends, family members, criminal records, DVLA records, 13 you know, mobile numbers and house numbers and just all 14 sorts. I was just -- we were just completely taken 15 aback, to be honest.</p> <p>16 Q. You say in your statement this: that one of the pieces 17 of information that book contained was transcripts of 18 telephone calls. Are you sure about that?</p> <p>19 A. This is -- this is something that my dad seemed to 20 recall more so. I just remember there just being 21 a massive amount of information. I couldn't swear to 22 that there was definitely transcripts of telephone 23 calls. I remember there being something to do with like 24 live interception phone calls, but what is memory? 25 Flawed.</p> <p style="text-align: center;">Page 32</p>

<p>1 Q. Fair enough. You go on to say in the next paragraph 2 that both the phone hacking and Operation Motorman 3 material also contained information about previous 4 boyfriends of yours and you explain that you've been 5 unable to experience the highs and lows of relationships 6 like any normal person without unwanted attention and it 7 seems illegal surveillance. Can you tell us a bit more 8 about that?</p> <p>9 A. Well, basically a lot of their telephone numbers were on 10 the Glenn Mulcaire notes, so I should imagine -- it's 11 hard to know the extent of it because you just don't 12 know, looking back. But yeah -- I mean, basically there 13 was always paparazzi around, there was always 14 journalists about in the places that we go, trying to 15 speak to my friends, offer friends -- or if not friends, 16 then at least people on the outer circle of the people 17 that you know -- money in order to talk or give a quote 18 or what not.</p> <p>19 And yeah, basically my first boyfriend sold a story 20 on me when I was 17 and that was pretty dreadful, and 21 I just remember thinking: "Why is it okay that an editor 22 or somebody senior in a newspaper could pay an employed 23 boy from Cardiff tens of thousands of pounds to reveal 24 intimate sexual details about another 17-year-old girl?" 25 I just couldn't quite get my head around that.</p> <p style="text-align: center;">Page 33</p>	<p>1 that interesting or debauched, and we were just a couple 2 of 18-year-old girls on our first girls' holiday. And 3 also actually, at this time we were staying in a private 4 villa at which there were paparazzi photographs taken of 5 all of us and a lot of the girls were not happy about 6 that at all.</p> <p>7 And also, one of the worst things about this article 8 was that it said that us as a group had apparently 9 nicknamed one of my friends and it was a pun on a name 10 that crudely made fun of their weight, and I've never 11 spoken about this girl in this way and I've never heard 12 anybody else speak about her in this way, until, it 13 seems, the journalist made up this cruel nickname about 14 a 17-year-old girl and deemed that to be acceptable.</p> <p>15 Q. It was just untrue?</p> <p>16 A. Mm-hm.</p> <p>17 Q. I've been asked to ask you whether you complained at the 18 time to the PCC?</p> <p>19 A. Looking back at my complaints to the PCC, what's 20 actually stood out to me is how kind of sporadic they 21 are, and also about much lesser stories than stories 22 that stick in my mind as being really, really important 23 or really dreadful, and I think that's mainly because 24 throughout the whole time, you just -- you know, 25 whatever the PCC ruling is is kind of inconsequential.</p> <p style="text-align: center;">Page 35</p>
<p>1 It happened again when I was 19, a pretty much 2 similar case. Yeah, but to me that again just made me 3 think of my grandmother having to just -- it's just 4 stuff that you shouldn't know about your other family 5 members and you unfortunately are exposed to.</p> <p>6 Q. I'm now going to turn to false and fabricated stories, 7 if I can. I know that you've given us a large number of 8 examples of these in your statement, but let's pick some 9 out, if I with can. First of all, I'm going to look at 10 paragraph 31 and the coverage of the occasion when you 11 went on holiday in June 2004 with five of your friends 12 to celebrate your 18th birthday.</p> <p>13 A. Okay.</p> <p>14 Q. I'm sure you remember that.</p> <p>15 A. Yes.</p> <p>16 Q. For the technician, the document number is 33145: 17 "The Daily Mail's double spread read 'Vice of an 18 angel' and set out a detailed, disparaging and distorted 19 account of our movements and behaviour." 20 Can you tell us about the article?</p> <p>21 A. The article, I think, was the one that like literally 22 named every single one of my girlfriends, their 23 occupations, their age, and then, as you said, went on 24 to just give the most ridiculous account of what had 25 apparently happened, which was -- it was nowhere near</p> <p style="text-align: center;">Page 34</p>	<p>1 The damage is already done, there are no real 2 repercussions and it just doesn't -- it just doesn't 3 help. And so a lot of the time -- well, most of the 4 time, I just didn't bother. It incurs legal costs and 5 I just didn't bother.</p> <p>6 There's obviously -- I think just the sporadic 7 nature of them is obviously when I'd just had enough -- 8 it might have been even just a small story or something 9 that was slightly inaccurate and I'd just had enough and 10 so therefore gone to the PCC to make a point, but in 11 general I think that explains why they're quite so 12 sporadic.</p> <p>13 Q. So you didn't complain about this particular occasion?</p> <p>14 A. I don't think so.</p> <p>15 Q. You've explained to us why. Did you even complain to 16 the Daily Mail or contact them? Do you remember?</p> <p>17 A. I should imagine. I mean, there was always -- there's 18 always a two and fro of you can't -- you know: "You 19 can't print this", or: "This is totally wrong", but -- 20 between, you know, kind of the publicist -- I never 21 personally contact the journalists, although a lot of 22 the times I wanted to but I was always told not to, you 23 know, by -- whether it be my management or whether it be 24 the record company, because there was a kind of -- there 25 was a thing that, you know: "Say nothing is best. Say</p> <p style="text-align: center;">Page 36</p>

1 nothing is best. This is the way it is. You're just
 2 going to have to shut up and put up. This is the way it
 3 is."
 4 Q. The second example I'd like to pick out is the New York
 5 story, if I can put it that way. If you turn back to
 6 paragraph 20 of your statement, I'll introduce the story
 7 for you. You say that one of the most professionally
 8 damaging articles published about you was not by
 9 a tabloid but by the Times. It's been pointed out to me
 10 that it may have been the Sunday Times. Is that right?
 11 A. Possibly.
 12 Q. The article concerned the 9/11 terrorist atrocity. You
 13 were 14 at the time and spending a great deal of time in
 14 New York. Although you were only a young girl, you were
 15 horrified and shaken by events that occurred that day.
 16 Can you tell us a bit about how you came to have that
 17 article published in the Sunday Times?
 18 A. Looking back, I was actually 15 when I referenced the
 19 article. I'd literally just flown back from New York.
 20 The record company had set up an interview for me which
 21 was general -- that was quite normal -- and I'd been out
 22 in New York for a while and my manager, John Vernile,
 23 who is sat here in the courtroom today -- you know, we
 24 did a lot of -- he organised for me to go to a lot of
 25 the benefits and the commemorations and we went down to

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1 Ground Zero and lots of the fire stations and because of
 2 my recent experiences then and because it had just
 3 happened, then Jasper Gerrard asked me a lot of
 4 questions about it.
 5 I felt at the time that the interview was going
 6 really well. He was asking me really like intelligent
 7 questions and I was used to being asked what my
 8 favourite colour was still and how did my teenage
 9 friends deal with my fame and things like this, and it
 10 just felt totally different and new. And you know,
 11 I answered all of his questions and when I eventually
 12 saw the piece, I was just totally shell-shocked, and --
 13 because nobody had sat in on the interview with me,
 14 which is what generally would have happened, and
 15 therefore nobody was taping it from our side, and so
 16 I had kind of -- you know, like the Sony people and
 17 everybody kind of saying, you know: "Have you said this?
 18 What's going on?" And I basically had to defend myself
 19 for ages about the fact that I hadn't said these
 20 horrific things and never would have said these horrific
 21 things.
 22 Q. What were you alleged to have said?
 23 A. I was alleged to have said -- sorry, I'll read, if
 24 that's okay?
 25 Q. Of course?

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1 A. "One of the most denigrating claims was the comment
 2 I supposedly made about the celebrity of some of the
 3 9/11 firefighters. The comment I had actually made was
 4 not disparaging of them. It was quite the reverse.
 5 I recall referring to their appearance at the British
 6 Television Awards and explaining that I thought it was
 7 in bad taste for the television producers to demean the
 8 firefighters' heroism by making them present the award
 9 for best soap. However, this was dressed up as me
 10 believing that these men did not deserve their
 11 recognition and had only been doing their job."
 12 So it was a lot of things like that. And as I also
 13 say here, we asked for the tape of the interview and the
 14 Times refused to release it. In any event, I was only
 15 15 years old, sorry, and to be exposed by a newspaper of
 16 this type to ridicule and derision upon such a sensitive
 17 subject was a terrible experience, and that article then
 18 went over to the New York Post, which was also owned by
 19 Mr Murdoch's company, and the headline was "Voice of an
 20 angel spews venom".
 21 And of course, because of the massively sensitive
 22 nature of this subject, there was just a massive
 23 backlash against me in America, where the record company
 24 deemed it necessary to hire police guards, and I was
 25 getting abuse if I was walking around in the streets

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1 where people, you know, had truly believed that I had
 2 said these kind of things, and it was just not a very
 3 nice experience, once again.
 4 Q. Can I come to a third example, a much more recent
 5 example, if I can, of a false story. It's paragraph 14
 6 of your statement, please, and it's an article in The
 7 People. For the technician, the article is at
 8 page 33136. I'll let you explain what this article was
 9 about in your own words.
 10 A. Okay. So this article basically said that I was out at
 11 a pub in Cardiff with my partner and we were both
 12 inebriated and I was singing "Be my baby", apparently,
 13 to which afterwards I apparently slumped into a chair
 14 and said, "That was for you, baby. Will you be my baby?
 15 Will you marry me?" To which he apparently replied,
 16 "Yes, but I don't want to become Mr Church." That was
 17 the article.
 18 Q. Can you pause there? Can we just turn to the next page?
 19 It's 33137. Then we'll see the actual People article.
 20 We see there's a photograph, a photograph of you. It
 21 looks like you're singing karaoke.
 22 A. It does.
 23 Q. First of all, is any of this story true?
 24 A. Not one shred.
 25 Q. But they have a photograph of you?

