

<p>1 Wednesday, 7 March 2012 2 (10.00 am) 3 MR JAY: Sir, the first witness today is Lord Blair, please. 4 LORD JUSTICE LEVESON: Thank you. 5 LORD IAN WARWICK BLAIR (sworn) 6 Questions by MR JAY 7 MR JAY: Lord Blair, first of all, your full name, please? 8 A. Ian Warwick Blair. 9 Q. Thank you. You provided the Inquiry with a statement 10 dated 9 February of this year. You've signed and dated 11 it and there's a statement of truth in the standard 12 form. Is this your formal evidence to the Inquiry? 13 A. It is, subject to an amendment because a small passage 14 from it was omitted. 15 Q. Yes. 16 A. And that has now been supplied. It's a quotation from 17 my book. 18 Q. A quotation from your book, and I think one exhibit 19 number was wrong. 20 A. So I gather. 21 Q. It's a very minor point, so we won't -- 22 LORD JUSTICE LEVESON: I don't think that will worry us. 23 Lord Blair, thank you very much indeed for the statement 24 and the obvious effort you've made in preparing it. 25 A. Thank you, sir.</p> <p style="text-align: center;">Page 1</p>	<p>1 paragraph 9, when you refer towards the bottom of that 2 paragraph -- this is our page 02750 -- to a cabinet 3 style of management. This is in reference to the 4 management board, and you tell us what comprises the 5 management board, and we've heard about that from 6 others. Does it follow from that that there might be 7 a tendency for large personalities, large egos, perhaps, 8 to brief against one another? 9 A. I'm sure that might be the case, but before we go to 10 that point, I think there is a legitimate responsibility 11 on people with commands of many, many thousands of staff 12 dealing with many issues of national importance to have 13 a connection with the press in the current environment 14 in which we operate. I certainly have no difficulty 15 with senior people at this level, who often had been 16 chief constables before in their own right, having that 17 relationship. 18 Is it possible that some of them moved beyond what 19 I might have considered acceptable? Well, you'll see 20 from my statement and my book that I think that was the 21 case, but it certainly wasn't the case for all of them. 22 Q. Thank you. In paragraph 10, you explain your 23 interactions with politicians, including, of course, the 24 Prime Minister, and how frequent those were, inevitable 25 in your position.</p> <p style="text-align: center;">Page 3</p>
<p>1 MR JAY: Lord Blair, in terms of your career, you joined the 2 Metropolitan Police after leaving Oxford University in 3 1974. You worked your way up the ranks, as it were. 4 You joined the HMIC for a period in the mid-1990s, then 5 you became in due course Chief Constable of Surrey. You 6 returned to the MPS in 2000 as the Deputy Commissioner 7 and then between February 2005 and 1 December 2008 you 8 were the Commissioner, is that broadly speaking right? 9 A. That is correct. 10 Q. Then you were made a life peer in 2010; is that right? 11 A. That is correct. 12 Q. Your introductory remarks. First of all, the difference 13 between the provincial police forces and the MPS, in 14 a nutshell, how would you characterise that difference 15 or those differences? 16 A. Well, accepting for a moment that the larger police 17 forces outside London have a significant press response, 18 the two police forces in which I served before I came 19 back to London, at Thames Valley and Surrey, had, to my 20 memory, three press offices in Thames Valley and two in 21 Surrey. Returning to the Met, I don't know what the 22 number was then, but I know the number now is about 60 23 or 70. It is just a fundamentally different environment 24 in which to work. 25 Q. There are obvious reasons for that. Can I ask you about</p> <p style="text-align: center;">Page 2</p>	<p>1 Can I ask you about paragraph 12, that in your view, 2 policing was largely seen as an apolitical subject until 3 the early 1990s, and then you chart the change, or 4 reference the change to a comment Mr Blair made in 1993, 5 that the Labour Party would be "tough on crime and tough 6 on the causes of crime". So what has been the impact of 7 that? 8 A. Well, if I go back a little before it, to show the 9 difference, in the very early 1990s, there was a scandal 10 at Birmingham Children's Hospital about an excessive 11 number of neonatal deaths because there weren't enough 12 nurses, and the Health Secretary, who at the time was 13 Edwina Currie, had an extremely difficult time on the 14 floor of the House of Commons. 15 A little while later, the West Midlands Police by 16 accident shot dead a toddler, and in answer to 17 a question in the House of Commons, the then Home 18 Secretary, Mr Whitelaw, said that this was an 19 operational matter for the Chief Constable. This is 20 a very different position than what might be seen now. 21 The police authorities with which I served in both 22 Thames Valley and Surrey had a view that they left 23 politics at the door, that policing was somehow 24 a different position than a party -- not a subject for 25 party political activity. In fact, the big change to</p> <p style="text-align: center;">Page 4</p>

<p>1 police authorities occurred out of a scandal in 2 Derbyshire in the 1980s, involving the leader of the 3 council, called Bookbinder, and it was quite clear that 4 for political purposes he was starving the police of 5 funds. Her Majesty's Inspectorate of Constabulary 6 appeared and for the first time in the 20th century 7 declared a police force inefficient, and that led to new 8 legislation to put independent members onto police 9 authorities and so on.</p> <p>10 So, in my view, the early 1990s, the comment by 11 Mr Blair, and then a very fierce battle began between, 12 in the first incidence, Mr Blair and Mr Howard, on crime 13 as a party political issue, and I think that changed the 14 atmosphere completely.</p> <p>15 LORD JUSTICE LEVESON: Not just for the police, of course, 16 but I think probably for criminal justice generally.</p> <p>17 A. I think that's right, sir.</p> <p>18 MR JAY: You make clear, Lord Blair, and this is the second 19 bullet point in paragraph 14, when you talk about the 20 various sides of a triangle -- indeed, I borrowed from 21 that gratefully in my opening submissions -- you make 22 clear, however, that the police is not part of the 23 Whitehall machine.</p> <p>24 A. No.</p> <p>25 Q. For obvious reasons, that you are not politicians.</p> <p style="text-align: center;">Page 5</p>	<p>1 experiences. I think we have that now as an annex to 2 your statement.</p> <p>3 A. Yes.</p> <p>4 Q. I'm not quite sure of the number we have for it on our 5 system, but of course I've been working from your book. 6 Because we could put it up on the screen, if only I knew 7 the number.</p> <p>8 LORD JUSTICE LEVESON: While you sort that out, let me ask 9 a slightly different question: is there a way of putting 10 this genie back in the bottle or not?</p> <p>11 A. I have to say I don't know how the political genie can 12 go back in the bottle, because in a sense, as always, 13 the UK reflects the experiences of the United States, 14 and my sense is -- and I again refer to it somewhere in 15 my book -- about the way in which crime became 16 a dominant issue in United States politics, and they, of 17 course, have much less distinction between the 18 operational independence of the police and the way 19 police chiefs, for instance, are appointed and 20 dismissed, and that's one of the issues that I've raised 21 on a number of occasions in the Lords and elsewhere, 22 about the new elected police commissioners. That is 23 a directly borrowed concept from the United States. So 24 I think we'll have some difficulty.</p> <p>25 If one looks at the coverage of crime in the</p> <p style="text-align: center;">Page 7</p>
<p>1 A. No, absolutely. When I was referring to the Whitehall 2 machine, I was also referring to senior civil servants. 3 So, for instance, to my understanding, the head of the 4 security services will turn up from time to time at the 5 Wednesday meeting of permanent secretaries, but you'd 6 never see the Commissioner of the Metropolitan Police 7 walking in there. And I think this change that I refer 8 to in this bullet point, that the days of the crime 9 correspondents have started to go and they've become 10 home affairs correspondents, and seeing the police as 11 part of the nexus of political debate and political 12 activity, I mean, it's probably true to reflect that the 13 coverage of both the resignation of myself and of Sir 14 Paul Stephenson were covered by political 15 correspondents, not crime correspondents.</p> <p>16 Q. The third point you make in paragraph 14 is that you 17 comment on "the very poor behaviour of some parts of the 18 press towards victims of crime and celebrities", as 19 revealed in module one of this Inquiry. That's 20 paralleled in the way some police officers have been 21 treated by the press. You refer to yourself, Mr Quick, 22 who of course we're going to hear from today, and then 23 Mr Westwood, over the Soham affair?</p> <p>24 A. That's right.</p> <p>25 Q. Page 136 of your book describes some of your</p> <p style="text-align: center;">Page 6</p>	<p>1 newspapers, it is enormous, and politicians are going to 2 take note of that. I mean, quite often politicians 3 report that crime and anti-social behaviour is the main 4 issue on the doorstep during elections, and to some 5 degree I'm afraid we are where we are. I wish we 6 weren't.</p> <p>7 LORD JUSTICE LEVESON: The same is so for criminal justice 8 generally?</p> <p>9 A. As a whole, yes.</p> <p>10 LORD JUSTICE LEVESON: Yes, I reflect I have multiple 11 interests in the particular topic.</p> <p>12 Right, you've found what you wanted so I've not 13 wasted any time?</p> <p>14 MR JAY: Yes, 10608. May I pick it up in your book at the 15 bottom of page 135. This isn't available on the screen. 16 You refer to a piece in the Daily Mail on 14 October 17 2004, when you were described as "Labour's favourite 18 cop". You were Britain's most politically correct 19 officer, Oxford educated, but no relation to the 20 Prime Minister. So they were setting the tone fairly 21 early on in relation to you.</p> <p>22 You say, however: 23 "It went on to mention [this is the Daily Mail] that 24 I'd been outspoken about the canteen culture of the 25 police service, that I wanted to be more caring and</p> <p style="text-align: center;">Page 8</p>

<p>1 gentle to ethnic minority and homosexual officers, that 2 I was a reformer with close links to New Labour, and 3 indeed that I'd shaved off my beard in order to become 4 Commissioner." 5 And you say: 6 "That was the pattern for the next four years. 7 Innumerable articles in an array of newspapers sought to 8 shape my image, refining this early portrait of an 9 intellectual, upper class, diversity obsessed, 10 unscrupulously ambitious Labour fellow traveller." 11 There was another piece in the Mail, June 2005, when 12 they misquoted your evidence to an employment tribunal? 13 A. That's right. 14 Q. And then the bit that we have on the screen: 15 "This is the norm for public life, but it's 16 dispiriting. Some time early in 2008, I think, I was 17 sitting at a meeting of an Olympic steering group 18 chaired by Mr Livingstone and Tessa Jowell. A major 19 consultancy was reporting to the group that its work 20 showed that there was an 80 per cent probability that 21 the London Olympics would be delivered within the budget 22 available. It had been promised that the results of 23 this work would be made public and this should have been 24 an unremarkable but good story. For nearly half an hour 25 the politicians and officials present tried to decide</p> <p style="text-align: center;">Page 9</p>	<p>1 A. I think that's right, and I think -- I'm sure Mr Jay 2 will bring me to this point later, but my belief was, 3 when I became Commissioner, that we were already, as 4 senior staff, spending too much time worrying about what 5 the press were going to say next. So I wanted to move 6 away from that. As I say in my statement, my impression 7 is that when Paul Condon was at the end of his 8 commissionership with the Lawrence Inquiry, the Met 9 closed down slightly, under real press criticism, and 10 John Stevens came in and decided to open it up again, 11 and I think this is a kind of process that commissioners 12 go through. I think Sir Paul Stephenson gave the 13 opposite one when he came in. But my determination was 14 that we should spend less time on press matters than 15 I thought we were spending under my predecessor. 16 MR JAY: Thank you. Your approach to media relations, this 17 begins at paragraph 15 of your statement. You give us 18 some history of what was a corrupt relationship, really, 19 in times gone by, with crime correspondents having 20 relationships with detectives. You describe it as a 21 pretty unpleasant mixture. Is that something which 22 really has died with the times, in your view? 23 A. Yes, I think so, on this level, and this is me merely 24 repeating what old journalists have told me, and it's 25 probably a bit similar as the people who would have been</p> <p style="text-align: center;">Page 11</p>
<p>1 how to deal with the presentation of the announcement 2 convinced that the media would report the findings as 3 indicating that there was now a 20 per cent chance that 4 the budget would be insufficient. A very positive press 5 release was eventually constructed but the story ran 6 exactly as predicted." 7 So the bad news rather than the good news. 8 A. That is correct. 9 Q. "It is very notable that, when individuals holding such 10 positions talk together, the press is the subject of 11 their most bitter complaint. This is not normally 12 because they want to suppress information but for two 13 reasons: first, the amount of time involved in handling 14 the press has risen exponentially, and second, it is so 15 cumulatively depressing that the journalists and editors 16 almost invariably look for the worst slant that can be 17 put upon the story." 18 And then you say that is exhausting and arguably has 19 resonance with evidence that Alastair Campbell gave, as 20 it happens, on 1 December. 21 LORD JUSTICE LEVESON: But then it feeds itself, doesn't it? 22 Because if the story is not being told squarely, then 23 you have to spend more time correcting the way in which 24 the story is being put, and so it becomes an 25 ever-expanding cycle, and less work gets done.</p> <p style="text-align: center;">Page 10</p>	<p>1 hanging about the Old Bailey at the same time. There 2 was a culture of discussion between detectives and 3 journalists and I imagine, if I may say so, sir, 4 probably with some members of your profession and 5 journalists in times gone by, which was a culture of 6 pretty heavy drinking and not necessarily that much 7 accuracy. 8 But I am referring to a long time ago, as to when 9 all this began. 10 Q. Yes. To take it closer to the present, in paragraph 18, 11 you've already really covered this, Lord Blair, the 12 position under Lord Condon and the Lawrence report and 13 the police becoming defensive with the press, 14 Lord Stevens arriving and changing the approach to try 15 to improve NSY's "battered reputation", and then you 16 say: 17 "There was nothing improper in that but my personal 18 opinion, on succeeding him, was that the senior parts of 19 the MPS needed to be less concerned with the media. 20 Discussion of media positions and opinions had been too 21 consuming of senior officers' time." 22 Well, is that a general observation or are you 23 referring to any particular senior officers there? 24 A. No, I'm referring to what was the Met's management 25 board. John Stevens' approach was to have, as I did,</p> <p style="text-align: center;">Page 12</p>