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<p>1 A. The photograph is from 2007, when I was doing a radio 2 show with Chris Moyles. It was a Christmas radio show 3 and because at that time my parents owned that pub, then 4 he decided it would be a cool thing to do it from the 5 pub, and so it was a massively out of date photo. 6 Q. So not taken that night? 7 A. No, surprisingly. 8 Q. Did The People check with you before printing this 9 article whether it was true or not? 10 A. No. They phoned my publicist very late on the Friday 11 and didn't say -- I think it was just a freelance 12 journalist and just said, "What is the nature of 13 Charlotte's relationship with her partner?" of which my 14 publicist, generally, unless they would kind of state 15 where they were from, who they were writing it for, what 16 the article was about, would just generally not answer. 17 So they did call at the last minute, but it was with -- 18 you know, they didn't really give much away and 19 therefore neither did we. 20 Q. I'll come back to what you did in relation to the 21 article in a moment, but you say this in paragraph 40: 22 "Within 36 hours of them reporting this tale, it was 23 picked up by 70 outlets around the world and presented 24 as fact." 25 A. Yes.</p> <p style="text-align: center;">Page 41</p>	<p>1 shouldn't be allowed to happen, and part of my statement 2 which was basically the denial was printed in a few 3 publications. Most of -- most of the rest of it, the 4 stronger parts of the statement, were just totally 5 ignored and in one instance -- I think it might have 6 been the Press Association who basically wrote back when 7 we'd given the statement, saying, "We can't print this 8 whole statement because our consumers don't like to hear 9 anything negative about us or our conduct." 10 Q. Okay. Did you contact the newspaper itself? 11 A. Yeah, we contacted the newspaper itself just is to say 12 this is totally untrue and therefore -- and it's also 13 defamatory, and those are ongoing legal procedures. 14 Q. Okay. We were passed this morning a document from the 15 newspaper itself which indicates that The People have 16 actually now published a correction and apology in 17 relation to that story. That was at page 2 of 18 yesterday's edition of The People. I'll pass you 19 a copy, sir. 20 LORD JUSTICE LEVESON: Have you seen this? 21 A. I have seen it. I also saw the legal letter that went 22 to them before this which said that we didn't just want 23 a normal run-of-the-mill apology because it's just not 24 good enough, but I don't really know the ins and outs of 25 it. My lawyers know much more about the ins and outs of</p> <p style="text-align: center;">Page 43</p>
<p>1 Q. Is that something that you recognise from other 2 articles? 3 A. Absolutely. That's just generally the way it goes. It 4 just kind of blows up. Everybody -- the main thing 5 about this whole Inquiry, I think, is that everybody -- 6 everybody really believes that there are a set of proper 7 rules and regulations that are adhered to, and therefore 8 these things are really true and they couldn't be 9 printed if they weren't true, and that is just 10 generally, a lot of the time, just not the case, in my 11 experience, anyway. So yes, it was picked up by 70 12 different outlets. It was also embellished upon, so it 13 went from this to the fact that I couldn't remember 14 proposing because I had been so drunk. So the story 15 just got expanded upon, bloggers wrote about it, people 16 believed it, and now we're left with the debris of 17 trying to make this story go away because it was never, 18 in fact, true. 19 Q. Let me ask you: when you saw this article and realised 20 that it had been published and it was actually false, 21 what did you do? 22 A. I gave a statement saying that it was a complete 23 fabrication and that this was a case -- you know, this 24 was an exact reason why this Leveson Inquiry is 25 happening and how it's out of control and it simply</p> <p style="text-align: center;">Page 42</p>	<p>1 what's going on with it. 2 MR SHERBORNE: Sorry, being one of those lawyers, I don't 3 know whether it's helpful -- given that there's 4 a statement in effect from the newspaper pointing out 5 that they published a unilateral apology yesterday, 6 I don't know whether it's helpful to put that in 7 context? 8 LORD JUSTICE LEVESON: No, I don't think it probably is. If 9 it's appropriate, then statements can be put in writing 10 about it. 11 MR SHERBORNE: I understand. What Ms Church was saying, 12 though, was that with the apology -- and it was a 13 unilateral one, and that's obviously a matter that's of 14 wider interest to the Inquiry in terms of what the 15 appropriate form of redress is -- the apology she was 16 seeking in agreed terms was also the answers to a number 17 of questions which are rather similar to those questions 18 Ms Patry Hoskins had put about how it was this story was 19 written and how there are quotes from Ms Church and her 20 partner, given that this is all entirely fabricated. 21 LORD JUSTICE LEVESON: All right. Just read out what the 22 People say. 23 MS PATRY HOSKINS: Yes, of course I will. The apology reads 24 as follows: 25 "Charlotte Church [and there's a small photograph].</p> <p style="text-align: center;">Page 44</p>

<p>1 On November 6 2011, we said Charlotte Church had 2 proposed marriage to Jonathan Powell at a boozy karaoke 3 night at Robin Hood pub in Cardiff. We were 4 misinformed. On the night in question, Ms Church and 5 Mr Powell were performing a gig at studios in Cardiff 6 and Ms Church did not propose that night or at all. We 7 are happy to set the record straight and we apologise 8 for our mistake." 9 LORD JUSTICE LEVESON: So you weren't in the place at all? 10 A. No. I wasn't anywhere near there. I was doing a gig 11 with a large public audience somewhere totally 12 different. 13 LORD JUSTICE LEVESON: All right. 14 MS PATRY HOSKINS: You obviously took legal action in that 15 respect and that takes us on to what you say about why 16 you don't always take action. You've told us why you 17 don't always go to the PCC, but can you tell us about 18 why you've taken the view that you can't always just 19 resort to lawyers when you see an article published 20 about you? 21 A. Well, first of all, if you challenge -- I've always -- 22 well, I used to always be of the view that if you 23 challenge these individual tabloid papers, then there 24 would somehow be some bad feeling and I've always been 25 led to believe that to be true. So there would be like</p> <p style="text-align: center;">Page 45</p>	<p>1 Q. Thank you. This isn't a compulsory question, I say, to 2 quote the chairman, but is there any particular changes 3 to the way that the press is regulated that you would 4 consider would be appropriate? 5 A. The only thing that I really want to get across from 6 giving my statement is that, as I said, all of this -- 7 well, a lot of this happened to me whilst I was a minor 8 and whilst I was really very young, and it was really 9 hard and it has had a psychological effect upon me, kind 10 of -- it almost feels like they put you through this 11 psychological grinding, test your strength and you come 12 out the other side and it just keeps happening, and 13 I just -- I would hate to see that happen to any 14 other child who is in my position, who was talented or 15 sporty or whatever it may be, and as I said, I want to 16 make sure that my children are protected. So that's the 17 main reason why I'm here. In terms of recommendations, 18 I haven't got a clue. 19 Q. Okay. There's two finally things. One is I know you 20 recently heard a speech that Paul Dacre gave to the 21 Royal Society of Editors and there's something you 22 wanted to say about that? 23 A. Yes, it struck me -- and I don't want to single out 24 Paul Dacre at all, but it was generally just in terms of 25 editors and people who are high up in these tabloid</p> <p style="text-align: center;">Page 47</p>
<p>1 a residual bad feeling, which in turn would create more 2 stories possibly, more negative stories, and it's also 3 a massive financial commitment -- 4 Q. It's paragraph 15 of your statement, if you want to look 5 back at that. 6 A. Yeah, sorry. Yeah, there's a massive financial 7 implication and if it is a defamation claim and it's 8 resisted, then your costs will be ten or 20 times what 9 the initial costs would be, which would be maybe around 10 £5,000 or £10,000, just to put in an initial complaint. 11 Generally, you may not even recover all of your costs 12 and the damage is done. Once it's in print, it's done. 13 It's been disseminated all over the Internet to all the 14 other publications, so it just feels a little pointless. 15 Q. Thank you. You've told us a bit about the PCC and your 16 experiences with that. Would you consider it again in 17 the future? Is that something that you think gives you 18 an adequate remedy when an article like this is 19 published? 20 A. No. 21 Q. Why not? 22 A. Because -- because it's just totally inadequate for -- 23 there is a massive problem to deal with and they just 24 don't deal with the problems. They don't deal with it 25 at all.</p> <p style="text-align: center;">Page 46</p>	<p>1 papers, that he said in his speech to -- I think it was 2 the Editors' Committee -- 3 Q. Royal Society. 4 A. And in his speech he said that there were many 5 journalists who were exposing the misdeeds of the rich, 6 the powerful and the pompous, and it just struck me that 7 Mr Dacre himself, and possibly other editors, et cetera, 8 are probably rich, definitely powerful -- I'm not sure 9 about pompous, but if they were subject to the 10 investigative journalism that they subject others to, 11 maybe they would come out whiter as white but if they 12 weren't, and they had misdeeds to be spoken of, then 13 surely their misdeeds are much more within the public 14 interest, being very powerful men in these massive media 15 organisations, than that of me as a TV presenter/singer 16 or my parents or my friends or what not, and that just 17 kind of struck me, so I just wanted to make that point. 18 Q. I understand. The last thing I wanted to ask you was to 19 consider the cumulative effect of all of this. You've 20 told us about the constant press intrusion, the press 21 intrusion when you were a young child right through to 22 the present day. You've told us about the cameras in 23 the bushes. You've told us about the entirely false 24 article, the articles that possibly put your life in 25 danger, the articles about your parents. How has all</p> <p style="text-align: center;">Page 48</p>