<p>1 and took from him, a three mornings a week informal 2 meeting of the most senior officers early on a Monday, 3 a Wednesday and a Friday, and he had that in his office, 4 and I wanted to make it more formal and so I took it out 5 into a conference room, and I suppose I quite 6 deliberately wanted to have less discussion about the 7 press and more discussion about the policy. 8 But we are talking fairly nuanced here. It's not 9 a major turn. It's just, in a sense, you get a better 10 discussion around a table, a slightly more formal 11 discussion around a table, than you get sitting on 12 armchairs and a sofa. That's just my opinion. 13 LORD JUSTICE LEVESON: This was touching the tiller -- 14 A. Yes. 15 LORD JUSTICE LEVESON: -- not turning on a sixpence? 16 A. Absolutely. Exactly, sir. 17 MR JAY: Is it implicit in the sentence at the end of 18 paragraph 18 that arguably Lord Stevens had got too 19 close to the press, or are you not suggesting that? 20 A. No, I'm not suggesting that. I'm suggesting nothing of 21 the sort. I merely felt there was too much discussion 22 about the press rather than about the facts, as it were. 23 Q. It was also part of Lord Stevens' approach, as you say 24 here, to improve New Scotland Yard's battered reputation 25 to try and present the positive aspects -- I'm sure</p> <p style="text-align: center;">Page 13</p>	<p>1 thing, because you go back to work after it, whereas 2 dinners are a different matter. 3 Q. Thank you. Paragraph 20, you deal with the choreography 4 of your first day as Commissioner, because amongst other 5 things this is press interviews and television 6 appearances, which presumably you were advised to do by 7 the DPA; is that right? 8 A. Yes. I think the change of Commissioner is an important 9 aspect for London. I mean, one of the issues that has 10 to be got across is -- from my point of view and I'm 11 sure from my predecessors' and successors' -- is: this 12 service is here to protect Londoners and you have to 13 tell Londoners what you do and one of the ways you do 14 that is to tell them who this new chap is. I think 15 that's quite a natural thing to do. 16 Q. I've been asked by one core participant to explore with 17 you the last sentence of paragraph 20, that's you being 18 shadowed by a Guardian journalist. Did this experience 19 teach you anything about working closely with the press? 20 A. I thought it was a good idea, again, to be open and try 21 and get some in-depth coverage of what the nature of the 22 job was. I don't think it was a terribly successful 23 experiment, because in the end my first six months 24 included -- I think it was the first 12 months, rather 25 than six months. I may have made a mistake there.</p> <p style="text-align: center;">Page 15</p>
<p>1 there are many -- of police work. Was that also your 2 philosophy or did you feel that the message to the press 3 had to be imparted in a slightly different way? 4 A. I think it was a combination of both. I mean, one did 5 try very hard to get the positive information out, but 6 it is -- it is a very hard thing to do, getting the 7 heroics and the dedication of some of the staff in front 8 of the press in a way they find interesting, because 9 they don't normally find that interesting, I'm afraid; 10 they find interesting that which is critical, and that 11 seems to be the general pattern. 12 Q. Yes. There's also an issue here as to how the message 13 is going to be got across to the press. You've spoken 14 about meetings in conference rooms rather than private 15 offices, and we're going to come to this. Fewer social 16 interactions with the press than Lord Stevens, is that 17 fair? 18 A. I think that's fair. I mean, John obviously has given 19 you his account, and my particular issue is that I did 20 not -- and as far as I can see from -- and we'll go 21 through this, I have no doubt -- I didn't have any 22 dinners at all with editors or journalists, with the 23 exception of one friend who was a friend before 24 I became -- well before I became Commissioner, which was 25 entirely social. Because I see a working lunch is one</p> <p style="text-align: center;">Page 14</p>	<p>1 "Some months", I say. It was 12, I think. It included 2 such dramatic events that in the end the journalist, the 3 gentleman, was more interested in the dramatic events 4 than he would be necessarily in the sort of general 5 day-to-day workings of this office holder, which is what 6 I'd had in mind. 7 Q. Thank you. In paragraph 21 you deal with your pattern 8 of meetings with the press, meeting with the CRA once 9 a month, one-to-one interviews with journalists. Well, 10 those presumably would always find their way into either 11 the print or the broadcast media; is that correct? 12 A. Usually, usually. Sometimes they didn't think there was 13 anything interesting enough in them, so they probably 14 spiked that one for later, but usually. 15 Q. Can I move on to meetings with editors and editorial 16 teams "... sometimes over lunch at NSY and occasionally 17 over lunch in their offices. I probably did something 18 like this once a quarter." 19 Did you have any impression that meetings with 20 particular sections of the press were favoured, or did 21 you have the contrary impression, that whoever was 22 organising these meetings were intent on ensuring that 23 no section of the press would be favoured? 24 A. I think the spread of the meetings that are recorded 25 indicate that it was pretty much across the board.</p> <p style="text-align: center;">Page 16</p>

4 (Pages 13 to 16)

<p>1 I think it's been pointed out to me in the last 24 hours 2 that two newspapers are missing, which are the Express 3 and the Star. 4 Q. Mm. 5 A. But they would have been represented at the CRA and had 6 they wished to see me then I have no doubt we would have 7 arranged to do so. 8 Q. Someone has done an analysis of all your meetings, and 9 one can see that if one takes your first year, 2005, 10 there are 12 meetings with the CRA -- these are the 11 monthly meetings. The Independent is two meetings, 12 News of the World three, Times and Sunday Times seven, 13 the Sun seven, Telegraph and Sunday Telegraph five, 14 Daily Mail four, Observer and Guardian taken together 15 nine, Evening Standard three. So the Mirror I think is 16 not there at all, and likewise, as you said, Northern & 17 Shell publications. Although at that point the Evening 18 Standard was part of the Northern & Shell group, 19 I think. 20 A. Yes. 21 Q. I think I'm right in saying that -- no, it was part of 22 Associated at that point. 23 A. I would suggest that is a reasonably even spread and one 24 is looking for the papers obviously with the most 25 impact.</p> <p style="text-align: center;">Page 17</p>	<p>1 A. I think that's entirely correct, sir. 2 LORD JUSTICE LEVESON: And the other two: to react where 3 something had obviously gone wrong and you had to 4 explain it and, if necessary, apologise, and then 5 finally, to contribute to the debate. 6 A. Yes. And if I say that -- just to raise that last 7 point, I actually believe and still do believe that the 8 most senior police officers do have a role in public 9 life to contribute. I used to say that if there was 10 going to be a discussion about bird flu, the public is 11 entitled to hear from the Chief Veterinary Officer. If 12 it's a discussion about terrorism, one of the voices has 13 to be from those charged with investigating this kind of 14 crime. And I know that was something that some 15 politicians found uncomfortable, that they thought that 16 was not a job for the police and that we should remain 17 some kind of silent service. Well, I don't agree with 18 that. 19 LORD JUSTICE LEVESON: But under what heading would you put 20 getting the public onside to help the -- one might call 21 it the fight against crime, but to assist in the 22 administration of justice? 23 A. Well, I think it's covered, sir, in -- really, in bullet 24 point one. 25 LORD JUSTICE LEVESON: All right.</p> <p style="text-align: center;">Page 19</p>
<p>1 Q. Sorry, the Evening Standard was part of Associated in 2 2005, and then sold off, I think, in 2008/2009. 3 The general objectives, paragraph 22, I read out in 4 fact in my opening submissions, so we can move on to 5 paragraph 23. 6 LORD JUSTICE LEVESON: Well, let's just expand that a little 7 bit. "Provide information to the public", obviously in 8 relation to the bombings, but also the work generally. 9 So that's proactive to try and reassure the public that 10 you are dealing with what is happening? 11 A. Yes. I mean, if we take my time in office, obviously 12 the bombings and the terrorist threat was the most 13 important aspect of the role, but there was also at 14 different times a rise in knife crime or there would be 15 the introduction of the neighbourhood policing approach, 16 Safer Neighbourhoods, those sorts of things we would be 17 doing. It's a kind of a combination, it's not just 18 proactive because obviously one is reacting to events, 19 but it is proactive about what you're going to do about 20 them. 21 LORD JUSTICE LEVESON: But that really combines with your 22 third bullet point, doesn't it: 23 "To make the MPS more understandable and 24 understood..." 25 It's all part of the transparency objective?</p> <p style="text-align: center;">Page 18</p>	<p>1 A. "To provide information to the public". Because as far 2 as I'm concerned, and I'm sure many of my predecessors 3 and successors, unless we have a compact and contract 4 with the public, we're not going to get the witnesses in 5 the first place. You can't police with consent unless 6 that consent is informed. 7 MR JAY: This was part and parcel of the first bullet point, 8 providing, for example, background briefings to the 9 press about the severity of the terrorist threats, some 10 of which might have been, indeed, off the record, so 11 that the press could have a more informed view, which 12 would be part of the basis of their specific stories. 13 A. I think, as Peter Clarke certainly has said to this 14 Inquiry, one of the difficulties we faced on the 15 counter-terrorism matters was that this fell upon, if I 16 might put it this way, a slightly unprepared criminal 17 justice system for trials of this magnitude and there 18 were also -- many of them were connected to one another, 19 so there was a long period in which arrests had been 20 made, the communities were deeply disturbed, and even 21 though trials had finished and people had been 22 sentenced, nobody could speak about it in public. 23 And we needed, in my opinion and that of many 24 others, to do something which I know this Inquiry has 25 some concerns about, but there are times in which the</p> <p style="text-align: center;">Page 20</p>

<p>1 only way you can do this is an off-the-record 2 conversation, because otherwise there is no way of 3 giving that information to a journalist, because if you 4 are to be quoted, you would be interrupting the process 5 of a fair trial. 6 So I mean there is a place for it, but it is one 7 that needs to be tightly controlled. 8 Q. So by "off the record" in that sentence, you mean what, 9 Lord Blair? That you're expecting whatever you say to 10 be published, but not attributed to you? 11 A. No, I don't think I am. I am expecting them to write 12 articles, if they are writing articles, that show at 13 least some understanding of the circumstances in which 14 the police and security services in those instances were 15 operating, not directly to be quoted. I have always 16 been rather reluctant to have this phrase "a police 17 source", because what does it mean, but I am looking 18 with, you know, the more detailed and industrious 19 journalists for them to have a whole picture, which they 20 cannot get without a whole briefing. 21 I noticed Peter Clarke referred to the time when, at 22 John Stevens' direction, he went round and briefed the 23 editors. I think that was a perfectly proper thing to 24 do. 25 Q. In terms of what the media were seeking to do,</p> <p style="text-align: center;">Page 21</p>	<p>1 Jean Charles de Menezes, but into who said what to whom, 2 who knew what, et cetera, and I was very concerned, as 3 I say in the book, that the Independent Police 4 Complaints Commission had taken two years to produce 5 a report which in my view could have been done in a far 6 shorter time. I mean weeks, rather than months and 7 years. And I was pretty clear that it was going to be 8 a pretty torrid time when it came out, and I didn't see 9 it with less -- I think I had four hours to read it 10 before I had to respond to it, and I knew that it was 11 going to be difficult and I decided it was time to talk 12 to somebody about what my side of the story was. 13 That's the best of my recollection. 14 Q. So you were briefing them in advance -- 15 A. I was, yes. 16 Q. -- so that the press might be more favourable, but was 17 that the only occasion when that -- 18 A. That's the only occasion that I can remember where there 19 seemed to be a rather large number of editors and 20 journalists in a restaurant like that, which is a pretty 21 expensive place. 22 Q. Although, presumably, the News of the World paid for 23 that? 24 A. I believe they did. 25 LORD JUSTICE LEVESON: But that's only with the News of the</p> <p style="text-align: center;">Page 23</p>
<p>1 paragraph 23, probably self-explanatory, but did you 2 have a sense ever that they were seeking to get material 3 out of you which might have been inappropriate? 4 A. Yes, is the answer, because that's -- when I say 5 inappropriate, from my point of view, not theirs. 6 I mean, a journalist is always looking for a scoop, and 7 that's why I personally would not have meetings with 8 journalists normally without a press officer being 9 present. 10 Q. Paragraph 23. You deal here with your taking of meals 11 with journalists. The scrutiny of the gifts and 12 hospitality register and your diary demonstrate very 13 little. There's a lunch with Les Hinton on 18 September 14 2006. Do you remember anything about that? 15 A. I don't, I'm afraid. I accept that it's in the diary. 16 Q. And then the lunch at Cecconi's in Mayfair, which you do 17 mention, that was on 6 June 2007. Those present were 18 Mr Myler, Mr Wallis, Mr Kuttner and Mr Fedorcio? 19 A. That's right. 20 Q. Again, can you remember anything about what was 21 discussed? 22 A. Yes, I'm obviously reaching into memory, but I think 23 this was a lunch which was talking to these individuals 24 about the forthcoming report on Stockwell 2, as it was 25 known. This was the inquiry not into the shooting of</p> <p style="text-align: center;">Page 22</p>	<p>1 World? 2 A. Yes. 3 LORD JUSTICE LEVESON: You didn't then do the same with -- 4 A. No. I don't really quite know why Dick thought this was 5 such a good idea for this particular group, but of 6 course News of the World still covered -- you know, it 7 had at that stage the largest circulation in the 8 country, so I mean there's an important point in that 9 direction. 10 MR JAY: It might be said that you weren't going to choose 11 the Daily Mail, because, after all, they were hostile to 12 you. Is that a fair point? 13 A. I don't think that would have been a terribly successful 14 or even very pleasant lunch. 15 Q. I understand. 16 We need to cover this issue so that it's clear: your 17 interactions with Rebekah Wade. Can you recall those, 18 Lord Blair? 19 A. I'm told that there were three, which is a phone call in 20 2005, a meeting in 2006, a lunch in 2007. I can 21 actually recall, now I'm looking at this, the fourth 22 one, which is I think reported on page 190 of my book, 23 about when I went to make a speech at a media event and 24 found Rebekah there, she having written a fairly hostile 25 headline about me on that morning.</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 Q. "Blair is doomed"?</p> <p>2 A. That was the one.</p> <p>3 Q. And your wife took it quite well:</p> <p>4 "Great headline, Rebekah."</p> <p>5 A. That's right. As I remember, that was the only time</p> <p>6 I ever saw Rebekah speechless.</p> <p>7 Q. Page 3 of your book. This relates to your son, who was</p> <p>8 staying with you in London. This was coincident with</p> <p>9 the July bombings in 2005.</p> <p>10 A. That's right.</p> <p>11 Q. The reason he was there was he was doing work experience</p> <p>12 with the Sun newspaper and then you say this:</p> <p>13 "His editor, Rebekah Wade, my wife and I had grown</p> <p>14 to know."</p> <p>15 What's your comment on that statement?</p> <p>16 A. I mean, I had met Rebekah on a number of occasions,</p> <p>17 usually through John Stevens or with John Stevens. I'd</p> <p>18 met her, obviously, when I became Commissioner, and</p> <p>19 I have to say when I realised this might be subject to</p> <p>20 discussion here, I checked back with my wife. It's</p> <p>21 interesting that one checks every fact in a book, except</p> <p>22 possibly asking your wife whether that line is true.</p> <p>23 She only met her twice and the second time was the</p> <p>24 "great headline" and the first time was at one of</p> <p>25 John Stevens' leaving events.</p> <p style="text-align: center;">Page 25</p>	<p>1 A. I think it should.</p> <p>2 Q. "... did mean that I got to know some journalists and</p> <p>3 editors."</p> <p>4 I've been asked to enquire of you this: who in</p> <p>5 particular?</p> <p>6 A. I suppose I -- I mean, I would have known the editor of</p> <p>7 the Guardian reasonably well, I would have known the</p> <p>8 editor of the -- a couple of editors at the Times</p> <p>9 reasonably well. One particular one, Will Lewis, was</p> <p>10 the son-in-law of somebody I knew. I would obviously</p> <p>11 have known Rebekah Wade, as she then was -- or Brooks as</p> <p>12 she then was. I think it would be fair to say that --</p> <p>13 and I'd have known Veronica Wadley, the editor of the</p> <p>14 Evening Standard. You would know these people. I knew</p> <p>15 them better than I would know anybody from the broadcast</p> <p>16 media. It's a slightly different relationship, although</p> <p>17 I should say that Mark Thomson is a reasonably close</p> <p>18 neighbour, and therefore a friend.</p> <p>19 Q. Paragraph 27 of your statement has already been leaked,</p> <p>20 of course, but we should cover it nonetheless.</p> <p>21 A. Not by me.</p> <p>22 Q. I'm sure not, Lord Blair. We can be 100 per cent sure</p> <p>23 that it wasn't you.</p> <p>24 You're dealing here, to give the context, you've</p> <p>25 given thought to whether there were any occasions when</p> <p style="text-align: center;">Page 27</p>
<p>1 Q. Neil Wallis you met twice. The one occasion we've</p> <p>2 already seen in 2007, that was Ceconi's, and another</p> <p>3 meeting in 2005, is that correct?</p> <p>4 A. That's correct.</p> <p>5 Q. And Les Hinton, only the one occasion we've seen,</p> <p>6 18 September 2006?</p> <p>7 A. Right.</p> <p>8 Q. Finally the picture as regards meetings with the press,</p> <p>9 I have covered 2005, but it would be fair to say that in</p> <p>10 future years there were fewer meetings. Again, the</p> <p>11 spread seems to be generally across the board, although</p> <p>12 in 2006 to 2008, the Daily Mail you don't have any</p> <p>13 meetings with?</p> <p>14 A. Yes.</p> <p>15 Q. It's the same position with Northern and Star papers,</p> <p>16 not there at all. Do you happen to know why that was</p> <p>17 the case, Daily Express, Sunday Express, Daily Star,</p> <p>18 Sunday Star?</p> <p>19 A. I mean, I don't want to make fresh enemies, but I think</p> <p>20 there was a slight sense that if they wanted to talk to</p> <p>21 me, they could, and at no stage was any advice given to</p> <p>22 me that it would be particularly important.</p> <p>23 Q. Thank you. Paragraph 26, you say:</p> <p>24 "This level of social ..." I think that should say</p> <p>25 "contact" rather than "conduct".</p> <p style="text-align: center;">Page 26</p>	<p>1 contact with journalists and particularly</p> <p>2 News International staff went beyond that which was</p> <p>3 strictly necessary for professional purposes, and you're</p> <p>4 volunteering here two incidents which might be said to</p> <p>5 fall in this category and the first one is the horse</p> <p>6 incident. It's a retired horse lent to a member of the</p> <p>7 public on the basis they would care for the animal, et</p> <p>8 cetera, and obviously bear all the expenses, and you</p> <p>9 understand that some time during your Commissionership</p> <p>10 Rebekah Brooks made such a request and arrangements were</p> <p>11 made for her to take care of a retired MPS horse.</p> <p>12 "Although I am now aware and indeed was aware before</p> <p>13 I left the MPS that this had happened, I have no</p> <p>14 recollection of being asked to give my authority ..."</p> <p>15 How did you become aware of that?</p> <p>16 A. Well, when I wrote this, I had absolutely no idea. It</p> <p>17 was in the ether that there had been something about</p> <p>18 a horse. It was not until I first began to prepare for</p> <p>19 this event that somebody raised the horse in legal</p> <p>20 discussions. I now know, but only in the last 24 hours,</p> <p>21 that somebody who will appear in front of you, who is</p> <p>22 Dick Fedorcio, the head of press, has given an account</p> <p>23 of how I knew. I don't know whether it's correct for me</p> <p>24 to give that here, because I don't recollect it, but he</p> <p>25 does. Is that right for me to say what he's going to</p> <p style="text-align: center;">Page 28</p>

<p>1 say?</p> <p>2 LORD JUSTICE LEVESON: Well, if you think it adds or</p> <p>3 resolves this debate, by all means. I'm not keen to</p> <p>4 spend overly long on this particular incident.</p> <p>5 A. No.</p> <p>6 LORD JUSTICE LEVESON: So if you think that it actually</p> <p>7 helps to provide the context and you don't dispute it,</p> <p>8 I'm very content that you speak about it.</p> <p>9 A. Okay. What I understand Mr Fedorcio will say is that he</p> <p>10 was telephoned by Rebekah Brooks asking about this</p> <p>11 arrangement, that she had heard that this arrangement</p> <p>12 existed, and that then he arranged for her to go down</p> <p>13 and see the inspector in charge of horses and then have</p> <p>14 a discussion about it and this actually seems to have</p> <p>15 happened on the day that I had lunch with her, and what</p> <p>16 I understand Mr Fedorcio is going to say is that this</p> <p>17 was discussed at the lunch. I have absolutely no</p> <p>18 recollection of that.</p> <p>19 LORD JUSTICE LEVESON: Could you help me with this, please:</p> <p>20 is this a big deal?</p> <p>21 A. No.</p> <p>22 LORD JUSTICE LEVESON: I mean, how many horses --</p> <p>23 A. The Met has about 100 horses, of which I assume</p> <p>24 a regular proportion are released, and this is a regular</p> <p>25 event, because the horse is still well but it is not</p> <p style="text-align: center;">Page 29</p>	<p>1 around my office and getting to know the Met and all</p> <p>2 those sorts of things. It was a perfectly normal</p> <p>3 process.</p> <p>4 Q. In paragraph 30, when you're addressing the relevant</p> <p>5 policies on gifts and hospitality, you rightly point out</p> <p>6 there's nothing in the policies to differentiate between</p> <p>7 hospitality from the media and hospitality from other</p> <p>8 organisations. Do you feel that there should be</p> <p>9 something in the policies which differentiates between</p> <p>10 the two?</p> <p>11 A. No, I don't. And I think we will come to that later in</p> <p>12 my statement, about the fact that I'm -- I think I'm</p> <p>13 probably where Paul Condon was yesterday with trying to</p> <p>14 have a broad view of the kind of values of the</p> <p>15 organisation that should exist, rather than the detail</p> <p>16 around very specific elements of media policy. But</p> <p>17 we'll come to that.</p> <p>18 Q. Can I just test it to this extent: if you're talking</p> <p>19 about other organisations, the only risk, and it is only</p> <p>20 a risk, might be financial corruption. We're talking</p> <p>21 about the media, there is a risk of financial</p> <p>22 corruption, we know about Operation Elveden, but there's</p> <p>23 also the risk of these more sort of subtle exchanges,</p> <p>24 quid pro quos, which perhaps should be addressed more</p> <p>25 specifically in policies. Would you agree with that?</p> <p style="text-align: center;">Page 31</p>
<p>1 strong enough to do the work that it's required to do,</p> <p>2 and the Met, I presume, quite understandably, doesn't</p> <p>3 want to put them down. So I think this is quite</p> <p>4 regular.</p> <p>5 In terms of does this help your Inquiry, sir,</p> <p>6 I don't think it does.</p> <p>7 LORD JUSTICE LEVESON: Well, yes. All right.</p> <p>8 MR JAY: Then the other matter you volunteer, which we've</p> <p>9 touched on, is your son doing work experience at the Sun</p> <p>10 newspaper. I suppose the obvious question is: why was</p> <p>11 it the Sun newspaper?</p> <p>12 A. Because that was what -- I must have been talking about</p> <p>13 the fact that my son needed to find something, he was</p> <p>14 about 15 at the time, to do work experience for as part</p> <p>15 of his education, and I think Mr Fedorcio mentioned that</p> <p>16 Paul Condon's son had done work experience at the Sun,</p> <p>17 so I said, "Oh, well, that's the kind of thing that</p> <p>18 would excite most 15-year-olds, so I think that should</p> <p>19 be a good idea". That's all I thought about it.</p> <p>20 Obviously I thought a lot more about it when the bombs</p> <p>21 went off and he was somewhere on public transport around</p> <p>22 London, which I recount in the book.</p> <p>23 But I will say, as I say in the statement, that the</p> <p>24 current debate over internships was not playing at that</p> <p>25 time. I had a whole series of young people interning</p> <p style="text-align: center;">Page 30</p>	<p>1 A. I really am not sure I would. I think that a standard</p> <p>2 of behaviour is expected from senior public servants,</p> <p>3 which should run across the board in that way. I mean,</p> <p>4 as I say in this particular instance, in the subject</p> <p>5 matter of this Inquiry there is this triangular</p> <p>6 relationship and the relationship with the politicians</p> <p>7 is equally important, and I wouldn't want to have a set</p> <p>8 of regulations around one that was different from the</p> <p>9 other. It is about a standard of behaviour, a standard</p> <p>10 of professionalism, and behaving decently.</p> <p>11 Q. Is it your feeling that if you make this too complex,</p> <p>12 and too sort of subdivided into categories, you're</p> <p>13 almost killing the golden goose?</p> <p>14 A. Yeah, I --</p> <p>15 Q. Rather you should keep to more general principles and</p> <p>16 standards of behaviour? Is that what you're saying?</p> <p>17 A. I suppose it's part of my background. The Metropolitan</p> <p>18 Police used to have an enormous book called "General</p> <p>19 orders", long since extinct, but it was a description of</p> <p>20 all the things you shouldn't do. It was all the</p> <p>21 disasters that had happened over the years and how you</p> <p>22 shouldn't do any of them, and I don't think anybody took</p> <p>23 any notice because it was too complex, much to complex.</p> <p>24 It was only a sort of post facto issue that this was the</p> <p>25 particular part of the discipline code you'd breached.</p> <p style="text-align: center;">Page 32</p>

8 (Pages 29 to 32)