<p>1 this impacted on you? How do you feel about it now? 2 A. Um ... I feel -- I feel strangely strong because I have 3 survived it all and I'm not really sure how. I really 4 don't know how because at times had has been -- just 5 really, really messes with your mind, and especially 6 because I was growing and I was only just forming 7 opinions and learning how to live and trying to learn 8 what a normal life was, if there is such a thing. So in 9 a way, I think it's made me stronger, but professionally 10 I definitely think that because I have been made 11 a caricature for so long -- and actually, this person 12 that I'm portrayed as in the tabloid papers really isn't 13 me, really isn't the person that I am, the way I live my 14 life, the things I say, the things that I believe. It's 15 just not the person that I am, and I think that that has 16 had a massive impact on my career. I think I -- as an 17 artist, as a singer, as a musician, I find it really 18 difficult to be taken seriously because my credibility 19 has just been blown to bits with these stories that have 20 just been going on for years and years, and the 21 cumulative effect of that has been that I find it really 22 difficult to be taken seriously. 23 Q. Is there anything that you wanted to say about the 24 impact or perhaps the future impact on your children? 25 A. Well, yeah, as I've explained, my main reason for being</p> <p style="text-align: center;">Page 49</p>	<p>1 television and radio. 2 LORD JUSTICE LEVESON: Ms Diamond, I'm going to say to you 3 what I've said to others who have come here. Thank you 4 for coming voluntarily to the Inquiry. I recognise, 5 having read your statement, that there are some things 6 that are intensely personal that you've spoken of, and 7 your concern to ensure your privacy is rather exposed by 8 the fact you're here talking about it. I understand the 9 problem that creates so I'm very grateful to you because 10 it's obviously very important that I make sure that 11 I understand all the various perspectives. 12 A. Absolutely, thank you. 13 MR BARR: And you've provided a witness statement 14 voluntarily to the Inquiry. Are you familiar with the 15 contents of the statement? 16 A. I am indeed. 17 Q. Are they true and correct? 18 A. Yes, they are. 19 Q. To the best of your knowledge and belief? 20 A. Yes. 21 Q. You tell us in the background section, as you were 22 touching upon a moment ago, that you started your 23 professional life on the regional newspapers, then 24 became a television news presenter and in 1983 25 significantly increased your profile when you became</p> <p style="text-align: center;">Page 51</p>
<p>1 here is to be here for my children. If, for any reason, 2 I'm still in the public eye by the time that they're 3 grown up, I really hope that they won't be subject to 4 what I was. 5 MS PATRY HOSKINS: Ms Church, those are my questions. 6 Unless there was something that you wanted to add that 7 you feel we have not covered -- 8 A. I don't think so. 9 MS PATRY HOSKINS: Thank you very much. 10 LORD JUSTICE LEVESON: Thank you very much and thank you 11 again for going through that experience. Thank you. 12 A. Thank you. 13 MR BARR: Sir, the next and final witness this afternoon is 14 Anne Diamond. 15 MS ANNE MARGARET DIAMOND (sworn) 16 Questions from MR BARR 17 MR BARR: Would you tell the Inquiry your full name? 18 A. My full name is Anne Margaret Diamond. 19 Q. And you've provided a contact address through the 20 solicitors, Collyer Bristow? 21 A. Yes. 22 Q. Could you tell the Inquiry your occupation, please? 23 A. Well, I am a broadcast journalist. I started life as 24 a print journalist, I was trained in my early 20s as 25 a print journalist and I later went into journalism on</p> <p style="text-align: center;">Page 50</p>	<p>1 a presenter on TV-am. 2 A. That's right. I was catapulted very much from the world 3 of print media, where I was just a straight working 4 journalist -- I was catapulted into an incredibly high 5 profile job because breakfast television had just been 6 started in this country, had spectacularly flopped and 7 was being spectacularly rescued again, and I was part of 8 that rescue package, which meant that everything I did 9 and said suddenly became front page news. 10 Q. Having successfully taken part in that resurrection, you 11 have continued to work in the media ever since, in 12 newspapers, TV and radio, as I understand? 13 A. That's right. I still work very much as a broadcast 14 journalist but as a print journalist as well. 15 Q. So what you can help the Inquiry with is experience of 16 a person who has been regulated both by the broadcast 17 regulation arrangements and by the print media 18 regulation arrangements? 19 A. Absolutely. A number of difference perspectives, 20 actually, because as a journalist, I have been trained 21 to be a reporter and to report on other people's 22 activities. As -- when I was catapulted, as I said, 23 into becoming a household name in 1983, I then became 24 the subject of other people writing about me, so I've 25 been able to see it from both perspectives, from inside</p> <p style="text-align: center;">Page 52</p>

<p>1 journalism, as it were, and from outside, but also, as 2 you say, in the print world and in the broadcast world, 3 where there is regulation. 4 Q. If I may take you first of all to your experience as 5 a person written about in the media. You start by 6 telling us at paragraph 4 of your witness statement and 7 onwards about a Channel 4 documentary entitled "Murdoch, 8 the mogul who screwed the news", which was screened 9 earlier the year and in which I understand you 10 participated? 11 A. That's right. I mean, a lot of the things I'll probably 12 talk about today did happen quite a while ago, but 13 I suddenly found, just in recent months, that maybe my 14 experiences of press intrusion, particularly, and of 15 ethics and practices might be relevant to the very 16 things that you're looking at in this Inquiry because 17 I was approached by a Channel 4 documentary company who 18 were making a documentary about Rupert Murdoch, and 19 during the making of their documentary, they interviewed 20 Rupert Murdoch's former butler, who told them a story 21 that almost shed a new light on some of the experiences 22 that I had been through 15, 20 years ago. 23 This butler apparently said that I had had an 24 encounter with Rupert Murdoch. He remembered that it 25 was at a party. I seem to remember it being in the TV Page 53</p>	<p>1 Q. It's against that background that we come to the next 2 section of your witness statement, which starts at 3 paragraph 7, and you say that only some three weeks 4 after your exchange with Rupert Murdoch, there started 5 some intrusive reporting about your private life. The 6 first instance that you tell us about is that there was 7 coverage of your romantic relationship with a man who 8 was to become your husband for ten years and father of 9 five children. 10 A. When you look back now in the knowledge of what 11 Mr Townsend had said -- if I look back at the timetable 12 now, it does become -- well, I would suggest it becomes 13 evident that from that moment onwards there were 14 consistent negative stories about me in Mr Murdoch's 15 newspapers, yes. 16 Q. You tell us about these. The next instance you tell us 17 about is a report in 1987 about a road traffic accident 18 in which you had been involved seven years earlier. 19 A. Seven years earlier, yes. This newspaper article, which 20 was the front page lead of the Sun, it took up almost 21 the entire front page. The headline in enormous 22 print -- font, rather, was "Anne Diamond killed my 23 father". That was the headline. And it came out of the 24 blue. I knew nothing of it at all. This actually was 25 talking about an accident that had happened seven years Page 55</p>
<p>1 studio when I had the chance to interview Murdoch, but 2 I had put to Rupert Murdoch -- and I think it was 3 because I was thinking in the time, in the 80s, of the 4 way some of the Murdoch press appeared to be hounding 5 both Princess Diana and Elton John and making their 6 lives a misery, but I did put the point, somewhat 7 precociously perhaps, to Mr Murdoch that his newspapers 8 were intent -- or seemed to be intent -- on ruining some 9 people's lives and how did he feel about that and how 10 could he sleep at night knowing that that was going on? 11 I seem to remember Mr Murdoch brushing it aside 12 completely, and I remember after that incident being 13 a bit frustrated that I didn't feel that I'd got my 14 point over to him at all, and nothing more was ever said 15 about that at all and I'd completely forgotten the 16 incident until, as I said, just a few weeks ago this 17 butler, Phillip Townsend, apparently said in the 18 Channel 4 documentary that Rupert Murdoch's reaction 19 though had been different at the time, that Murdoch had 20 called together a number of his newspaper editors and 21 said something to them which led them maybe -- and 22 I don't know the right wording and I don't think even 23 Mr Townsend remembered the complete wording, but 24 possibly indicated to his editors that I was a person 25 from that point onwards to be targeted. Page 54</p>	<p>1 earlier, a very tragic road traffic accident that had 2 happened in Birmingham where I was a young TV reporter, 3 and it was indeed a terribly tragic accident. A man had 4 died in the accident and I was driving the car, but the 5 coroner went to great lengths to point out at the 6 inquest that it was not my fault and nothing to do with 7 me at all from a fault point of view, and it was 8 dreadfully upsetting, obviously, to all concerned but it 9 had happened seven years before and, I mean, it was part 10 of history. But the Sun had chosen to go back to try -- 11 I presume they were just trying to find stories about my 12 past, had unearthed that this incident had happened. 13 They then tracked down the surviving family of the man 14 who had died in the car crash and I think they found his 15 son, and they interviewed his son about how he felt 16 watching me on breakfast television knowing that I had 17 killed his father. And he of course, and quite 18 understandably, did give them a few comments about how 19 he couldn't bear to watch me on television because he 20 could never forget what had happened, and they 21 regurgitated that into a front page story under the 22 headline "Anne Diamond killed my father", and when I saw 23 that front page I was absolutely shocked. 24 Q. And you explain to us what you did was to report the 25 matter to the Press Council, and having heard from you Page 56</p>

<p>1 and also from the Sun, the Press Council found in your 2 favour, didn't it?</p> <p>3 A. I was terrified when I read that front page headline. 4 At the time, I think I'd just had my first baby. I was 5 a young mum at home, on pregnancy leave, nursing my baby 6 and this story appeared, and I thought that my 7 employers, I thought the public, I certainly thought the 8 press would view me from that moment onwards as 9 a murderer, because that's what the headline made it 10 look like. It made it look like I was a calculating, 11 cold-blooded murderer and I knew I wasn't. I was 12 sitting at home nursing my baby and I knew I was a good 13 person, and I was frightened to go out from that moment 14 onwards. So yes, I did complain to the Press Council, 15 as it was then, about that story and they completely 16 upheld my complaint.</p> <p>17 Q. Perhaps we can pause there and have a look at the way in 18 which the outcome of that complaint was reported. Could 19 we have, please, a document the reference for which ends 20 at 33178.</p> <p>21 LORD JUSTICE LEVESON: If you can read that, you're a better 22 person than I am.</p> <p>23 A. Yes.</p> <p>24 MR BARR: I fear that the text is very difficult to read 25 are, but for the purposes of my questions that might not</p> <p style="text-align: center;">Page 57</p>	<p>1 That's why I believe that that Press Council ruling, 2 even though it was only reported on page 23 at the time, 3 is very important, saying that such an absolute 4 proposition is unacceptable.</p> <p>5 Q. I may come back in a little while to what might be 6 termed the "open season" argument, but if we stick with 7 the question of the placement of apologies and rulings 8 when they're printed in newspapers, what's your position 9 there? Is it your view that this article should have 10 been printed on the front page to give it parity with 11 the article that you're complaining about?</p> <p>12 A. Actually, yes, I do think so. I think it should have 13 parity.</p> <p>14 Q. We've heard that there are a number of newspapers now --</p> <p>15 A. Actually, I think the other thing to notice is that 16 there is no apology in that either. No apology 17 whatsoever.</p> <p>18 Q. I understand that. I'm asking to widen the debate to 19 a general level. A number of newspapers now are 20 printing apologies on page 2. Does it follow that you 21 think that that's not always necessarily prominent 22 enough?</p> <p>23 A. I think anyone in print journalism knows that page 2 is 24 not a very prominent page. Page 3 is, page 1 is, but 25 not page 2.</p> <p style="text-align: center;">Page 59</p>
<p>1 matter too much. You've already explained that your 2 complaint was upheld. What I'm interested in is the 3 size and the location of this report. Was this a front 4 page?</p> <p>5 A. It was on page 23 at the bottom of the page. You 6 couldn't really find it unless you knew. And yet the 7 Press Council ruling itself was very strong. They found 8 that the Sun had devoted its front page to raking up 9 a seven-year-old tragedy under a wholly misleading 10 headline. They said it was an irresponsible and 11 grievous intrusion into privacy and furthermore, they 12 said:</p> <p>13 "The newspaper has tried to defend its conduct by 14 asserting that a person in public life has to take the 15 slings and arrows of press publicity. Such an absolute 16 proposition is unacceptable."</p> <p>17 And I hold by that. I've always held by that. 18 I think we've heard from many other witness that while 19 you may be a person who lives your life to a certain 20 extent in the public glare, you may have a job that's on 21 television or you may be an international singing star 22 or a movie star or a best-selling author, it doesn't 23 mean that because you do that you sell the entire rest 24 of your life to the newspapers. You don't give them 25 utter licence to peek into your most private moment.</p> <p style="text-align: center;">Page 58</p>	<p>1 Q. I see. If we move now in your statement to the next 2 intrusion, which you tell us about. We're now in late 3 1986 when you have fallen pregnant for the first time, 4 paragraph 21 of your witness statement, and you tell us 5 that at a time when there was great uncertainty hanging 6 over the pregnancy, if I might put it that way, you were 7 telephoned by a journalist from the News of the World, 8 telling you that they were about to run a story that you 9 were pregnant and asking you to confirm or to deny it.</p> <p>10 A. Yes.</p> <p>11 Q. Could you --</p> <p>12 A. What had happened at the time was I was still unmarried, 13 although I was with the man who would become my husband 14 and the father of all of my children, but I was only 15 about eight weeks pregnant, barely pregnant, I think, as 16 any woman would confirm, and that my husband and I -- my 17 partner at the time and I were out shopping when I was 18 involved in a sort of medical emergency, if I can put it 19 that way, and I thought I was possibly miscarrying. 20 I was rushed to my GP, who then made an immediate 21 appointment with me to go for a scan in Harley Street to 22 see if the pregnancy was still intact, and the 23 technician in the scan told me that the only thing to do 24 was to -- it was it still there -- to go home and 25 literally lie down and hope that the pregnancy hung on</p> <p style="text-align: center;">Page 60</p>