<p>1 I'm much more into an aspiration for people to behave 2 well and to be challenged if they don't behave well. 3 Q. Thank you. Paragraph 33 now, Lord Blair. You're 4 dealing with the change in policy and you say: 5 "However, during my time (particularly when I became 6 Commissioner) I do recall that we had a problem with 7 some senior officers commenting on matters which were 8 not their policy responsibility." 9 So is this right: are we talking about officers at 10 management board level primarily? 11 A. And just below. 12 Q. And their commenting on these matters which weren't 13 within their policy responsibility presumably in your 14 view was inappropriate? 15 A. That is correct. 16 Q. Are you able to identify or would you wish to identify, 17 perhaps, today, who those officers were or would you 18 prefer not to? 19 A. Perhaps it would be easier to identify the subject 20 matter which I think led to this. 21 Q. Yes. 22 A. Which was clearly the -- one of the most difficult 23 issues that the Police Service was dealing with at that 24 time was the issue of extended detention for terrorist 25 suspects. We had lengthy discussions at management Page 33</p>	<p>1 never seen before, and that we believed that we were 2 trying to deal with this with some relatively outdated 3 legislation, and one of our concerns was that because -- 4 and I think Peter Clarke said this the other day -- 5 because the level of threat, the level of threat and 6 atrocities was so appalling, we had to move in faster 7 than we would have liked. 8 The classic position on this is the operation in 9 relation to the airliners plot. Had seven or eight 10 airliners blown up over the Atlantic -- I mean, this was 11 Britain's 9/11, to say the least -- but we got ourselves 12 into a place where we had to go and arrest a lot of 13 people much earlier than we wanted to because we 14 couldn't dare to let it run any further, and that left 15 us with a position of trying to sort the wheat from the 16 chaff, having to deal with languages, having to deal 17 with encrypted computers, and we just believed after 18 lengthy discussion that what was necessary was a series 19 of seven-day rolling detention periods and there had to 20 be some maximum of that before it became internment 21 without trial. 22 That was the discussion that we had and we backed 23 the ACPO position, which I think at that stage was to 24 say the maximum had to be 90 days, and that was where 25 I expected my colleagues either to agree with or to Page 35</p>
<p>1 board about what should be the Met's position on that. 2 We discussed that with ACPO, we agreed a position. 3 I expected my senior colleagues to accept that position. 4 I mean, after argument, that is the cabinet message. 5 You argue your case and then you agree that the general 6 consensus is this, and you stay with that cabinet 7 responsibility, and I was very perturbed when one of my 8 management board members, quite some time later, then 9 expressed a completely different view and so did 10 somebody immediately below that level, and that's why 11 that was changed. 12 Q. It may be relevant to evidence we're going to hear later 13 today, but what was cabinet view, management board view, 14 as to the matter of extended detention for terrorist 15 suspects? I think it had been 28 days at the relevant 16 time? 17 A. I think what I would prefer to do, rather than get into 18 the detail of 28, 42, 90 and so on, is to take you again 19 to part of my book where we were discussing with the 20 Prime Minister, at a regular meeting of the cabinet, 21 bits of the cabinet, with the police and the security 22 services, about counter-terrorism, and it was the day 23 after the Prime Minister had lost the vote over 90 days, 24 and the issue was, as I say in my statement, that we 25 were facing a level of terrorist threat which we had Page 34</p>	<p>1 remain silent. 2 LORD JUSTICE LEVESON: Otherwise you just have the police 3 debate in the public. 4 A. Yes, which would be, in my view, unfortunate. 5 MR JAY: You explain that the SOP was changed on 4 June 6 2008. We needn't turn it up, but it's tab A7 of the 7 master bundle. One can see the change writ large. As 8 you explain towards the end of paragraph 33, you wanted 9 officers to "feel confident that they were entitled to 10 talk to the media on the record", in other words, within 11 their area of responsibility. You know that other 12 Commissioners felt the same. "I think our joint concern 13 was about anonymous briefings off the record." 14 So are you covering there in particular senior 15 officers speaking outside the area of responsibility, in 16 effect briefing against the cabinet position? 17 A. I am. 18 Q. Paragraph 35, you deal with the issue of people leaving 19 the MPS and then working for the press and vice versa. 20 You say you've never written for a News International 21 paper. We know about your -- 22 A. I say not for payment. 23 Q. We know about your book. Was that serialised in any 24 newspapers or not? 25 A. Yes, it was interestingly serialised in the Mail on Page 36</p>

<p>1 Sunday.</p> <p>2 Q. Maybe against type there.</p> <p>3 Then you express an opinion, which I've been asked</p> <p>4 to test with you. You say four lines into the next</p> <p>5 page, which is 02762:</p> <p>6 "It is my view that a restriction period of two</p> <p>7 years would be appropriate for all staff ..."</p> <p>8 So is this covering the situation of police officers</p> <p>9 going to work in the media, there should be a two-year</p> <p>10 restriction period preventing them doing that?</p> <p>11 A. I think it is part of the oddity that we were referring</p> <p>12 to earlier on as to how separate the way the Police</p> <p>13 Service has developed has been, that there is no</p> <p>14 restriction on people leaving to go into any part of</p> <p>15 public life, in the sense that another worry would be</p> <p>16 people leaving with a great deal of information about,</p> <p>17 let's say, information technology and communications,</p> <p>18 and then going to work for one of the firms involved in</p> <p>19 bidding for work back into the organisation, and I think</p> <p>20 there is a role here for the Police Service to be</p> <p>21 treated the same as the sort of Ministerial code of</p> <p>22 conduct and the Civil Service code of conduct, about not</p> <p>23 being so restrictive that nobody can work again, but</p> <p>24 having a reasonable period, and I'm throwing two years</p> <p>25 in as a possibility.</p> <p style="text-align: center;">Page 37</p>	<p>1 other businesses. Obviously likely to be linked with</p> <p>2 security issues, because that's their expertise.</p> <p>3 A. Mm.</p> <p>4 LORD JUSTICE LEVESON: But not to do something that might in</p> <p>5 any sense compete with or allow the use of contacts to</p> <p>6 develop opportunities. Is that the position?</p> <p>7 A. I'm not suggesting that officers would necessarily do</p> <p>8 that, but it's a question of how it's seen by the</p> <p>9 public, and we have seen, I think, in other fields very</p> <p>10 senior people leaving various ministries and ending up</p> <p>11 working for defence contractors or whatever, and I think</p> <p>12 the public is rightly concerned by that.</p> <p>13 MR JAY: Can I just test with you what you go on to say in</p> <p>14 this sentence. You say:</p> <p>15 "... I would accept that, because the media staff</p> <p>16 within DPA come from media organisations, they ought to</p> <p>17 be able to return to other media organisations without</p> <p>18 restriction, other than of course the Official Secrets</p> <p>19 Act."</p> <p>20 So you're creating an exception here. Is this</p> <p>21 right: you have two classes of person, you have someone</p> <p>22 in the police who has never worked for the media before,</p> <p>23 there should be a two-year restriction for them, but</p> <p>24 someone within the DPA who may have worked within the</p> <p>25 media before, there shouldn't be any restriction in</p> <p style="text-align: center;">Page 39</p>
<p>1 LORD JUSTICE LEVESON: It's particularly relevant to the</p> <p>2 police, isn't it, because your terms of service are such</p> <p>3 that officers can retire very, very much earlier than</p> <p>4 those coming out of different work in the public sector?</p> <p>5 A. I think that's right, although I would say in the</p> <p>6 defence of the police --</p> <p>7 LORD JUSTICE LEVESON: I wasn't criticising it --</p> <p>8 A. No, no, sir, I wasn't suggesting you were, it's just the</p> <p>9 defence of the police is only that the way the pensions</p> <p>10 have rather oddly been constructed makes it a financial</p> <p>11 almost imperative to leave, as you are worth less money</p> <p>12 as the years roll by, so that's one of the reasons that</p> <p>13 sits behind this, which I know Mr Windsor is considering</p> <p>14 in his approach to police pay and conditions.</p> <p>15 LORD JUSTICE LEVESON: But does your restriction cross all</p> <p>16 ranks and all sectors or --</p> <p>17 A. I don't think so. I mean I think we're talking here</p> <p>18 about senior staff who have access to the most sensitive</p> <p>19 and detailed information. I mean, I haven't thought</p> <p>20 through how far down that goes, I would want to see what</p> <p>21 the other codes were in other parts of life, and</p> <p>22 I certainly wouldn't want to see it being, in a sense,</p> <p>23 much more restrictive on the police than anybody else,</p> <p>24 because I think that would be wrong, too.</p> <p>25 LORD JUSTICE LEVESON: So that's police officers going into</p> <p style="text-align: center;">Page 38</p>	<p>1 relation to that?</p> <p>2 A. It just seemed to me I couldn't imagine how you could</p> <p>3 put a restriction on someone recruited from the</p> <p>4 Daily Mirror, because that's how it works, who then</p> <p>5 couldn't go back to the Sunday Times. That is his or</p> <p>6 her profession. I think there's a slight difference.</p> <p>7 Again I'm not trying to make policy on the hoof, I just</p> <p>8 think there is a discussion to have about whether --</p> <p>9 LORD JUSTICE LEVESON: That raises the next level of</p> <p>10 question, namely from whom you should be recruiting for</p> <p>11 your DPA, given the likelihood of enormous links that</p> <p>12 might work backwards into the news organisations, into</p> <p>13 press organisations.</p> <p>14 A. It does raise that question, sir, but it's a question</p> <p>15 that would have to be faced directly, because if they</p> <p>16 don't have experience of the media, how good are they</p> <p>17 going to be to you as press officers? And I think that</p> <p>18 would be pretty difficult.</p> <p>19 LORD JUSTICE LEVESON: What does the government do?</p> <p>20 A. I think the government -- actually the answer is I do</p> <p>21 not know.</p> <p>22 LORD JUSTICE LEVESON: Neither do I.</p> <p>23 MR JAY: So your exception for the DPA is really a pragmatic</p> <p>24 exception, it's not based on principle; is that right?</p> <p>25 A. No, I think it's also about -- I think that could be</p> <p style="text-align: center;">Page 40</p>

<p>1 termed a restriction of trade pretty quickly.</p> <p>2 Q. The two high-profile cases you mention in paragraph 37</p> <p>3 are of course Lord Stevens and Mr Hayman?</p> <p>4 A. That's right.</p> <p>5 Q. The section on politicians, there's probably a little we</p> <p>6 need to bring out here, although would it be fair to say</p> <p>7 that, quite properly, politicians were lobbying you or</p> <p>8 seeking to influence you to take particular courses of</p> <p>9 action?</p> <p>10 A. I think that is fair. It is quite proper, because if</p> <p>11 a politician has come into office having run an</p> <p>12 electoral campaign to do something, then they're</p> <p>13 entitled to ask the public service to do that. Where it</p> <p>14 becomes more difficult is if they're asking that</p> <p>15 something is removed from something else and put over</p> <p>16 there, that is then a much broader discussion.</p> <p>17 What is not proper is what's in the following</p> <p>18 paragraph, which is a direct intervention in individual</p> <p>19 cases, individual decisions to open, close, et cetera,</p> <p>20 is not normally proper, although I mean it can be, as</p> <p>21 I explain in the paragraph.</p> <p>22 Q. I think we understand that, Lord Blair.</p> <p>23 The issue of leaks really picks up on evidence</p> <p>24 you've already given, but paragraph 43 you say:</p> <p>25 "[You] did feel that there were an increasing number</p> <p style="text-align: center;">Page 41</p>	<p>1 I find it inconceivable that senior colleagues would</p> <p>2 be taking money directly in this day and age. I just</p> <p>3 don't think that is possible.</p> <p>4 Q. When you refer to an increasing number of leaks, are you</p> <p>5 intending to convey that it was very few people amongst</p> <p>6 your senior colleagues who were perpetrating those</p> <p>7 leaks, but in their case there is was a large number, or</p> <p>8 are you saying that it was quite a few people --</p> <p>9 A. No, I think I'm saying it was a very few people.</p> <p>10 Q. You explore their motivation, their indiscretion, as you</p> <p>11 put it:</p> <p>12 "... a desire to advance their own views in the</p> <p>13 public mind ..."</p> <p>14 Well, this covers the issue of briefing against the</p> <p>15 cabinet position.</p> <p>16 A. Yes.</p> <p>17 Q. But then you say:</p> <p>18 "... or to improve their own public profile."</p> <p>19 That may be something different.</p> <p>20 A. I think so. We are, in these series of paragraphs --</p> <p>21 I am, in these series of paragraphs, dealing with the</p> <p>22 whole reason why I believe some colleagues became too</p> <p>23 involved with the media, and I mention, I think, the</p> <p>24 phrase in another paragraph about a siren song.</p> <p>25 I just think people became slightly less clear than</p> <p style="text-align: center;">Page 43</p>
<p>1 of leaks to the media, particularly in my time as</p> <p>2 Commissioner."</p> <p>3 These are the leaks you are referring to from within</p> <p>4 management board and the level just below, is that</p> <p>5 clear?</p> <p>6 A. That's right, yeah.</p> <p>7 Q. You say:</p> <p>8 "On no occasion did I ever suspect that any of my</p> <p>9 senior colleagues were passing on information to</p> <p>10 journalists for money ..."</p> <p>11 You're dealing with your state of mind then. Is it</p> <p>12 still your view that none of your senior colleagues were</p> <p>13 passing on information for money?</p> <p>14 A. That certainly is my view.</p> <p>15 Q. You're differentiating there between senior colleagues</p> <p>16 and those at lower levels in the hierarchy who may be</p> <p>17 the subject of interest to Operation Elveden; is that</p> <p>18 correct?</p> <p>19 A. Yes. I mean, before making this statement, I took the</p> <p>20 precaution of asking in the broadest possible terms with</p> <p>21 Operation Elveden as to whether my suggestion that I was</p> <p>22 not likely to see a large number of arrests of</p> <p>23 colleagues and that those that were arrested were likely</p> <p>24 to be of junior rank, and that is the assurance I have</p> <p>25 been given as of a few weeks ago.</p> <p style="text-align: center;">Page 42</p>	<p>1 they should have been about what their professional duty</p> <p>2 was as opposed to spending time, frankly, gossiping.</p> <p>3 Q. We may come back to that point at the end of your</p> <p>4 evidence. You explain --</p> <p>5 LORD JUSTICE LEVESON: So gossiping may be accidental leaks,</p> <p>6 just --</p> <p>7 A. I'm actually using the term -- I think there were too</p> <p>8 many meetings with journalists which were unrecorded and</p> <p>9 unnecessary.</p> <p>10 MR JAY: One witness who we're going to hear from today</p> <p>11 speaks of meetings between journalists and senior</p> <p>12 officers, and he in fact names them, in a wine bar close</p> <p>13 to New Scotland Yard. Is that something you knew about?</p> <p>14 A. I certainly know about the occasional wine bar close to</p> <p>15 Scotland Yard. I'm not sure I should mention that.</p> <p>16 Q. That's fair enough. The difficulties in conducting leak</p> <p>17 inquiries, of course, are well-known, but I've been</p> <p>18 asked to put to you this questions in relation to the</p> <p>19 final sentence of paragraph 44, where you say:</p> <p>20 "The only proper way to deal with such inquiries is</p> <p>21 through the examination of telephone records, a highly</p> <p>22 intrusive process for conduct which is disciplinary</p> <p>23 rather than criminal."</p> <p>24 Two points there, Lord Blair. The first is that the</p> <p>25 leak may, in certain circumstances, be criminal. Would</p> <p style="text-align: center;">Page 44</p>