<p>1 in there. Within an hour of me getting home and putting 2 my feet up, we were telephoned by a News of the World 3 journalist, who said, "We know you're pregnant and we're 4 going to run the story. Confirm or deny." And I found 5 myself in an impossible position. To confirm would have 6 been -- as Charlotte said, in the same way, to confirm 7 would have been to tell the world before I'd even told 8 my parents and I couldn't do that. And also I just 9 didn't feel safe enough yet to tell anyone that I was 10 pregnant because I may well have not have been by the 11 end of the evening, and so I chose -- and it was no 12 choice, really -- I chose to deny. It was the only 13 thing I could think of saying: "No, I'm not pregnant." 14 Q. The consequence of that -- 15 A. They ran the story anyway, that I was pregnant, and 16 when, a couple of months later, I was indeed pregnant, 17 because the pregnancy did hang on in there and survive, 18 they called me a liar from that point onwards. 19 Q. You go on to tell us when you gave birth to your first 20 child and in particular you tell us what a Sun reporter 21 did in order to try and get the story. 22 A. It was terrifying. I was actually in labour in the 23 hospital and at one point an administrator came until 24 and said, "Very sorry to interrupt, we don't really want 25 to alarm you but you do need to know that we have just Page 61</p>	<p>1 ridiculous the lengths we had to go to to try and get 2 a bit of private time. 3 Q. Then you tell us what happened when you decided to 4 terminate the employment of your nanny. I'm looking at 5 paragraph 24 of your witness statement, and you describe 6 that a reporter again from the Sun offered your former 7 nanny £30,000 for a story about your private lives, even 8 before your former nanny had vacated your home. 9 A. She was a lovely girl, my first nanny. In the end, we 10 realised we weren't right for each other. What I hadn't 11 realised, I think, during those first few weeks at home 12 with my baby -- where I didn't venture out much because 13 of the photographers who were outside, I didn't actually 14 think how my relatives, friends and my nanny were having 15 to go in and out every day, in and out through this 16 enormous bank of photographers and reporters. And so 17 I think, I suppose, at some point she had been 18 approached by one of these reporters and told that if 19 she ever wanted to sell her story, they could offer her 20 more money than was her annual salary. So I think at 21 the point where she and I agreed, I thought quite 22 amicably, to part our ways -- in fact, she was working 23 out her notice, as you were, quite amicably, still 24 living with me. So it wasn't -- I mean, we were getting 25 on still quite well. At some point, she met up with Page 63</p>
<p>1 caught somebody who was a reporter for the Sun who was 2 impersonating a doctor and we've had to eject him from 3 the hospital, but we do feel you ought to know", which 4 is why we took the decision, within hours of me giving 5 birth safely to my first son, that I needed to get out 6 of that hospital as fast as possible and home, where 7 I could be private, and just as Charlotte has said, 8 where I could be an ordinary mum with my child, trying 9 to just be private for a while. 10 Q. Can you tell us how you got back into your house? 11 A. The only way the hospital advised us we could get out of 12 the hospital without having to go through the paparazzi, 13 who were outside in their hundreds, was to go out -- 14 down through -- we were taken out and we were taken down 15 through the sort of laundry lift and we were put into 16 the back of a laundry van and the hospital laundry van 17 drove out of the underground carpark and drove us away 18 from the press. When we got home, we found that there 19 was an equal amount of paparazzi outside our front door, 20 but we did think of a way out of that, which was by 21 entering an adjacent block of flats through their 22 underground carpark, going up in the lift, crossing the 23 roof -- this is a woman who's given birth just a few 24 hours earlier -- crossing the roof with a newborn baby 25 and then down the lift into our own flat. It was Page 62</p>	<p>1 a journalist from the Sun and he told her that he could 2 offer her £30,000 if she would give him certain 3 information about -- I don't know, what just life was 4 like with the Diamonds, is the way I think he put it. 5 She came back from that meeting, I gather, and she 6 was in her own room and I was with the baby when I got 7 a phone call from a reporter on the Sun who said, "I've 8 just had lunch with your nanny. I've just bought her 9 up. What's your reaction?" And I was completely shocked 10 and I put the phone down and rang my husband and said, 11 "What do I do?" And he said, "Go and talk to her. If 12 she's in the house, go and talk to her and see if you 13 can reason with her." And I went through to her and we 14 did. We sat on her bed and we talked it through and she 15 and I were both in tears by the end of the discussion 16 and she said, "I'm going to ring them up and I'm going 17 to tell them I don't want to do it", and so she did and 18 she rang the reporter up and she said, "I don't want to 19 do it anymore. I see I shouldn't have done it. 20 I didn't completely understand that there is 21 a confidentiality between a nanny and her employers. 22 I just don't want to go there. It's going to upset too 23 many people." And he said, "You can't pull out of it. 24 You've given me enough information and we're still going 25 to run the story". Page 64</p>

<p>1 So they did run the story and they reneged on their 2 promise to pay her, so she never got they are £30,000. 3 The story ran anyway and we both felt abused. 4 Q. You say the story ran anyway. Can I ask about the 5 detail of that, because you tell us that your husband 6 went before a judge to get an injunction? 7 A. Yes, he immediately during that time period when I was 8 talking to her and when she was ringing back the 9 reporter on the Sun -- my partner, who then became my 10 husband, went before a judge in chambers and got an 11 injunction to prevent the Sun -- I think on the grounds 12 of confidentiality -- to prevent the Sun going to press 13 with that story. We were told they had to stop the 14 presses rolling and remove the story, which we were 15 warned is a very costly process, and we were sort of 16 warned that they will not forgive you for doing that. 17 That story did actually run anyway in many editions 18 of the Sun. They were slow to stop the presses, and 19 I think it simply incurred more wrath from the Sun 20 because, several days later, Mr Murdoch went ahead and 21 had it printed in the Today newspaper anyway. 22 Q. That was another of his newspapers at the time? 23 A. Yes. 24 Q. You then take us to the birth of your second child, and 25 as a result of the experiences which you've just</p> <p style="text-align: center;">Page 65</p>	<p>1 continued in December 1987 when you bought a new house 2 and that the details of the house were printed in the 3 Today newspaper? 4 A. Somehow the newspaper reporter had gone to the estate 5 agent and got details of the house that we had just 6 bought -- and I mean estate agent's details -- and they 7 printed them in full all over I think at least one 8 page of the Today newspaper. That was everything, from 9 measurements and locations of rooms and locations of 10 where doors were or things like that. I mean, 11 absolutely every bit of information you could imagine 12 would come from an estate agent's brochure was printed 13 all over the Today newspaper. It wasn't just a dreadful 14 invasion of privacy of my new home, but it was 15 a burglar's charter. 16 Q. I see. I've just been passed a note and it may be right 17 in the light of the contents of the note that I ask you, 18 sir, to rise for five minutes. 19 LORD JUSTICE LEVESON: You can have a break. 20 A. Thank you. 21 LORD JUSTICE LEVESON: Thank you. 22 (3.20 pm) 23 (A short break) 24 (3.27 pm) 25 MR BARR: Sir, thank you for that short adjournment.</p> <p style="text-align: center;">Page 67</p>
<p>1 described to us, when your first child was born, you 2 tell us that you decided to go to Australia to give 3 birth to your second child, but that travelling to the 4 other side of the world did not prevent the media taking 5 an interest in you? 6 A. No. We were very well aware within a couple of weeks of 7 arriving in Australia that there was a particular 8 newspaper photographer following us everywhere we went. 9 I remember he had a silver helmet and rode a big 10 motorbike and he was following us whatever we went. So 11 we were aware that we were being tailed, but within 12 about a week, I think just a few days before I actually 13 gave birth, they did run -- we were rung up by friends 14 in the UK who said, "Oh, they've just run an enormous 15 picture, which I have to say is very unflattering, of 16 you getting out of your swimming pool, nine months 17 pregnant, under a headline 'Has Anne Diamond lost her 18 sparkle?'" This particular photograph was taken on 19 a long lens from a neighbour's upstairs window, and we 20 learned later that that particular photographer who had 21 been following us around had talked his way or bought 22 his way into a neighbour's upstairs window and had taken 23 a photograph of me getting out of my own swimming pool 24 in my own back garden in Australia. 25 Q. I see. Then you tell us that the media interest</p> <p style="text-align: center;">Page 66</p>	<p>1 Ms Diamond, thank you for bearing with us. 2 I'm looking at paragraph 29 of your statement, where 3 you describe perhaps the most shocking episode of this 4 catalogue of press intrusions. We're now in 1991 at the 5 time of the tragic death of your baby son, Sebastian. 6 You tell us that within an hour of you finding out that 7 Sebastian had died, the media were on your doorstep. 8 Could you perhaps describe to us the scene? 9 A. Well, that is absolutely true. I think within an hour 10 of my finding Sebastian -- I think my husband had very 11 quickly rung the police, as you would, and however it 12 happened, we were besieged with reporters and 13 photographers outside the door. I actually don't know 14 whether they came before the policeman did or whether 15 the policeman came first, but our front door very 16 quickly was surrounded with hundreds of newspapers -- 17 newspaper photographers and reporters, literally just 18 sitting there waiting for something to happen, 19 I suppose, constantly ringing the doorbell, and there 20 was one instance where a female reporter tried to rush 21 the door. She rang the door. I wasn't answering the 22 door, as you can I understand, at the time, but friends 23 of the family were with us by then. She rang the 24 doorbell and she had a big bouquet of flowers to give us 25 and when the door had to be taken off the chain in order</p> <p style="text-align: center;">Page 68</p>

<p>1 to accept the flowers, she rushed in and two grown men 2 had to push her back out of the door. That was the 3 extent to which -- on the day they knew we had just 4 found our child dead, that was the extent to which they 5 were forcing themselves upon us.</p> <p>6 My agent at the time came around to help us deal 7 with them, and he found a reporter climbing over the 8 back fence as well to try and get at us through our back 9 garden.</p> <p>10 And in fact, I got a -- I rang my local church as 11 well that morning to ask for a priest to come and he 12 never materialised and -- which was terrible for us at 13 the time because we needed him, and I got a letter from 14 him a couple of days later saying that he felt deeply 15 ashamed, but when he'd got our call, he'd come around to 16 our house and was so put off by the army of press 17 photographers and reporters outside that he had decided 18 to go away again. He just couldn't brave them.</p> <p>19 Q. You go on to describe what happened outside the funeral 20 parlour, and you've kindly provided the Inquiry with 21 a copy of a photograph that was published in Today 22 newspaper. Perhaps we could have that on the screen, 23 please.</p> <p>24 LORD JUSTICE LEVESON: You don't mind this going -- 25 A. I don't mind. I think I would like you to see it</p> <p style="text-align: center;">Page 69</p>	<p>1 happen to us that we thought: "Right, we will sit down 2 and we will write personally to every editor of every 3 national newspaper, begging them to stay away from our 4 child's funeral." And every one of them did, except 5 that on the day of our little boy's funeral -- and this 6 was held at a very remote country church that my parents 7 knew about. It was my parents' sort of family church, 8 but it was well away from London and nobody should have 9 known about it at all. We hadn't told anyone, just 10 a very few closest friends and family came to what was 11 a little boy's funeral. Nobody had even known him 12 except us. There was a photographer on the public 13 highway. He was standing on the road. It was 14 interesting, I think, that he probably made a great 15 point of standing on the road, with a very, very long 16 lens, the sort of lens they only used to use on 17 Princess Diana at the time, and we were aware that he 18 was taking photographs. If you see the front page that 19 followed, again, I think in this instance it speaks much 20 more strongly than anything I come ever say to this 21 Inquiry, that here we were, a young couple at our 22 child's funeral and they took this photograph.</p> <p>23 Q. Perhaps I can stop you there and ask that the second 24 photograph that you've kindly provided is displayed. Is 25 that the photograph?</p> <p style="text-align: center;">Page 71</p>
<p>1 because I think there are certain circumstances -- it's 2 definitely not that. There are certain circumstances in 3 which sometimes a photograph speaks louder than words. 4 That photograph was taken of us a couple of days later 5 when my husband and I were walking to the funeral 6 parlour to see our son for the first time since his 7 death and since he'd been taken away and of course, 8 a cot death child has to have a post-mortem. We were at 9 our possibly most private moment and we were long-lensed 10 at that point.</p> <p>11 Q. You tell us over the page at paragraph 31 that you wrote 12 to every Fleet Street editor personally begging them to 13 stay away from the small private family funeral?</p> <p>14 A. We had already been through several days of what you've 15 just seen, being followed and being intruded upon even 16 at this desperate, desperate time, and very strong in 17 our memory was a story that had happened just a few 18 months, I think, maybe a year before, of when Eric 19 Clapton had lost his child and I remember that child's 20 funeral becoming a press circus, to the extent that we 21 had been told that photographers were sort of leaping 22 over gravestones and trampling other flowers in the 23 cemetery in order to try and get as close as they 24 possibly could to photograph Eric Clapton's child's 25 funeral, and we so desperately didn't want that to</p> <p style="text-align: center;">Page 70</p>	<p>1 A. That's the photograph. And if you pull out, you'll be 2 able to see that it took out the entire front page. 3 Now, we had written to every editor begging them to stay 4 away, and this was the front page of the Sun.</p> <p>5 Q. Thank you.</p> <p>6 LORD JUSTICE LEVESON: Keep going. Just so that we can see 7 the top of it.</p> <p>8 A. That was a long lens photograph of -- I mean, I don't 9 even need to say that that's the most private moment you 10 could possibly go through. At the bottom -- it almost 11 purports to be an interview with me -- it says "Anne's 12 plea".</p> <p>13 MR BARR: Can we have the bottom, please.</p> <p>14 A. As though I'd given some sort of agreement to that 15 photograph being used and I'd actually given them 16 a plea. I hadn't, of course.</p> <p>17 Q. The photograph can be taken --</p> <p>18 LORD JUSTICE LEVESON: Just let me read it please, because 19 the copy on this is very poor. Can you focus it again 20 and move it to the second column?</p> <p>21 A. Would you like me to read it out?</p> <p>22 LORD JUSTICE LEVESON: (Shakes head)</p> <p>23 A. Perhaps I don't need to.</p> <p>24 LORD JUSTICE LEVESON: I don't think you need to read it 25 out.</p> <p style="text-align: center;">Page 72</p>

<p>1 A. But I felt that the Sun newspaper was seeking to justify 2 the use of the picture with those words. 3 LORD JUSTICE LEVESON: Had you said anything to anybody -- 4 A. No, nothing at all. 5 LORD LEVESON: -- about donations to fund research? 6 A. In fact, my now ex-husband reminded me this morning when 7 I spoke to him that we were aware that there was 8 a photographer at the funeral on the public highway. 9 Within a few hours of the funeral, the editor of the Sun 10 rang my husband and said, "We have a picture. It's an 11 incredibly strong picture. We would like to use it." 12 And my husband said, "No, we've asked all of you to stay 13 away. No." And the editor said, "Well, we're going to 14 use it anyway. We'll use it with or without your 15 permission." 16 MR BARR: You go on to tell us in your statement that 17 several days later, you were approached by the then 18 deputy editor of the Sun, who wanted to meet with you to 19 discuss how the Sun could help you to raise more funds 20 into cot death research. Could you tell us a little bit 21 about the gist of the conversation you had? 22 A. He wanted -- he rang to say that they had had an 23 incredible reaction from that front page. They had been 24 inundated with millions of people wanting to raise funds 25 into cot death, wanting to do something about cot death.</p> <p style="text-align: center;">Page 73</p>	<p>1 seemed to me that maybe, with the power of a very high 2 circulation popular newspaper we could, and so in the 3 end, and very reluctantly -- because I would never have 4 chosen that it be in the Sun -- I did agree to join 5 forces with the Sun to mostly do a money-raising 6 campaign to see if we could raise a lot of funds to pour 7 into cot death research, and we did. 8 Q. So once you had agreed to co-operate with the Sun, what 9 was the reaction of other newspapers? Did they contact 10 you about that? 11 A. Immediately after that front page had appeared -- and as 12 I said, the bottom line sort of almost giving the 13 impression that I'd given some sort of a tacit 14 endorsement for that front page, the other newspapers 15 ran spoiler stories, as it were, saying, "Anne Diamond 16 did do a deal. They asked us all to stay away from the 17 funeral, but they clearly did a deal with the Sun." 18 That's what I was accused of by the other newspapers. 19 LORD JUSTICE LEVESON: It's possibly not surprising in the 20 light of what emerges in the press. 21 A. Absolutely. Absolutely. 22 MR BARR: Were those other papers confined to titles owned 23 by News International or was it a wider press that was 24 making that comment? 25 A. It was a wider press.</p> <p style="text-align: center;">Page 75</p>
<p>1 It had motivated the nation. That was what he said. 2 "And so we, as the Sun newspaper, feel that we really 3 need to do something. We want to do a fundraising 4 campaign. We want to do an awareness campaign. We want 5 you to help us do that." 6 And our first reaction was: no way. Then he said, 7 "Well, we're going to do it anyway, whether or not you 8 join with us in doing it, and frankly, it will look very 9 bad for you if you don't, because we are going to do 10 something about cot death and it will look as though you 11 are not wanting to do anything." 12 Q. How did that make you feel? 13 A. Emotionally blackmailed by the people who I felt had 14 just trampled all over our dignity, all over our child's 15 grave. 16 Q. What did you decide to do? 17 A. We talked about it long and hard and -- I mean, that's 18 the trouble. I am a print journalist by training. 19 I know the power of the press and I know that it can be 20 such a force for good as well as some of the negative 21 bad things we've seen about the press, and I knew that 22 to get -- if we -- I mean, I was -- I'd just lost my 23 child. I was very angry that I'd just lost my child and 24 we didn't seem to know why. I wanted to do something 25 about cot death, and over the ensuing days and weeks, it</p> <p style="text-align: center;">Page 74</p>	<p>1 Q. Thank you. 2 If I move on now from that particularly difficult 3 time to paragraph 39 of your witness statement where you 4 deal with a literally grubby information-gathering 5 technique. You tell us that on many occasions your 6 family, friends and yourself would find someone rooting 7 your rubbish bins? 8 A. Yes, that was a regular occurrence, and it wasn't just 9 our rubbish bins. I learned from very early days to 10 invest in an industrial-sized shredder, which I still 11 do, and I shred everything before I throw it away, but 12 your family and friends don't do that and they would 13 regularly come home from work and find people rooting 14 through their rubbish bins. Couldn't prove always they 15 were journalists -- some of them were well-known 16 journalists, actually, or who have later become well 17 known. You couldn't always prove it was a reporter but 18 nevertheless it was someone deliberately rooting through 19 your rubbish. 20 Q. I'm moving to paragraph 41 and we're returning to the 21 "open season" point. You say there that if you take 22 part in an innocuous photoshoot for Hello magazine or 23 any other, say for a Christmas family photo, then your 24 private life is open season. I think you're there 25 stating what you believe to be one attitude to privacy.</p> <p style="text-align: center;">Page 76</p>