<p>1 you accept that?</p> <p>2 A. I certainly do, yes.</p> <p>3 Q. But even if it's only disciplinary, of course it is</p> <p>4 highly intrusive, but if one is looking at the telephone</p> <p>5 billing records in relation to a mobile phone which is</p> <p>6 paid for by the Metropolitan Police, why is that</p> <p>7 inappropriate?</p> <p>8 A. Under certain circumstances it is appropriate, and</p> <p>9 I think when we come to the case of Mr Hayman, he was</p> <p>10 caught up in a proper criminal inquiry into leaks</p> <p>11 arising from the case in Birmingham of the alleged --</p> <p>12 well, not alleged, proven -- conspiracy to kidnap</p> <p>13 a Muslim soldier and then behead him and post the</p> <p>14 beheading on the Internet, and the story broke in the</p> <p>15 media extremely early, I mean so early that there was an</p> <p>16 inquiry into how could that possibly have got there.</p> <p>17 That inquiry was conducted, telephone records were</p> <p>18 examined. And so, yes, there are circumstances under</p> <p>19 which that is entirely appropriate.</p> <p>20 I'm not suggesting in that answer that Mr Hayman was</p> <p>21 found to have done anything improper about that inquiry,</p> <p>22 but his telephone records were examined and gave me the</p> <p>23 cause for concern that I report in my book.</p> <p>24 Q. Page 239, Lord Blair:</p> <p>25 "A high volume of traffic on his telephone to</p> <p style="text-align: center;">Page 45</p>	<p>1 Peter Clarke's evidence that there was one of these</p> <p>2 which was conducted under the Official Secrets Act,</p> <p>3 which actually related to -- which ended -- which</p> <p>4 I haven't mentioned in here, which I mentioned ended in</p> <p>5 full-scale conviction and imprisonment, and I think he</p> <p>6 gave evidence of that to you earlier on, so I think</p> <p>7 that's another angle, but that was a very unusual case,</p> <p>8 I have to say.</p> <p>9 Q. I've been asked to clarify it with you what "local</p> <p>10 resolutions" means in the penultimate line of</p> <p>11 paragraph 45.</p> <p>12 A. A local resolution is probably being called in --</p> <p>13 I think the phrase is "for a discussion without coffee".</p> <p>14 Q. Yes. Thank you.</p> <p>15 Bribery by the media, you've covered that. The</p> <p>16 individuals will be of relatively low rank. I suppose</p> <p>17 you would say this is common sense, really, that</p> <p>18 financial enticements would be greater to those perhaps</p> <p>19 not being paid as much as senior officers, or are you</p> <p>20 making a different point?</p> <p>21 A. Well, I think what you've said there is true, but</p> <p>22 I think there are two other points. The second is that</p> <p>23 when we did an analysis some years ago of what the</p> <p>24 nature of corruption problem being faced by the Met was,</p> <p>25 it was reasonably clear that we had broken network</p> <p style="text-align: center;">Page 47</p>
<p>1 telephone numbers identified to be those of</p> <p>2 journalists."</p> <p>3 A. That's correct, although I gather he did explain that he</p> <p>4 still retained a post in relation to ACPO's media</p> <p>5 advisory chair. I'm not sure I find that sufficient in</p> <p>6 this case.</p> <p>7 Q. The journalists, presumably, were identified by name,</p> <p>8 were they?</p> <p>9 A. Yes.</p> <p>10 Q. Do you remember who they were?</p> <p>11 A. I think it would be wrong now to try and recapture an</p> <p>12 event five years ago or six years ago. I mean, I can</p> <p>13 remember one or two names, but it would be wrong,</p> <p>14 I think, to say that.</p> <p>15 LORD JUSTICE LEVESON: Given the general way in which we're</p> <p>16 conducting this Inquiry, I don't think it's appropriate</p> <p>17 to go down the --</p> <p>18 A. Yes.</p> <p>19 MR JAY: Tempting though it is, I won't pursue that further.</p> <p>20 You deal in paragraph 45 with the statistics in</p> <p>21 relation to leak investigations, and I think that</p> <p>22 evidence speaks to itself --</p> <p>23 A. If I may --</p> <p>24 Q. Yes, of course.</p> <p>25 A. -- Mr Jay, I should just mention that I was reminded by</p> <p style="text-align: center;">Page 46</p>	<p>1 corruption of networks of officers, but the individuals</p> <p>2 were still out there, and one of the trades was</p> <p>3 information, and information -- sitting in front of</p> <p>4 computers and so on is more likely to be somebody of</p> <p>5 a lower rank and quite often not a police officer, but</p> <p>6 a police employee.</p> <p>7 But I think also, most importantly of all is that</p> <p>8 senior officers have been through a long process of</p> <p>9 training and of inculcation of organisational values and</p> <p>10 I would be very concerned if I was seeing that senior</p> <p>11 officers were amenable to corruption in the same way as</p> <p>12 somebody else, somebody more junior. We would have</p> <p>13 failed.</p> <p>14 Q. Paragraph 49, you say that financial corruption doesn't</p> <p>15 lie at the heart of the problem:</p> <p>16 "I believe that where that problem may have become</p> <p>17 significant is that a very small number of relatively</p> <p>18 senior officers increasingly became too close to</p> <p>19 journalists, not I believe for financial gain but for</p> <p>20 the enhancement of their reputation and for the sheer</p> <p>21 enjoyment of being in a position to share and divulge</p> <p>22 confidences."</p> <p>23 So this, is this right, Lord Blair, links back to</p> <p>24 paragraph 43, to the media leaks by senior colleagues,</p> <p>25 and it goes back to paragraph 33, which is people</p> <p style="text-align: center;">Page 48</p>

12 (Pages 45 to 48)

<p>1 travelling outside the area of --</p> <p>2 A. Yes.</p> <p>3 Q. -- their cabinet responsibility, as it were. Is this</p> <p>4 the constant theme?</p> <p>5 A. I think it is, and I think what I'm trying to describe</p> <p>6 here, am describing here, is police officers behaving in</p> <p>7 a relatively human way. I mean, this is -- it's</p> <p>8 natural, in a sense, to -- otherwise gossip would not</p> <p>9 exist in the world -- for people to talk about their</p> <p>10 colleagues and all the other things that people talk</p> <p>11 about in office politics and so on, and what I'm saying</p> <p>12 here is that some people, in my view, are likely to have</p> <p>13 made the mistake of moving outside the world of office</p> <p>14 gossip to have that discussion with journalists in some</p> <p>15 instances.</p> <p>16 I make the reference to politicians because I have</p> <p>17 heard politicians saying awful things about other</p> <p>18 politicians in front of me, somebody who isn't</p> <p>19 a politician. So it seems to be a natural human habit,</p> <p>20 but we ought to stop it.</p> <p>21 Q. The context is important, too, the geographical context,</p> <p>22 because if this is a social occasion over alcohol, then</p> <p>23 the sort of phenomenon you're describing is more likely</p> <p>24 to occur?</p> <p>25 A. Correct.</p> <p style="text-align: center;">Page 49</p>	<p>1 Q. Can I ask you to deal with the issue of the director of</p> <p>2 the DPA being a member of the management board? Does it</p> <p>3 follow from that that he -- for a large number of years,</p> <p>4 of course, it was Mr Fedorcio -- would have been present</p> <p>5 at all these cabinet discussions, "cabinet" in inverted</p> <p>6 commas?</p> <p>7 A. Unless he was on leave, yes.</p> <p>8 Q. So he had access to all the workings and deliberations</p> <p>9 of the management board by definition; is that right?</p> <p>10 A. Yes.</p> <p>11 Q. I've been asked to put to you this: why was that</p> <p>12 appropriate?</p> <p>13 A. I suppose -- this is an interesting question. It had</p> <p>14 been thus for a very long time, going Commissioner after</p> <p>15 Commissioner after Commissioner backwards, that the head</p> <p>16 of the directorate had been a member of whatever the</p> <p>17 group was called, it was at one stage being called by</p> <p>18 various names, but the senior leadership group.</p> <p>19 While, as I said in answer to earlier questions,</p> <p>20 I had been slightly concerned to not spend so much time</p> <p>21 on the press, it was still an important aspect, and he</p> <p>22 of course was not only in charge of press but he was</p> <p>23 also in charge of internal communications, and one of</p> <p>24 the things I haven't said, which I would like to put in,</p> <p>25 is that one of the reasons that any Commissioner is</p> <p style="text-align: center;">Page 51</p>
<p>1 Q. That's self-evident.</p> <p>2 Do you believe that this overcosiness or over-great</p> <p>3 proximity, contributed in any way towards a reluctance</p> <p>4 to pursue media crime?</p> <p>5 A. I don't think so. I have never come across anything</p> <p>6 that suggested that. I am aware of a corruption</p> <p>7 allegation that we pursued against a senior journalist.</p> <p>8 It didn't come to anything, but there was no hesitation</p> <p>9 in employing relatively sophisticated criminal</p> <p>10 investigative techniques against a reasonably prominent</p> <p>11 journalist where we thought he was passing information</p> <p>12 in an improper way. So, no, I don't think that's the</p> <p>13 case.</p> <p>14 Q. The phone hacking issue is yet to be discussed,</p> <p>15 Lord Blair. I'll be coming to that fairly soon.</p> <p>16 But paragraph 52, the directorate of public affairs:</p> <p>17 "... the DPA acted almost without exception as</p> <p>18 a gatekeeper for media being given access to me."</p> <p>19 You're suggesting there that journalists didn't have</p> <p>20 access to you via your personal mobile phone, so the DPA</p> <p>21 had to be the gatekeeper, because that was appropriate;</p> <p>22 is that basically what you --</p> <p>23 A. Absolutely the case, yes. I mean, not even the</p> <p>24 journalists who were shadowing me had my mobile</p> <p>25 telephone number.</p> <p style="text-align: center;">Page 50</p>	<p>1 going to want to talk to the press is in order to talk</p> <p>2 to his or her own staff, who themselves are</p> <p>3 sophisticated consumers of the media. So the Evening</p> <p>4 Standard and other papers were a very important aspect</p> <p>5 of communicating to the 53,000 people who worked in the</p> <p>6 Met who, by some strange coincidence, didn't believe</p> <p>7 everything they read in the Force's official newspaper.</p> <p>8 Q. Do you mind if I ask you this blunt question: did you</p> <p>9 ever suspect that Mr Fedorcio was the source of leaks?</p> <p>10 A. I don't think it would be fair to say that. At the</p> <p>11 time. I am concerned by the evidence that Mr Paddick</p> <p>12 gave about his conversations with Mr Hyder to you</p> <p>13 earlier on about Dick briefing against me, so</p> <p>14 I obviously have to reflect on that. I mean, I am</p> <p>15 somebody who pretty much wishes to trust the people</p> <p>16 around me, because otherwise you just cannot operate.</p> <p>17 I think those are questions you'll have to put to</p> <p>18 Mr Fedorcio.</p> <p>19 Q. In paragraph 55, where you say --</p> <p>20 LORD JUSTICE LEVESON: I'm sorry, just before you go on to</p> <p>21 that, you throw out the line that the 53,000 members of</p> <p>22 staff don't necessarily believe what they read in the</p> <p>23 Force newspaper, but if it's the same people who are</p> <p>24 providing this information, I mean -- I would be rather</p> <p>25 disturbed about that, but maybe I shouldn't be.</p> <p style="text-align: center;">Page 52</p>