<p>1 It's right, isn't it, that in your case, in your 2 capacity as a journalist, you have written about your 3 private life? 4 A. Yes. 5 Q. And certainly certain aspects of your private life? 6 A. I must say, I would never have done so in the early 7 days. I tended to do that more and more over the years 8 as a means of redressing the balance. Very often, you 9 would feel that there have been several negative stories 10 about you, or a continuous succession of negative 11 stories about you, some perpetuating myths and untruths, 12 and somewhere along the line you would think, as 13 Charlotte said: "Enough is enough. What I'll do is an 14 interview that will kill all of those stories and will 15 actually put matters right." And so yes, from time to 16 time, I have done that. 17 Q. Because of your particular experience and because you 18 are someone who has written about your private life, I'd 19 like to explore this in a little bit more detail, just 20 to perhaps tease out where the balance might lie in your 21 opinion. I take it from what you've said that you don't 22 think that just because you say something about one 23 aspect of your private life that it should be open 24 season for the press? 25 A. No, I don't.</p> <p style="text-align: center;">Page 77</p>	<p>1 But not so in broadcast journalism. These same 2 dilemmas are held every day in broadcast newsrooms up 3 and down the land, but in broadcasting, in TV and radio, 4 you have a code of conduct. The BBC has always had 5 a code of conduct and a producers code by which they 6 operate, and you know that if you go out of line at the 7 BBC or even in independent television and radio -- we've 8 always had the IBA, the ITC and now Ofcom -- you know 9 that if you breach those guidelines, they will come down 10 you on like a ton of bricks and very fast, too. These 11 things are -- they hold an immediate inquiry, and it is 12 immediate. People are very often suspended from their 13 job until the end of that inquiry. People are very 14 often fired as a result of findings of those inquiries, 15 or fined, and things happen very, very quickly. 16 But there is still excellent journalism in 17 broadcasting, in TV and radio. Look at Panorama or 24 18 Hours or This Week. There's still some excellent 19 investigative journalism going in, but they operate 20 within a code of conduct that was agreed, you know, 21 35/40-odd years ago and has always been there in 22 broadcast journalism, but not so in the press. It comes 23 down, as I said, time and again, to the ethics and the 24 values and the judgment call made by either the 25 proprietor or the editor or both, and I think that over</p> <p style="text-align: center;">Page 79</p>
<p>1 Q. Do you think that if you write about a particular aspect 2 of your private life, then it is legitimate for other 3 reporters to write about that aspect of your private 4 life? 5 A. I think not necessarily. I do agree that the balance is 6 a difficult one to achieve. We all live very different 7 lives. I mean, the McCanns, for instance, have found 8 themselves the subject of a great deal of press 9 intrusion. You could argue: well, as soon as they gave 10 their first interview, they are therefore open season. 11 That's not the case. You could say the first time the 12 Dowler parents gave a police press conference, they were 13 putting themselves in the public gaze, therefore the 14 rest of their private life is open season. That's not 15 the case. 16 And so to a certain extent we all live very 17 different lives. People have called me a celebrity. 18 I'm not; I'm a broadcast journalist. All of my work has 19 been done on news and current affairs programmes on 20 television, but by being on television, you could say 21 I've put my private life out there. Not all of it, no. 22 I think the balance is a very difficult one to always 23 argue and to a great deal -- to as great extent, it 24 comes down to the decency and the ethics of the 25 proprietor and the editor of the newspaper concerned.</p> <p style="text-align: center;">Page 78</p>	<p>1 the last 30-odd years, I'm not terribly sure that some 2 of those editors and proprietors have had the right 3 values. 4 Q. Am I understanding your evidence correctly that your 5 experience of the tough regulatory regime which applies 6 to broadcasters has not in fact, in your experience, 7 stifled freedom of expression? 8 A. Absolutely. The newspapers always argue that it is 9 a totally black or white situation, that if they have to 10 answer to a regulatory body, that will put an end to 11 investigative journalism, and it isn't that black and 12 white an argument at all. Broadcast journalists have to 13 abide by codes of conduct, and they are still able to do 14 their job, and a very good job too, most of the time, 15 and if they cross the line, they are censored. It has 16 to be possible to get that sort of balance going in the 17 press as well. 18 Q. On a related point -- and I'm looking at paragraph 42 of 19 your witness statement -- you raise what I might 20 describe as a symbiosis issue, the argument which is 21 sometimes ventilated that a famous person is famous 22 because of, for example, the newspapers and therefore is 23 somehow a legitimate subject of intrusive journalism. 24 A. Again, the press worry that -- or they always allege 25 there is this symbiotic relationship, that I need them</p> <p style="text-align: center;">Page 80</p>

20 (Pages 77 to 80)

<p>1 as much as they need me, but they always forget to 2 mention that the only reason they put Charlotte Church's 3 picture on the front page or my picture on the front 4 page is because they want to sell more newspapers. All 5 you are to a newspaper is fodder to sell newspapers. 6 They're in the business to sell newspapers and to make 7 a profit. That's fine, but the argument that you need 8 us, therefore you must be beholden to us and must allow 9 us to intrude upon every part of your life falls down 10 when you point out, for instance, that when I was on 11 breakfast television, we regularly went out to an 12 audience of 14 million. 13 Now, that was many times more than the circulation 14 of the Sun. So I was a household name, if you like, 15 because of the job I did on television, not because the 16 Sun chose to make me a household name. 17 Q. I think that eloquently makes a point, if I may say so, 18 that in your personal case you were not made by 19 newspaper reporting. Your fame arose from your work as 20 a very successful -- 21 A. Obviously, certain things are symbiotic in that, as 22 Hugh Grant said earlier and Sienna Miller and Charlotte 23 Church said, you are often -- in my case, if I'm 24 contracted to present a television programme, I am also 25 contractually obliged to do a certain amount of</p> <p style="text-align: center;">Page 81</p>	<p>1 A. I did indeed. I was rung up -- as I said, I still work 2 a lot in print journalism too. I write a lot of 3 articles, and I was rung up by the Daily Mail in this 4 situation and they said, "Everybody's talking about Dawn 5 French's weight loss. Would you write about it?" My 6 first reaction was: "Hm, I don't think so, because --" 7 I don't know. But then I thought: well, actually Dawn 8 French is a national treasure and we have all noticed 9 that she's looking so brilliant at the moment and women 10 up and down the land are really interested by that sort 11 of thing, and having been there myself, and I knew 12 I could write from a personal perspective -- I have and 13 had my own battle with weight -- I agreed to do an 14 article as long as it could be totally supportive and 15 very affectionate, and I did write -- and I did give 16 a great thought about the ethics of writing that, 17 because it's not as if Dawn French had agreed to do an 18 interview with me. I was simply writing what they 19 wanted to be in the style of an open letter, from one 20 woman to another, saying, "Hey, you look fantastic, you 21 look wonderful." I didn't mention anything that wasn't 22 already in the public domain or things that Dawn has 23 indeed said herself in the public domain, just 24 congratulating her on looking so good. A little bit of 25 a touch of warning to her that women in the public eye,</p> <p style="text-align: center;">Page 83</p>
<p>1 publicity about it. 2 Q. I wanted to move to a more general question. From your 3 at perspective as a professional journalist, if you do 4 have someone whose fame has arisen from, say, newspaper 5 reporting, does that -- 6 A. No, because they're still a human being. They are still 7 a human being, and no matter what they do for a living, 8 I think every human being deserves some time in their 9 life to be private. And that's why I say I can 10 understand that it's arguable, and that many news 11 editors up and down the land will want to argue: "Well, 12 she put her family life out there, therefore she can't 13 really complain if we take a picture of her children on 14 holiday or something", but that's when it comes down to 15 the taste and decency of that particular editor. It 16 comes down to his values and I think that's wrong. 17 I think it should come down to an agreed set of values. 18 Q. Thank you. Just picking up, again, on this ethical 19 question, you yourself as a journalist have written 20 articles about other people. I think over the summer 21 you wrote about the weight, and I think more 22 particularly the weight loss, of a famous and well-loved 23 actress in this country. You presumably gave some 24 thought to the ethics of reporting on that woman's 25 weight?</p> <p style="text-align: center;">Page 82</p>	<p>1 their weight is noticed. Their weight is always the 2 subject of public debate and that she needs to be wary 3 of that, but that's it. It was an affectionate letter 4 from somebody who is a great admirer of her and that's 5 how it appeared. I didn't particularly like the 6 headline, but the words that I had written were 7 supportive and yes, I had thought a great deal about 8 what I wrote before I wrote it and I stand by it. It 9 was affectionate and supportive. 10 Q. Would you write a critical article about the female 11 actress' weight? 12 A. No. 13 Q. I've diverted you from the chronological -- 14 LORD JUSTICE LEVESON: Just before we leave that, there's 15 another interesting issue, because you've made the point 16 that you've made with great force about your own 17 privacy. How do you reach that judgment when 18 considering somebody else's privacy? I don't know what 19 Dawn French thinks or would think, but that's a balance 20 that you've made. Is that something that you checked 21 through the editorial line to see whether they're happy 22 with that or is that a decision that you make and it's 23 just down to you? 24 A. I had already checked with them because they 25 discussed --</p> <p style="text-align: center;">Page 84</p>

<p>1 LORD JUSTICE LEVESON: Of course, they had asked you to do 2 it. 3 A. Yes, they had asked me to write the article and they'd 4 discussed what they thought they would quite like me to 5 say and I said what I was prepared to say, which fell 6 a little short. I wouldn't want to go into any more 7 detail about that because that really would be exposing 8 what Dawn French might think or say. 9 But I think the answer is that it does come down 10 to -- when you're writing for the press, it does come 11 down to your judgment call, rather than a set of 12 guidelines and I was happy with what I wrote because 13 I was very careful not to write about anything that 14 wasn't already in the public domain or things that 15 actually Dawn hadn't already said about her own life and 16 weight herself. And she'd indeed written a line in her 17 autobiography which I referred to. So I was happy in my 18 own mind that I was not saying anything that hadn't 19 already been said before, either by her or was publicly 20 acknowledged as fact. 21 LORD JUSTICE LEVESON: But just testing that -- and I'm just 22 testing it to see where it goes. This is my word, not 23 anybody else's, and I'm not making a judgment yet. The 24 terrible story about your own tragedy with your son was 25 all in the public domain.</p> <p style="text-align: center;">Page 85</p>	<p>1 a public church and we did walk out and we could be seen 2 but from the road, and the photographer was very careful 3 to stay on the road, so there was nothing illegal had 4 happened there, but I think within the realms of taste 5 and decency, there were huge questions to be asked. 6 LORD JUSTICE LEVESON: Yes. 7 MR BARR: Thank you, sir. 8 I was going to pick up again from paragraph 45 of 9 your witness statement, where you give an account of 10 what happened to your sister. She was the subject, 11 wasn't she, of a newspaper article, you say it was 12 either in the Sun or the News of the World, when she 13 dismissed one of her employees. Am I understanding 14 correctly that you're saying that this is not a matter 15 which would have been any interest to the press but for 16 the fact she was the sister of a famous woman? 17 A. Absolutely, of no public interest whatsoever, but still 18 massively hurtful. Again, it's as Charlotte Church 19 said, it's -- there are arguments about balance when you 20 are the person in the public eye yourself, but your 21 family, they don't deserve to be under the same scrutiny 22 at all. 23 Q. I'd like to move to another issue now. You've explained 24 in graphic terms the difficulties you had with the media 25 predominantly in the late 1980s and into the early Page 87</p>
<p>1 A. Yes. 2 LORD JUSTICE LEVESON: But a different story, or 3 a repetition of the story by a different journal might 4 not have seemed any less an invasion of privacy just 5 because it was already in the public domain. 6 A. Well, I think this is interesting. This illustrates my 7 point that in the press it comes down to the judgment 8 call made by the writer, then particularly the editor 9 and maybe the proprietor as well; it comes down to their 10 values. But not the collective values of a body that's 11 been called together to actually think this through 12 properly; it comes down to their personal values. My 13 personal value when I wrote that article was that 14 I wasn't doing anything hurtful and that I was being 15 entirely supportive and affectionate in what I wrote, 16 and I was very careful to make sure that the Daily Mail 17 didn't change it in any way that I didn't approve of. 18 And when you are writing for the press, that is what it 19 comes down to: the editor's personal values. 20 LORD JUSTICE LEVESON: What I was actually testing was 21 whether the mere fact that it was in the public domain 22 necessarily makes a difference, and I used your example 23 simply because -- 24 A. No, because then it comes down to taste and ethics and 25 decency. I mean, my child's funeral happened in Page 86</p>	<p>1 1990s. One of the core participants has drawn to my 2 attention an article from 9 July 2011 where there is 3 reference to a quotation from you: 4 "With the Sun's massive help, we raised over 5 £100,000 with a campaign to save a tiddler for 6 a toddler, a tiddler being that annoying little 5p coin, 7 and decided to make our own TV ad." 8 That's a reference, of course, to the campaign to 9 raise funds to research and prevent cot death. Is your 10 relationship now in 2011 with the Sun and the Murdoch 11 press different to your relationship with it in the late 12 1980s and early 1990s? 13 A. That's a very complex question to answer. As I've said 14 before, the Sun talked us into doing a campaign with 15 them to raise money particularly so that we could put 16 funds into cot death research, and when we did agree to 17 do that, we did a fantastic job, I think. I think this 18 was a brilliant example of tabloid popular journalism at 19 its very best. The Sun was a very large circulation 20 tabloid newspaper at the time, and we were able to use 21 it as a force for good. We did a series of articles 22 with them all about cot death, about the research that 23 was going on up and down the land, and we were able to 24 raise such a wealth of public opinion, and they 25 literally backed it up with their money, that we raised Page 88</p>

<p>1 £100,000 within just a few weeks and that was 2 immediately put into cot death research. That was an 3 example of top tabloid journalism at its very best. 4 It's what they were very, very good at and what 5 I remember the News of the World being particularly good 6 at in its heyday, were doing some popular campaigns that 7 could really make a difference. 8 When I was a young journalist training on the 9 Bridgwater Mercury in the late 1970s, I remember being 10 motivated into journalism by things like the Sunday 11 Times Insight team and their reportage on the 12 thalidomide campaign they did, and I remember thinking 13 that you could make a difference if you went into 14 journalism, and that's an example of journalism at its 15 very best, and I was able to do that again -- in fact, 16 because it's the 20th anniversary of my little boy's 17 death this year, I went back and revisited that 18 campaign, if you like, with the Sun, and we did another 19 couple of articles about it this year, being able to 20 highlight some of the new problems that are facing cot 21 death researchers. I was able to do that in the 22 Daily Mail as well, and that's what I'm saying, is that 23 the tabloid and the popular press -- the popular press 24 is nothing to be ashamed of in this country; it can be 25 a terrific force for good, and the problem I think that</p> <p style="text-align: center;">Page 89</p>	<p>1 about -- 2 A. And I still feel very proud of and I feel -- 3 LORD JUSTICE LEVESON: -- and so you committed to doing it? 4 A. Yes, absolutely. 5 MR BARR: This is my final question, and you may have heard 6 it being put to other witnesses. It's an optional 7 question; you don't have to answer it if you don't wish 8 to do so. 9 LORD JUSTICE LEVESON: Yes, well, it's rather less optional 10 for you because you live in the world and you've seen 11 both print journalism and television journalism and 12 you've had -- you've written it, you've experienced it, 13 you have suffered at the hands of it, so it's still 14 semi-optional, but I'd be very interested for your 15 answer to the question Mr Barr is just about to ask you. 16 MR BARR: I'll try not to define "semi-optional". If 17 there's anything you'd like to say to 18 Lord Justice Leveson to help him to make constructive 19 recommendations for the future regulation of the press, 20 now is your chance. 21 A. I think I'd most like to say that it doesn't have to be 22 like this. It's so sad that a handful of bad 23 journalists have besmirched the profession in this way. 24 We need a free press, and I understand why some 25 proprietors are very worried about any form of</p> <p style="text-align: center;">Page 91</p>
<p>1 befuddles people and bewilders me and lots of other 2 journalists is we've allowed values of some, just 3 a handful, to besmirch the reputations of all of us. 4 Q. Does that explain why it is that, despite what you've 5 explained in your witness statement, you're still 6 content to write for the Sun. 7 A. Yes. 8 LORD JUSTICE LEVESON: Effectively, do I understand it this 9 way: you hate what happened and how it happened, but 10 having grasped the nettle and agreed to do something 11 about it, you then became a campaigner in the cause to 12 do something about it? 13 A. But there are very -- there are two sides to the popular 14 press. I think if I had a secret boyfriend right now, 15 which by the way I don't, but I think if I did now and 16 I was just off to see him for a cup of coffee after 17 this, I have no doubt that they would pursue me with the 18 same underhand tactics that they have in the past. 19 I think that those two practices, the good journalism 20 and the bad journalism, sadly go hand in hand at the 21 moment. 22 LORD JUSTICE LEVESON: But do I accurately describe your 23 approach: that you didn't like what happened and the way 24 it happened, but having decided to get involved, this 25 was a campaign which you felt obviously very strongly</p> <p style="text-align: center;">Page 90</p>	<p>1 regulation, but what I would say is that in the 2 broadcast media we already have regulation. It may not 3 be that it's -- it should be entirely copied and imposed 4 upon the press, but we do have a form of regulation that 5 still allows good journalism, good, investigative 6 journalism, to thrive. 7 I just wish that we could achieve the same in the 8 press, because I know a lot of very fine journalists who 9 do a good job and we've been hearing so much in the last 10 few weeks of very bad journalists who have done an 11 appalling job, and I would just hope that you can find 12 a way that the -- that doesn't frighten the newspaper 13 proprietors to the extent where they feel that they're 14 going to be completely hamstrung, but that will still 15 allow good journalism to thrive but put an end to this. 16 LORD JUSTICE LEVESON: Well, do you believe from your 17 experience -- there are going to be two questions here. 18 First of all, do you believe from your experience that 19 self-regulation, as we presently have it, can or should 20 continue in its present form? 21 A. On its own, it has failed. 22 LORD JUSTICE LEVESON: It's very difficult to see the number 23 of last-chance saloons that we've had on this at various 24 times, why another go might make a difference. 25 A. 20 years ago I remember the same debate. It was about</p> <p style="text-align: center;">Page 92</p>

<p>1 25, 20 years ago when we stopped having a Press Council 2 and it became the Press Complaints Commission and the 3 presses were desperate then that they didn't want a form 4 of official regulation and they said, "Let us 5 self-regulate", and it has not worked. 6 LORD JUSTICE LEVESON: You see, I'm not necessarily -- well, 7 no, I can say, I don't think this is a binary question 8 as between statutory regulation, which suggests 9 government interference, and self-regulation. I think 10 there's an enormous range between those two 11 possibilities, but there it is, that's the first 12 question. My second question is: have you ever felt 13 constrained by the way in which broadcast journalism is 14 regulated? I know the reason for that, because of 15 course it's all to do with broadband -- bandwidth and 16 the ability to say you're not going to do it, and there 17 is no question, as I say periodically when articles in 18 the press start to get concerned about it, there is no 19 question of my saying there should be licensing or 20 anything like that, but -- so I understand why the 21 difference exists, but have you ever felt constrained by 22 what is broadcast -- the way in which broadcasting 23 journalism is -- 24 A. No, never. It's always the subject of very heated 25 debate in newsrooms between producers and directors and</p> <p style="text-align: center;">Page 93</p>	<p>1 felt but a lot of those rules have been relaxed over the 2 years. So I think that code of conduct has evolved over 3 the years. So there's nothing to stop a natural 4 evolution and things being conditionally considered and 5 debated and discussed, but nevertheless, the people who 6 work within them know that they have to do that. 7 LORD JUSTICE LEVESON: All right. Now if we go to print 8 journalism and the Editors' Code. Do you have a view 9 about that? 10 A. I don't -- I have never seen any real evidence of it 11 being used. I don't know. I've never been an editor, 12 so I don't really know. 13 LORD JUSTICE LEVESON: But you know what it says? 14 A. Yes, I do, and I still come back to what I originally 15 said, which is: I've never seen any real exercising of 16 that code. What I've seen is the exercising of an 17 editor's personal judgment, or maybe a proprietor's 18 personal judgment, I don't know. 19 LORD JUSTICE LEVESON: Yes, you've said that a number of 20 times. You've brought in the proprietor -- 21 A. Well, one of the reasons I'm here today -- I don't think 22 I would have dared stick my head up above the parapet 23 again had it not been for the Channel 4 documentary 24 where they interviewed Rupert Murdoch's former butler 25 and it seemed to suggest that I was targeted, and I felt</p> <p style="text-align: center;">Page 95</p>
<p>1 journalists up and down the land. Heated debate, 2 sometimes a little frustration. I've been party myself 3 to instances where, making a documentary, we felt we 4 wanted to uncover certain things that could only be got 5 by a secret camera, and under broadcast regulations you 6 have to apply to Ofcom. In those days, it was -- 7 I think this was the BBC actually. You have to apply 8 for -- so you have to justify the story and show why you 9 need a secret cameras, and under those circumstances, 10 you will very often be allowed to secretly film 11 something. 12 And then the use of the footage is subject to debate 13 as well, but at least that is carefully controlled -- 14 no, that is its wrong word. It is carefully considered 15 before it is broadcast, and I've never known it to 16 constrain -- I don't know broadcast journalists who are 17 angry at the constraints put upon them. They get on 18 with it. 19 LORD JUSTICE LEVESON: Here's another question. The code in 20 itself, the language of the code, is that about right? 21 Not tough enough, too tough? 22 A. It has relaxed significantly over the years, so I think 23 you could probably argue that it does evolve. 24 I remember in the early days in ITV, the IBA was very, 25 very strict and we would often moan about how strict it</p> <p style="text-align: center;">Page 94</p>	<p>1 that was something you did need to know about because 2 I've certainly heard this from my many friends and 3 colleagues, both well-known and not well-known, that 4 targeting does go on and that that was a view of 5 a proprietor who instructs editors. 6 LORD JUSTICE LEVESON: You've never had that experience 7 personally? Or have you? 8 A. Of? Of being targeted? 9 LORD JUSTICE LEVESON: No, no, I understand what you say 10 about that. Of being told what to do because of some 11 concern that somebody in the top echelons of the 12 organisation wants to -- some agenda that had they have, 13 in your capacity as a journalist. 14 A. No. I've never been instructed that way myself. I'm 15 certainly aware that it goes on. 16 LORD JUSTICE LEVESON: All right. Thank you very much. Is 17 there anything else that you would like to add? 18 A. I don't think so. 19 LORD JUSTICE LEVESON: Thank you very much for your time. 20 A. Thank you. 21 LORD JUSTICE LEVESON: I am grateful to you for being 22 prepared to share what, as I have said, are not easy 23 personal moments. Thank you. 24 A. Thank you. 25 MR BARR: Sir, that was our last witness for today.</p> <p style="text-align: center;">Page 96</p>