<p>1 A. Sorry, I'm probably being a little light-humoured here.</p> <p>2 I think it would be fair to say that most of the</p> <p>3 internal communications, newspapers, produced by any</p> <p>4 company or business are designed to throw the best light</p> <p>5 on that business. The Job, as it's called, the internal</p> <p>6 Met newspaper, has lots and lots of pictures of police</p> <p>7 officers doing wonderful things and getting medals and</p> <p>8 all the rest of it. I think people will see that for</p> <p>9 what it is, which is a set of good pieces of information</p> <p>10 being provided to the people of the organisation, but</p> <p>11 they'll also want to contextualise that and triangulate</p> <p>12 it from outside. I'm not suggesting there's any lies in</p> <p>13 there, sir.</p> <p>14 LORD JUSTICE LEVESON: No, no, no, I wasn't suggesting you</p> <p>15 were. It's really nothing to do with me, I'm just</p> <p>16 following your evidence, but actually communicating how</p> <p>17 you cope with the bad news, if you see your staff as the</p> <p>18 best ambassadors for the Met that there are, may be</p> <p>19 a good idea. I mean, I appreciate --</p> <p>20 A. No, I kept The Job when lots of people said we should</p> <p>21 get rid of it. I said no, that's part of the picture</p> <p>22 too, part of the tapestry. One of things I also</p> <p>23 introduced, because technology had got to that point,</p> <p>24 was my own broadcasts to staff, so I would do maybe most</p> <p>25 months a sort of conversation from the Commissioner</p> <p style="text-align: center;">Page 53</p>	<p>1 mentioning, we've identified Mr Hayman, we haven't</p> <p>2 identified anybody else. Are you referring to anybody</p> <p>3 who is still a serving officer in the Metropolitan</p> <p>4 Police?</p> <p>5 A. No.</p> <p>6 Q. I think that's as far as I can take it.</p> <p>7 Prosecution of Goodman/Mulcaire, the section</p> <p>8 beginning page 02770, paragraph 57. You gave evidence</p> <p>9 to the Select Committee about this, I'm not going to</p> <p>10 take you to that evidence, but you give the background</p> <p>11 in paragraph 58, which we've heard very clearly from</p> <p>12 Mr Clarke, namely the ongoing terrorist threat which was</p> <p>13 extremely serious at this time.</p> <p>14 Can I ask you about paragraph 59. You say you were</p> <p>15 "told, at different times, that there had been a breach</p> <p>16 of the security of one or more of the Royal Princes'</p> <p>17 telephones". First of all, do you remember being told</p> <p>18 that before the arrest of Goodman/Mulcaire, which was</p> <p>19 8 August 2006?</p> <p>20 A. Yes, I think it was before the arrests. I think the</p> <p>21 fact that the inquiry was under way -- and if I -- and</p> <p>22 I have used here the phrase, if I may correct it, of</p> <p>23 "one or more of the Royal Princes' telephones". As</p> <p>24 I understand it now, having looked at it more, it's an</p> <p>25 aide to the Royal Princes, I think that's the position,</p> <p style="text-align: center;">Page 55</p>
<p>1 about how I saw things. I mean, we're all trying to get</p> <p>2 as much information in to the staff so that they can be,</p> <p>3 as you put it, the best ambassadors.</p> <p>4 LORD JUSTICE LEVESON: All right.</p> <p>5 A. That's what I was saying. But things like the Evening</p> <p>6 Standard, it's also important that my staff are reading</p> <p>7 those on the tube and hearing at least something about</p> <p>8 the Met from a slightly objective angle.</p> <p>9 LORD JUSTICE LEVESON: All right. I'm sorry, Mr Jay.</p> <p>10 MR JAY: Paragraph 55, Lord Blair, the journalists</p> <p>11 attempting to cultivate direct telephone contacts with</p> <p>12 some officers and "some officers foolishly allowed that</p> <p>13 on an extensive scale". These presumably are the same</p> <p>14 senior officers who you are referring to throughout your</p> <p>15 statement; is that correct?</p> <p>16 A. That's right.</p> <p>17 Q. I'm going to move now to the Goodman and Mulcaire</p> <p>18 matter. May that be an appropriate moment for a short</p> <p>19 break?</p> <p>20 LORD JUSTICE LEVESON: Yes. We'll just have a few minutes</p> <p>21 to give the shorthand writer a break. Thank you.</p> <p>22 (11.24 am)</p> <p>23 (A short break)</p> <p>24 (11.30 am)</p> <p>25 MR JAY: Lord Blair, the senior officers you were</p> <p style="text-align: center;">Page 54</p>	<p>1 but I was aware there was a breach of security in the</p> <p>2 royal household.</p> <p>3 Q. I think there was some evidence to the Select Committee</p> <p>4 which Mr Williams gave, that it may have encompassed</p> <p>5 their telephones as well.</p> <p>6 A. My sense is I do not know that.</p> <p>7 Q. But I mean that's a detail. Certainly the primary</p> <p>8 targets were the two or three aides, as you put it. So</p> <p>9 you believe you were told that before the arrests?</p> <p>10 A. I believe that I was told, as I look back at it, that</p> <p>11 I would have been told that an investigation was under</p> <p>12 way.</p> <p>13 Q. As you explain at the end of paragraph 58, the only</p> <p>14 reason you were told that was because it was the royal</p> <p>15 princes, otherwise this would not have entered your</p> <p>16 radar at all; is that right?</p> <p>17 A. I don't imagine that it would have done.</p> <p>18 Q. Can I ask you, please, about the substance of what you</p> <p>19 were told. Was the basic modus operandi explained to</p> <p>20 you, namely: you hacked into voicemails by getting PIN</p> <p>21 numbers, a bit of blagging en route?</p> <p>22 A. I don't think in the early stages -- and I really am</p> <p>23 here recollecting as best I can because my recollection</p> <p>24 has been overlaid by so many reiterations of this</p> <p>25 story -- but I think at the beginning it really wasn't</p> <p style="text-align: center;">Page 56</p>

<p>1 clear how it had been done.</p> <p>2 One of the things I remember being struck by at the</p> <p>3 time was that this was an offence of which nobody had</p> <p>4 ever really heard. It wasn't a direct interception of</p> <p>5 an ongoing, two-way telephone call, which was illegal</p> <p>6 under lots of provisions; this was something different,</p> <p>7 and I don't think people were very clear as to (a) how</p> <p>8 it was done, and then, as you're aware, there was</p> <p>9 a discussion about whether it was an offence at all.</p> <p>10 LORD JUSTICE LEVESON: Well, it was clearly always an</p> <p>11 offence. It was a question of how many offences,</p> <p>12 because there was a Computer Misuse Act offence.</p> <p>13 A. Yes, I think at the beginning there were even</p> <p>14 discussions about were we clear this was a criminal</p> <p>15 offence, but if other people know that that didn't</p> <p>16 happen, then I won't push that forward.</p> <p>17 MR JAY: Were the potential security implications of this</p> <p>18 explained to you, particularly in the context of the</p> <p>19 cabinet ministers' voicemail being hacked into?</p> <p>20 A. I don't recollect that, but I will come to the</p> <p>21 conversation with Mr Blunkett in a minute, but perhaps</p> <p>22 that's a slightly later period.</p> <p>23 Q. Yes. Were you given any sense, particularly after</p> <p>24 8 August, of how prevalent or widespread, rather, this</p> <p>25 activity had been?</p> <p style="text-align: center;">Page 57</p>	<p>1 south east England to deal with what he was dealing</p> <p>2 with, and therefore the decision was taken to close</p> <p>3 down.</p> <p>4 My position would be this: it would have been</p> <p>5 possible for him to take a different decision. I see</p> <p>6 the reasonableness of his decision, but it would have</p> <p>7 been possible to make a different decision, which would</p> <p>8 have been to escalate it up to those parts of the</p> <p>9 organisation who could take a different decision, and</p> <p>10 had that happened, and had there been an explanation</p> <p>11 through Andy Hayman or Peter Clarke to either the Deputy</p> <p>12 Commissioner, probably in the first instance, or myself,</p> <p>13 then I think we might have taken a decision to say,</p> <p>14 "Okay, we can't deal with this at the moment, but we</p> <p>15 will hand it over, now it no longer concerns the royals,</p> <p>16 to potentially the specialist crime directorate for</p> <p>17 a scoping study in due course." That is a possible set</p> <p>18 of decisions that could have been made.</p> <p>19 Of course, it's equally possible that I could have</p> <p>20 taken the same decision as Peter. It's equally possible</p> <p>21 that, had we done so, and then turned up at the News of</p> <p>22 the World, we'd have had a bit of a row with them and we</p> <p>23 wouldn't have got very much co-operation. Whether what</p> <p>24 has now been uncovered would have been uncovered is</p> <p>25 another matter altogether, but I do think there is an</p> <p style="text-align: center;">Page 59</p>
<p>1 A. No, I was not.</p> <p>2 Q. Were you given any sense of although this was quite</p> <p>3 a sophisticated technique, it was likely to be</p> <p>4 a technique which others -- that's to say other than</p> <p>5 Mr Mulcaire -- might have been practising?</p> <p>6 A. No, I was not.</p> <p>7 Q. It's a difficult question, because I'm putting to you</p> <p>8 a counterfactual, but had you been briefed as to the</p> <p>9 probable extent of this, both in terms of numbers of</p> <p>10 victims and numbers of people who were perpetrating</p> <p>11 this, would your reaction have been different? And if</p> <p>12 so, what would you have done, if anything?</p> <p>13 A. Yes, I think it would, and I just want to turn now to</p> <p>14 this point, because I think it's very important. In</p> <p>15 evidence to you and in conversations with me at</p> <p>16 different stages, I am clear that Peter Clarke took</p> <p>17 a totally reasonable decision within his own boundaries</p> <p>18 of responsibility. He took a reasonable decision that</p> <p>19 he did not have the resources in the light of everything</p> <p>20 else that specialist operations were dealing with to</p> <p>21 take this case further. It was unnecessary to take this</p> <p>22 case further in terms of a criminal conviction.</p> <p>23 I also took note of his comments to this Inquiry</p> <p>24 that he had already begged and borrowed officers not</p> <p>25 only from all over the rest of the Met, but all over</p> <p style="text-align: center;">Page 58</p>	<p>1 issue here that I as the Commissioner at the time feel</p> <p>2 we could have done things slightly differently, but</p> <p>3 I would emphasise that I can understand where Peter was</p> <p>4 coming from at that point.</p> <p>5 LORD JUSTICE LEVESON: I think I made that abundantly clear</p> <p>6 when he gave evidence --</p> <p>7 A. Yes, you did, sir.</p> <p>8 LORD JUSTICE LEVESON: -- that the extent of the terrorist</p> <p>9 threat at the time provided a demand upon his resources</p> <p>10 which it was inevitable he had to satisfy, and decisions</p> <p>11 that might have been taken slightly differently in</p> <p>12 a different time were entirely justifiable, and I think</p> <p>13 I said that to him and I'm happy to repeat it to you.</p> <p>14 Of course, one of the problems is the higher up the</p> <p>15 organisation you get, the less you know.</p> <p>16 A. Correct.</p> <p>17 LORD JUSTICE LEVESON: And the concern that I have expressed</p> <p>18 is around the extent of the information that actually</p> <p>19 was considered by those who were making decisions, in</p> <p>20 particular -- I mean, I notice you mention that you</p> <p>21 found out in late 2006 that -- no, late on in your</p> <p>22 Commissionship, after 2006, you were told that your</p> <p>23 numbers were in the Mulcaire file.</p> <p>24 A. That's right.</p> <p>25 LORD JUSTICE LEVESON: Now, I won't put words in your mouth.</p> <p style="text-align: center;">Page 60</p>

15 (Pages 57 to 60)

<p>1 What was your reaction to being told that when you were 2 told it?</p> <p>3 A. Well, it's interesting to think of what -- I'm going to 4 rephrase it and put it that my reaction to it if I'd 5 been told at the time would have been real concern, and 6 then secondly I might have asked more about what else do 7 we know? When it was all over and it had, you know, 8 vanished into the distance, it -- you know, I had no 9 evidence that I had ever been hacked, I had no evidence 10 that anything that I had said on a telephone or been 11 said to me or whatever had appeared in some different 12 source, so I suppose I just put it down to experience 13 and --</p> <p>14 LORD JUSTICE LEVESON: But --</p> <p>15 A. -- you know, that is a question that I can't fathom in 16 this sense, other than to say -- this is an odd comment 17 to make -- here is a memoir about years in office, and 18 phone hacking isn't mentioned.</p> <p>19 LORD JUSTICE LEVESON: But did you ask the question, "Well, 20 hang on, if me ..."</p> <p>21 A. That's precisely what I didn't do.</p> <p>22 LORD JUSTICE LEVESON: "... who else?"</p> <p>23 A. I am saying that that is the first sort of indication 24 that perhaps there was a wider group than I had thought. 25 I think I just literally said, "Oh, really?" and --</p> <p style="text-align: center;">Page 61</p>	<p>1 considered and bequeathed to a different directorate and 2 you mentioned the serious crime directorate. Over what 3 timescale might this have taken place? Because you're 4 suggesting that it wouldn't have happened immediately.</p> <p>5 A. At the period of August through to January/February of 6 that year, I don't think it would have been considered. 7 Not on what I knew or what maybe my deputy knew or 8 something like that -- had he known, I'm not saying he 9 did, but we have cold case reviews, we understand that 10 we can go back to investigations. It could have been 11 taken out and parked.</p> <p>12 I just do want to get across that I am not -- as you 13 have done, sir -- we're not blaming Peter for this. 14 I am merely saying another course of action could have 15 been taken, and perhaps at that stage the information 16 would have come out about there being lots more names 17 and indications of a lot more people involved and then 18 things would have been very different.</p> <p>19 Q. But is this right, Lord Blair, that the decision to 20 review the matter or to open up the inquiry would 21 probably have had to have been taken either at Deputy 22 Commissioner or Commissioner level?</p> <p>23 A. It would have been -- to transfer it to another 24 directorate would have -- if that directorate had 25 objected, which it might well have done at that stage,</p> <p style="text-align: center;">Page 63</p>
<p>1 because we were dealing with all sorts of horrors at the 2 time, so I just suppose I sort of thought, well, the two 3 people have been arrested, that's it then. I had no 4 comment further to make.</p> <p>5 LORD JUSTICE LEVESON: You see, that's the issue for me.</p> <p>6 A. Yes, of course.</p> <p>7 LORD JUSTICE LEVESON: And it's relevant for me because, of 8 course, it has been suggested: oh, well, this is because 9 there's a relationship and therefore ...</p> <p>10 A. Yes.</p> <p>11 LORD JUSTICE LEVESON: Now I will have to deal with that and 12 I will deal with it, but what I'm trying to get to grips 13 with is how it actually happened, because it certainly 14 seems that some of the people whose names are on the 15 list -- we have heard about those contained within 16 witness protection -- are disturbing, to say the very 17 least.</p> <p>18 A. I am agreeing with you, sir. I merely am reporting how 19 it happened and when it happened in relation to myself 20 and at that stage I didn't ask the question which now 21 looks so obvious, as to how many other people there 22 were.</p> <p>23 LORD JUSTICE LEVESON: Well, yes.</p> <p>24 MR JAY: You said, dealing with the hypothetical question 25 I put to you: in due course this might have been</p> <p style="text-align: center;">Page 62</p>	<p>1 that would have had to have been decided by the Deputy 2 Commissioner or Commissioner, that's what they're for, 3 but normally it would have been a matter of people just 4 agreeing, "Yes, I can see that, I know you're not going 5 to be able to take it, but I can take it a bit later 6 on."</p> <p>7 Q. So the first discussion, hypothetically, would have been 8 between Assistant Commissioner Hayman and the relevant 9 Assistant Commissioner in charge of the directorate?</p> <p>10 A. I would have -- yes. We are talking entirely 11 hypothetically, but that's what I would imagine.</p> <p>12 Q. If that hadn't yielded fruit because the other Assistant 13 Commissioner didn't want to take the bequest, up it 14 would have gone to the Deputy Commissioner?</p> <p>15 A. Yes, that could have happened.</p> <p>16 Q. I see. Can you remember -- I appreciate this is 17 difficult -- what Assistant Commissioner Hayman told 18 you, if anything, about the number of victims and the --</p> <p>19 A. No. I think the important point to recognise at this 20 stage in August 2006 is any conversation with either 21 Andy Hayman or Peter Clarke -- and I did have many -- 22 would have been absolutely dominated by the airliners 23 plot. I mean, we had, as I will talk about in a minute 24 in relation to Mr Blunkett, we had closed Heathrow 25 airport in the middle of the holiday season, we knew the</p> <p style="text-align: center;">Page 64</p>

16 (Pages 61 to 64)

<p>1 gravity of the threat, there was enormous public unease.</p> <p>2 We had huge pressures on the investigators, we had woods</p> <p>3 in High Wycombe being dug up all over the place and it</p> <p>4 really was the only show in town.</p> <p>5 Therefore any conversation about this would have</p> <p>6 been way back on the agenda and relatively short,</p> <p>7 particularly because the matter was being successfully</p> <p>8 dealt with and closed down, and that was how it was --</p> <p>9 I understood it to be.</p> <p>10 Q. Do you recall being briefed about the guilty pleas in</p> <p>11 November 2006?</p> <p>12 A. Yes, just to the extent they pleaded guilty and they'll</p> <p>13 be sentenced in January.</p> <p>14 Q. And at that stage were you told the matter has now been</p> <p>15 closed down? Were you told that?</p> <p>16 A. Not in so many terms, but I certainly understood the</p> <p>17 matter to be over.</p> <p>18 Q. I think shortly after 8 August there was a telephone</p> <p>19 conversation between you and Mr Blunkett, he being out</p> <p>20 of the country at the material time; is that correct?</p> <p>21 A. That is correct. I was slightly surprised to read this</p> <p>22 in the Guardian, and I had no recollection of this, so</p> <p>23 I thought it was correct to phone Mr Blunkett this week</p> <p>24 and ask him for his recollection, and again it fits very</p> <p>25 closely what I've just said to you, which was the</p> <p style="text-align: center;">Page 65</p>	<p>1 time.</p> <p>2 Q. I mean, the very fact, Lord Blair, that you were asking</p> <p>3 the question "Is there any evidence that Mr Blunkett's</p> <p>4 phone has been hacked into?" suggests that it was in</p> <p>5 your mind that these activities went beyond the royal</p> <p>6 household. Is that fair?</p> <p>7 A. I don't know that it is fair. It was in my mind that he</p> <p>8 would ask me because I knew how concerned he was and had</p> <p>9 been all along about where allegations about his private</p> <p>10 life were coming from in the newspapers. I mean, yours</p> <p>11 is a perfectly proper suggestion to make to me, I just</p> <p>12 don't have that information in my head.</p> <p>13 Q. It's always easy looking back with hindsight to speak</p> <p>14 about what appears obvious, but if it was clearly in</p> <p>15 your mind this was tightly bound around the Royal</p> <p>16 Family, then you wouldn't even have begun to ask the</p> <p>17 question, "Could it have been wider?"</p> <p>18 A. Except -- if it had been another politician of some sort</p> <p>19 who had never had the kind of things that Mr Blunkett</p> <p>20 had passed through, I probably wouldn't have asked the</p> <p>21 question, but I did know about what he'd been through</p> <p>22 and I knew he was wildly concerned about his personal</p> <p>23 privacy, so I knew I was going to get asked. I think</p> <p>24 that's how I reconstruct it, and if I'm wrong, it is not</p> <p>25 out of malice or ill will, it is just the way I think it</p> <p style="text-align: center;">Page 67</p>
<p>1 conversation was about the airliners plot. The reason</p> <p>2 for the conversation, as I recollect, although I haven't</p> <p>3 confirmed this directly with him, is that we were coming</p> <p>4 under such newspaper attack about Heathrow airport that</p> <p>5 I rather liked the idea of an ex-Home Secretary, who was</p> <p>6 already writing for newspapers, saying, "Actually, it</p> <p>7 might be reasonable in these circumstances".</p> <p>8 But before -- what I must have done is before I rang</p> <p>9 him, I must have asked a question of somebody about</p> <p>10 whether there was any evidence of Mr Blunkett being</p> <p>11 hacked, and the reason that I would have done that --</p> <p>12 and again we are now moving into the real trying to</p> <p>13 reconstruct a conversation five years later -- is that</p> <p>14 I knew him through all the problems that he had with</p> <p>15 relationships and losing his cabinet post and then</p> <p>16 losing it again and so on, and he had the most enormous</p> <p>17 sensitivity about his personal security, including</p> <p>18 telephone security. So I think I would have asked to</p> <p>19 say, "Is Mr Blunkett's name anywhere in this before</p> <p>20 I ring him?" and I obviously got the answer no, and as</p> <p>21 I understand it, that is still the answer, that his</p> <p>22 phone is not on that list. So that's what I told him.</p> <p>23 Q. Although the phone numbers of those, as it were, around</p> <p>24 him --</p> <p>25 A. I only discovered that now. I didn't know then, at the</p> <p style="text-align: center;">Page 66</p>	<p>1 happened.</p> <p>2 Q. Thank you. Are there any other observations you would</p> <p>3 wish to make about these matters? You've given us your</p> <p>4 opinion, really, as to what you might have done</p> <p>5 confronted with different evidence, emphasising what you</p> <p>6 might have done, but is there anything else you would</p> <p>7 wish to share with us about phone hacking?</p> <p>8 A. No.</p> <p>9 Q. Of course, to be clear, by the time we move forward to</p> <p>10 9 July 2009, you were gone?</p> <p>11 A. I was.</p> <p>12 LORD JUSTICE LEVESON: Help me with that, could you, from</p> <p>13 your experience as Commissioner? A detailed, complex</p> <p>14 article in the Guardian, not three paragraphs, not just</p> <p>15 a few sentences, but something of substance. What's</p> <p>16 your view about the very speedy reaction of which we</p> <p>17 heard?</p> <p>18 A. It is invidious to criticise from the outside, but</p> <p>19 I will say that not so much about the article in July</p> <p>20 2009, but in September 2009 I was in New York when the</p> <p>21 New York Times article was written, which was extremely</p> <p>22 lengthy --</p> <p>23 MR JAY: The following year, I think.</p> <p>24 A. Is it the following year? In that case, I will withdraw</p> <p>25 that. But as I remember reading that, I thought, "This</p> <p style="text-align: center;">Page 68</p>

17 (Pages 65 to 68)

<p>1 has to be investigated", it was so wide.</p> <p>2 So going back to the 2009 article, which obviously</p> <p>3 I --</p> <p>4 LORD JUSTICE LEVESON: I appreciate it's invidious, but let</p> <p>5 me make it abundantly clear. I am going to have to</p> <p>6 consider this. I want to be able to consider it with</p> <p>7 the benefit of the experience of those who have held</p> <p>8 very high rank in the Police Service in exactly the same</p> <p>9 way that I want to consider what the press are doing</p> <p>10 with the benefit of those who have experience in those</p> <p>11 fields. So I'm sorry to put you on the spot --</p> <p>12 A. No, no, in a sense I hadn't finished the paragraph.</p> <p>13 LORD JUSTICE LEVESON: Oh, I see.</p> <p>14 A. I was starting with that point. It wasn't a refusal.</p> <p>15 The answer is, in John Yates' expression, it was an</p> <p>16 extremely -- it was a poor decision, that's what he</p> <p>17 says. From what I can see, that decision was just too</p> <p>18 quick. It was just why have -- why could you not have</p> <p>19 gone back with all those allegations and looked further</p> <p>20 into what was -- what did the material actually say?</p> <p>21 I think there is a point at which sometimes very</p> <p>22 senior people have to go and have a look at what --</p> <p>23 I don't mean they have to delve into every black bag,</p> <p>24 but bring me something direct here, and I think --</p> <p>25 I don't quite understand why John took that decision</p> <p style="text-align: center;">Page 69</p>	<p>1 LORD JUSTICE LEVESON: Because if that was, as I think</p> <p>2 I might have put it to him, something of a no-brainer,</p> <p>3 given the other problems, then it doesn't unpick what</p> <p>4 actually was going on.</p> <p>5 A. No. And nor does it justify a decision two years</p> <p>6 further on when the same situation was not apparent.</p> <p>7 MR JAY: Thank you. May I move on to a different topic and</p> <p>8 deal with it shortly? I've been asked to put to you a</p> <p>9 point arising out of paragraph 64 of your statement,</p> <p>10 02774. These are the reports coming out of the office</p> <p>11 of the Information Commissioner, which weren't brought</p> <p>12 to your attention at the time. Do you feel that they</p> <p>13 should have been?</p> <p>14 A. Yes, I think I do. I rephrase that: I do think I should</p> <p>15 have been aware of them, because they were revealing</p> <p>16 a trading in information which appeared to involve</p> <p>17 police officers. I have no idea why they didn't appear.</p> <p>18 Apart from a general sense that, you know, yes,</p> <p>19 there was a Information Commissioner, and were his</p> <p>20 reports important -- I mean, it's a sort of -- this</p> <p>21 isn't a central part of policing, so I don't really know</p> <p>22 anything about it, but somebody, I think, might have</p> <p>23 jogged my arm a bit.</p> <p>24 Q. One appreciates that journalism wasn't at the epicentre</p> <p>25 of those reports, they were concerning other</p> <p style="text-align: center;">Page 71</p>
<p>1 with the speed that he did.</p> <p>2 LORD JUSTICE LEVESON: Could I ask you if you would comment</p> <p>3 on one further decision which puzzles me: that having</p> <p>4 made the decision and given a press conference, the</p> <p>5 following days were then spent gathering documents which</p> <p>6 some may say could only have been required to justify</p> <p>7 the decision that had been made, because if it was an</p> <p>8 open review, then why on earth make the announcement?</p> <p>9 A. I'm sorry, at this stage you pass my sort of knowledge</p> <p>10 about it.</p> <p>11 LORD JUSTICE LEVESON: All right.</p> <p>12 A. I don't know what happened in the following days.</p> <p>13 LORD JUSTICE LEVESON: All right.</p> <p>14 A. But I am clear, and I'm quite prepared to say it, that</p> <p>15 was a decision which appears to be too hasty, and</p> <p>16 I thought some of the way in which Sir Paul Stephenson</p> <p>17 suggested the closed mindset of because it had been</p> <p>18 Peter Clarke who had made the decision and he was so</p> <p>19 respected, it was a very interesting piece of what you</p> <p>20 can describe sometimes as group think.</p> <p>21 LORD JUSTICE LEVESON: Yes.</p> <p>22 A. That everybody thought the same way.</p> <p>23 LORD JUSTICE LEVESON: Of course, you have to understand</p> <p>24 precisely why Mr Clarke made the decision that he made.</p> <p>25 A. Quite.</p> <p style="text-align: center;">Page 70</p>	<p>1 institutions, other organisations, who were unlawfully</p> <p>2 trading in this information, but journalists were</p> <p>3 certainly there and they featured quite heavily in the</p> <p>4 second report. Do you feel that part of the reason why</p> <p>5 this may not have been drawn to your attention was that</p> <p>6 there was a general defensiveness about taking on</p> <p>7 journalists in the Metropolitan Police?</p> <p>8 A. I don't think that's the case, but I mean we haven't yet</p> <p>9 discussed this. There is no question that we were</p> <p>10 aware -- and I use "we" loosely as the senior officers</p> <p>11 of the Met along with the rest of the establishment --</p> <p>12 that newspapers were very difficult animals with which</p> <p>13 to come to grapple, so whether it was News International</p> <p>14 or Associated Press, these were people with very</p> <p>15 powerful alliances, so to that degree I don't think</p> <p>16 there's a reason behind me not seeing these documents,</p> <p>17 but at the same time the whole law is written to make it</p> <p>18 difficult for the police to investigate journalists.</p> <p>19 That's why you have to have special procedure warrants</p> <p>20 and all the rest of it.</p> <p>21 So I think there is an element of they were very</p> <p>22 powerful agents in the state, and they were very</p> <p>23 difficult to deal with, but I don't think had we had --</p> <p>24 if I can put it this way: had I had and those that</p> <p>25 I knew around me had direct evidence of unlawful</p> <p style="text-align: center;">Page 72</p>