<p>1 LORD JUSTICE LEVESON: Right. Well, where are we with the 2 other matters that we're considering? 3 MR JAY: We checked about ten minutes ago but -- 4 LORD JUSTICE LEVESON: Let's just see. (Pause) 5 MR JAY: Yes, the witness statement is still on the website 6 of Guido Fawkes. 7 LORD JUSTICE LEVESON: Do you know whether we've had an 8 acknowledgment for the receipt of the notice? 9 MR JAY: The answer is we don't but it has been sent. 10 LORD JUSTICE LEVESON: All right. So I do have to decide 11 what I'm going to do. My concern about the document 12 that's presently on this website is that it's not the 13 document that Mr Campbell has finally attested to. I'm 14 not talking about coming to the witness box -- he hasn't 15 done that -- but the document was changed after the 16 draft that is on that website. 17 MR JAY: It most certainly was, yes. The one on the website 18 is quite an early draft, on my understanding. 19 LORD JUSTICE LEVESON: Right. 20 MR JAY: Mr Campbell would ideally, I think, like to make 21 one or two very minor changes to the statement that has 22 been provided to the core participants. One of those 23 changes I have caused to be effected. There is one 24 other change which is minor, which has not yet been 25 achieved, but I was only notified of it at lunchtime.</p> <p style="text-align: center;">Page 97</p>	<p>1 reason -- or the most obvious reason -- is that it 2 enables a contemporaneous response within the Inquiry to 3 allegations that are made by a witness against 4 organisations -- 5 LORD JUSTICE LEVESON: I understand all that and I entirely 6 agree with you. The question is whether where it 7 presently is doesn't provide that non-contemporaneous 8 exposure that I deprecate, but which I don't seem to be 9 able to avoid. 10 MR CAPLAN: It doesn't seem that others are behaving so 11 irresponsibly and breaching the restriction under 12 Section 19 at the moment. 13 LORD JUSTICE LEVESON: All right. Thank you. Mr Jay, do 14 you have a view on this? Because I'm minded to change 15 my mind, which happens rather more frequently than 16 people think of judges. 17 MR JAY: I have neither a submission nor a view. 18 LORD JUSTICE LEVESON: Oh, thank you. Does anybody else 19 have anything to say on this topic? 20 Right. Well, yesterday evening I was minded to take 21 the view that to deprive this particular website of 22 publicity required me to put the accurate statement 23 online immediately. Given the later suggestion that 24 I can make an order under Section 19, which I have now 25 made, so as to have the effect of requiring the witness</p> <p style="text-align: center;">Page 99</p>
<p>1 LORD JUSTICE LEVESON: So that's even still now? 2 MR JAY: Yes. 3 LORD JUSTICE LEVESON: Yes, all right. Let's see what 4 Mr Caplan has to say. 5 It's a difficult balance, Mr Caplan, isn't it? One 6 doesn't want to condone any breach of the orders that 7 I've made, but equally one doesn't want to provide the 8 oxygen of publicity to what is a failure accurately to 9 reflect what the witness has to say. 10 MR CAPLAN: Yes. But, sir, you have made a restriction 11 order under Section 19. 12 LORD JUSTICE LEVESON: I have. 13 MR CAPLAN: We would agree with Mr Jay that that is 14 perfectly within your power. If it is not complied 15 with -- 16 LORD JUSTICE LEVESON: I'm very pleased about that, that you 17 do agree. 18 MR CAPLAN: If it's not complied with, then you can clearly 19 report the matter to the High Court. Our concern is 20 that if you authorise publication now of Mr Campbell's 21 statement, then it will simply, in effect, be a green 22 light to others to publish it at an earlier opportunity 23 and we'd much rather that didn't happen. There are 24 reasons for keeping this information confidential until 25 witnesses come to give evidence, and the obvious</p> <p style="text-align: center;">Page 98</p>	<p>1 statement to be removed from the website it is presently 2 on, it seems to me that the better course is not to 3 publish the statement on my website until the usual 4 time, which will be, I anticipate, some time on 5 Wednesday. 6 I would be grateful if the solicitor to the Inquiry 7 would ascertain whether the notice and the order have 8 been communicated to Mr Staines. He is required to 9 provide information by Wednesday afternoon and is 10 presently summoned to attend on Thursday afternoon. 11 I will, of course, pay the very closest attention to how 12 he responds, both to my notice and to my order. 13 Anything else? 14 MR JAY: Just the programme for Wednesday. The programme 15 for tomorrow is clear. It looks like being quite a busy 16 day. Wednesday, Mr Campbell in the morning, Mr Owens 17 later in the afternoon. There is an hour-long slot, and 18 in our submission, it would be better, or best, if that 19 slot were filled with Mr Lewis concluding his evidence. 20 I understand that course does not altogether find favour 21 with Collyer-Bristow and Mr Sherborne. 22 LORD JUSTICE LEVESON: Let's hear what Mr Sherborne has to 23 say about it. 24 MR SHERBORNE: Mr Sherborne hasn't been party to these 25 discussions.</p> <p style="text-align: center;">Page 100</p>

25 (Pages 97 to 100)

1 LORD JUSTICE LEVESON: Oh, well, there you are.
 2 Mr Sherborne, you'd better take some instructions.
 3 MR SHERBORNE: I'd love to take some instructions. Can I do
 4 that now?
 5 LORD JUSTICE LEVESON: Yes.
 6 MR SHERBORNE: I'm very grateful. (Pause)
 7 Yes, perhaps it's not Mr Sherborne who needs to take
 8 instructions. I need to take instructions from Mr Lewis
 9 about this. As I say, I knew nothing about this until
 10 Mr Jay --
 11 LORD JUSTICE LEVESON: I'm very sorry about that,
 12 Mr Sherborne.
 13 MR SHERBORNE: No, that's fine.
 14 LORD JUSTICE LEVESON: The position is that I am very keen
 15 that Mr Lewis finish his evidence. I'm unhappy about
 16 having this hanging over. If there's an opportunity to
 17 do so without any objection from anybody else, I'd be
 18 very unhappy not to do it. I know that very recently
 19 a further statement has been served by a different
 20 witness. I wouldn't, I say immediately, dream of
 21 interposing that witness into the evidence of a witness
 22 who's already giving evidence.
 23 MR SHERBORNE: Sir, I'm grateful for that.
 24 LORD JUSTICE LEVESON: I don't think it would be
 25 appropriate.

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1 MR SHERBORNE: No, I understand that.
 2 LORD JUSTICE LEVESON: Right.
 3 MR CAPLAN: I seem to stand up to raise a contrary view.
 4 Can I say we simply don't know what further statement
 5 Mr Lewis may be intending to --
 6 LORD JUSTICE LEVESON: I think it was the statement that he
 7 you're -- was it a second statement in respect of which
 8 there was objection, given the lateness of the notice?
 9 MR CAPLAN: Yes.
 10 LORD JUSTICE LEVESON: Now --
 11 MR CAPLAN: It will be pretty late now, because I don't
 12 think we've even seen it.
 13 LORD JUSTICE LEVESON: I'm sure you have.
 14 MR JAY: The second statement of Mr Lewis has been served.
 15 It's the confidential exhibit which Mr Caplan and
 16 everyone else will have seen.
 17 LORD JUSTICE LEVESON: Mr Caplan has or hasn't?
 18 MR JAY: Has not.
 19 LORD JUSTICE LEVESON: I think we can reassure Mr Caplan to
 20 this extent, can't we: that it doesn't in any respect
 21 affect his clients.
 22 MR JAY: It doesn't.
 23 LORD JUSTICE LEVESON: Mr Caplan has surrendered on that
 24 point.
 25 MR JAY: You'll remember there are some Article 8 redactions

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1 that we are considering but those are capable of being
 2 carried out, one would have thought, reasonably quickly.
 3 I adhere to the point I made. We're not on Wednesday,
 4 which is --
 5 LORD JUSTICE LEVESON: We want to use it. I'm not giving
 6 time away. Mr White, this probably affects you and you
 7 know exactly what we're talking about.
 8 MR WHITE: We will consider the position. We've heard what
 9 was said.
 10 LORD JUSTICE LEVESON: Thank you very much. That's
 11 a reasonable time. Thank you all very much. Tomorrow
 12 morning, 10 o'clock.
 13 (4.20 pm)
 14 (The court adjourned until 10.00 am
 15 on Tuesday, 29 November 2011)

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