<p>1 behaviour by journalists we would have stopped, because 2 we wouldn't. 3 Q. Let us accept for the purposes of debate that that last 4 statement would be perfectly true in relation to you and 5 your thinking. Would it be equally true in relation to 6 all your assistant commissioners, do you think? 7 A. The problem here is to analyse from the outside the 8 motivations of individuals. I have nothing to suggest 9 that any individual took a decision based on an 10 overestimate of the importance of the influence of any 11 organisation. The problem is that the levels of contact 12 within people from that organisation were so frequent 13 that the defence of it didn't matter, it is very 14 difficult to maintain. So I just don't know. 15 Do I believe that John Yates took that decision in 16 order to placate News International? No, I don't. 17 I just don't believe he did that. But his difficulty, 18 without making it more difficult for him, is the number 19 of contacts, and that, I think, is a problem. 20 Q. I might come back to that point at the very end of your 21 evidence. The HMIC report -- we've probably covered 22 this already, Lord Blair -- the overcomplication issue, 23 paragraph 65. Is there anything further you would want 24 to add, which you've already said? 25 A. Just the bottom of paragraph 67, Mr Jay. I do think Page 73</p>	<p>1 A. It is indeed. No, it's not actually Shakespeare, when 2 I think about it. It's "No greater fury than love to 3 hatred turned". It's a poem. 4 Q. You studied English literature at Oxford, I'm afraid 5 I did not, as is becoming apparent. 6 LORD JUSTICE LEVESON: Well, you started it, Mr Jay, so he's 7 stuck with it. 8 MR JAY: I read law, which is much less interesting, and 9 here I am standing up now, but it gives the context to 10 Mr Paddick. 11 LORD JUSTICE LEVESON: Keep going. 12 MR JAY: Is there any general comment you want to make about 13 his evidence? 14 A. Only that I disagree with some bits of it. Some of it 15 was accurate, but it is just to say that, you know, 16 I think Brian was a very fine officer, but for a variety 17 of reasons, his last period with the Met was very 18 unhappy, and that unhappiness has clouded his commentary 19 a great deal. 20 Q. He implies -- well, possibly doesn't explicitly state -- 21 that you were responsible for the suppression of his 22 report into reporting of rape, I think in about 2005. 23 Is that right or not? 24 A. No. And I think it would be fair to say that, as I've 25 said on a number of occasions outside this Inquiry, that Page 75</p>
<p>1 Elizabeth Filkin's comment that "contact is permissible 2 but not unconditional" should be nailed to the front 3 door of the police station, as it were. That's a really 4 good phrase. What I disagree with is then a whole 5 series of injunctions and subclauses about how you 6 should deal with the press rather than anybody else. 7 And paragraph 68, I do not believe HMIC is equipped to 8 deal with this issue. That's not what it does. 9 LORD JUSTICE LEVESON: Just a moment. 10 MR JAY: Yes, I see what you mean. 11 LORD JUSTICE LEVESON: Thank you. 12 MR JAY: We've heard what its resources are. It's not 13 something it can undertake. 14 A. No. I think the final sentence is the important point: 15 it has to be the responsibility of chief officers and 16 the new police and crime commissioners to get this 17 right. 18 Q. Lord Blair, some final questions. Did you follow the 19 evidence of Mr Paddick given last week? 20 A. Yes. 21 Q. So we're absolutely clear, your position in relation to 22 Mr Paddick is absolutely pellucidly set out in your 23 book: 24 "Love to hatred turned." 25 I think that's Shakespeare, isn't it, page 237? Page 74</p>	<p>1 the proudest achievement of my entire career was the 2 entire reconstruction of rape investigation in the Met 3 in the 1980s and, no, I do not take that -- Brian's 4 position. 5 Q. He denies that he was responsible for any leaks. Do you 6 want to comment on that or not? 7 A. Well, again I won't comment any further than in the 8 book. I was satisfied, so were my management board 9 colleagues, that the leak in question was his 10 responsibility. He has denied it ever since, but to the 11 extent that any leak can be satisfied with a very small 12 group of people, we were so satisfied and we moved him 13 accordingly. 14 Q. This general question has been asked of others, more 15 specifically Lord Condon and Lord Stevens yesterday, and 16 I ask it of you: do you have any comment to make on some 17 of last week's evidence? I think you know the evidence 18 I'm referring to. If you want me to be more precise, 19 I will. 20 A. I think you might be a little more precise. 21 Q. In particular, the evidence of Mr Hayman and Mr Yates. 22 Your reaction to it, whether it -- well, I won't lead 23 you. 24 A. If you're referring to the level of contact with the 25 media, then yes, I have concerns about that and Page 76</p>

<p>1 I particularly have concerns, if it's true, and 2 I believe it is, in front of the Inquiry that there were 3 a large number of dinners and large amounts of alcohol, 4 and that would worry me. 5 Q. Is this in terms of the perception and what the public 6 would think about it, or do the concerns go any deeper? 7 A. Well, I think it's twofold. One is the perception not 8 only of the public but of the more junior officers, who 9 must look at this and wonder whether this is a proper 10 use of public time and public money. And secondly, the 11 very perception that the Inquiry has already said in 12 terms of Lord Leveson and yourself, that it is very 13 difficult not to put these two situations together in 14 terms of the failure to investigate and the levels of 15 contact, and not see a reference between them. 16 As I have said, I don't believe that John Yates took 17 that decision on that basis, but the difficulty is in 18 terms of public perception that that is an influence 19 that it is possible to draw. As I said, I don't believe 20 it to be true, but I can see no defence against its 21 existence. 22 LORD JUSTICE LEVESON: Well, it raises the question that 23 I think I asked Lord Stevens yesterday, that of course 24 if one has had a professional relationship with 25 somebody, the mere fact you've met them can't mean that</p> <p style="text-align: center;">Page 77</p>	<p>1 know the exact circumstances, but I think if the issue 2 you are reaching for is the issue of public perception, 3 then I think that that is something that should be taken 4 into account by people making the decisions as to 5 whether they are going to be the person in charge of 6 something. 7 LORD JUSTICE LEVESON: Yes. I am not seeking to hammer 8 nails into any particular piece of work. I am wanting 9 to make sure that I have a wider range of views from 10 very senior police officers on this extremely difficult 11 but important question, so that it cannot be said that 12 I am simply looking at it from the Olympian position of 13 a judge of the Court of Appeal, if I put the word 14 "Olympian" in inverted commas. 15 A. I am entirely with you, sir, and I think that you are 16 proper to have asked the question and I hope I've 17 answered it properly, which is that it makes a very 18 difficult piece of public perception and that, that, 19 should be thought of very carefully when somebody was 20 taking the decision as to who would decide on this 21 matter. 22 MR JAY: The final question: were you aware of a report in 23 2008 from the SCOA, which is the Serious Crime -- 24 A. Serious Organised Crime Agency. 25 Q. Thank you, which is entitled "Private investigators, the</p> <p style="text-align: center;">Page 79</p>
<p>1 you shouldn't be responsible for investigating them. 2 A. No. 3 LORD JUSTICE LEVESON: But if you are concerned about senior 4 management in organisation and a particular senior 5 manager is a personal friend, does that create 6 a problem? 7 A. Yes, I think it does. I think it's at that point one 8 has to consider whether somebody else should make the 9 decision. I mean, as an example, and it was a term of 10 art only lawyers would know, I discovered the word 11 "recuse", and I commented on that in relation to cash 12 for honours, that I recused myself from the 13 decision-making process because I was meeting the people 14 involved on a very regular basis in the shape of the 15 Prime Minister and other senior ministers. It's a very 16 difficult place if you were trying to make decisions. 17 LORD JUSTICE LEVESON: So you recused yourself where your 18 relationship with these ministers was entirely 19 professional? 20 A. Yes. 21 LORD JUSTICE LEVESON: Even more so, therefore, if they'd 22 been beyond the professional, but the friendly? 23 A. I think that's right. 24 LORD JUSTICE LEVESON: But personal friends? 25 A. I do think that's right, but, you know, again, I don't</p> <p style="text-align: center;">Page 78</p>	<p>1 rogue element of the private investigation industry"? 2 A. No, but there has always been a rogue element of the 3 private investigation industry, so it wouldn't surprise 4 me that such a report existed. 5 Q. But that wasn't drawn to your attention? 6 A. No. 7 MR JAY: Thank you very much. 8 LORD JUSTICE LEVESON: I have one other question, and you 9 may have seen that I had this discussion with both your 10 predecessors. You understand the responsibility that 11 I have, and I want to make recommendations, if I make 12 recommendations, that will work, that will be seen as 13 relevant to the way in which the police operate, and fit 14 what the public will require. So I have asked others if 15 they have any views on that, and I've said to each, as 16 you might have seen, that doesn't need to be off the top 17 of your head. If you prefer to think about it and write 18 to me, I'd be grateful, but I'm in your hands. 19 A. I think I would like to take the opportunity of writing 20 to you, because I think it is a matter that needs to be 21 seen, in a sense, at the end of the evidence. I think 22 there's something here about trying to get a picture. 23 But I'm very pleased, if I may say so, to hear that you 24 are looking to produce something that will be meaningful 25 in the context of the police and the context of the</p> <p style="text-align: center;">Page 80</p>

1 media and the politicians, as they develop, and I would
 2 just reiterate my view that this is a three-sided
 3 triangle, and it does need to be looked at from all of
 4 those angles. The relationship between press and
 5 politicians as well as police and politicians and
 6 whichever the other angle is, is very important.
 7 If I might add just one other thing, which we
 8 touched on lightly. I am of the view that for too much
 9 of the police's time over the years there has been an
 10 emphasis on disciplinary codes and regulations rather
 11 than on the values of the organisation. One of the
 12 things that I did when I became Commissioner was to ask
 13 5,000 members of staff what kind of organisation they
 14 wanted to belong to and what should its values be, and
 15 that was what we used in terms of the training of our
 16 senior officers, the transformational values of an
 17 organisation, and I would want to emphasise that it's
 18 this aspiration to professional propriety that seems to
 19 me to be so important, rather than a set of regulations
 20 about what you mustn't do.
 21 LORD JUSTICE LEVESON: I understand that, but the great
 22 problem is that cultural shift is extremely difficult to
 23 achieve, and therefore there may need to be
 24 a combination of that element with some ground rules
 25 that aren't overprescriptive and thereby, because of

Page 81

1 their complexity, become unworkable. I have a very
 2 clear image of a complaint made by the then Assistant
 3 Commissioner, Mr Godwin, of the number of plasticised
 4 pieces of paper that constables would have to carry
 5 about if they followed each and every standard operating
 6 procedure, and that they, walking on their beat, would
 7 need a truck to carry all those pieces of paper about.
 8 **A. I agree. I think the other way of looking at it is**
 9 **there used to be a phrase about minimum models, so the**
 10 **minimum model of how to deal with car crime is this, and**
 11 **if you add all the minimum models together, they're**
 12 **bigger than the Metropolitan Police. I think that is**
 13 **the same problem.**
 14 LORD JUSTICE LEVESON: The same point. Thank you very much.
 15 **A. Thank you.**
 16 LORD JUSTICE LEVESON: I think we'll just have a few minutes
 17 before the next witness. Thank you.
 18 (12.13 pm)
 19 (A short break)
 20 (12.26 pm)
 21 MR JAY: The next witness is Mr Quick, please.
 22 LORD JUSTICE LEVESON: Thank you.
 23 MR ROBERT FREDERICK QUICK (sworn)
 24 Questions by MR JAY
 25 MR JAY: First of all, please, Mr Quick, your full name.

Page 82

1 **A. Robert Frederick Quick.**
 2 Q. Thank you. You provided a statement to the Inquiry
 3 pursuant to the standard statutory notice. There is
 4 a statement of truth in the usual form, you've signed
 5 and dated it 13 February 2012. Is this your formal
 6 evidence to the Inquiry?
 7 **A. It is, yes.**
 8 Q. In terms of your background, Mr Quick, you joined the
 9 MPS in 1978. You were then promoted. You did a degree,
 10 an MBA, at Exeter University with distinction in 1994.
 11 In 1998, you were seconded to the Commissioner's private
 12 office at New Scotland Yard to support the MPS response
 13 to the Lawrence Inquiry. You then continued to move up
 14 the ranks, appointed Chief Constable of Surrey in 2004,
 15 returned to the MPS in March 2008, when you were
 16 Assistant Commissioner Specialist Operations, which is
 17 ACSO.
 18 **A. That's correct.**
 19 Q. Is this right, you followed Mr Hayman in that post? Do
 20 I have that correct?
 21 **A. That's correct, yes.**
 22 Q. And then you resigned from the MPS on 31 May 2009, in
 23 the circumstances which you explain in your --
 24 **A. Yes.**
 25 Q. -- statement.

Page 83

1 LORD JUSTICE LEVESON: Before we start, could I just make
 2 two comments. First of all, Mr Quick, to acknowledge
 3 the work you've put into the statement, which has
 4 obviously been very considerable, I'm grateful.
 5 **A. Thank you, sir.**
 6 LORD JUSTICE LEVESON: And secondly, to note that you
 7 identify that you'd not been able to have access to
 8 a number of documents that would have assisted in
 9 strengthening your recollection. Now, I appreciate you
 10 cover a lot of territory in this statement, but is there
 11 any document that is particularly germane to the
 12 concerns that I am specifically addressing that you feel
 13 would have assisted in the preparation of this statement
 14 that you would wish to see?
 15 **A. The Metropolitan Police have been very helpful in**
 16 **furnishing the documentation that I sought. There were**
 17 **documents dating back 12, 13 years ago that can't be**
 18 **found.**
 19 LORD JUSTICE LEVESON: That's a different problem. I just
 20 wanted to make sure that there wasn't anything
 21 fundamental that might change --
 22 **A. No, sir.**
 23 LORD JUSTICE LEVESON: Thank you very much.
 24 MR JAY: If I can deal, therefore, with the detail of your
 25 statement, first of all paragraph 8. We're back in the

Page 84

<p>1 year 1999, when you were Detective Superintendent to 2 head up operations in the newly formed Metropolitan 3 Police Anti-Corruption Command. This was in response to 4 significant intelligence indicating serious corruption 5 was being perpetrated by a minority of officers. Did 6 this include investigation into an outfit called 7 Southern Investigations?</p> <p>8 A. Yes, it did.</p> <p>9 Q. Was the essence of the allegation there of unauthorised 10 disclosure of sensitive information to journalists for 11 payment?</p> <p>12 A. I should clarify there were two phases in this episode. 13 That there was a long-term undercover operation called 14 Operation Othona, which ran for nearly five years, from 15 1993 to 1998, and that painted a strategic picture of 16 a corruption threat within the Metropolitan Police and 17 involved corruption in many guises. As a result of all 18 of that intelligence, an operational unit was created, 19 which, very soon after its establishment, began an 20 investigation into Southern Investigations.</p> <p>21 Q. Was that Operation Nigeria, which you refer to in 22 paragraph 9?</p> <p>23 A. It was, sir, yes.</p> <p>24 Q. You say there that a number of journalists -- this is 25 about two-thirds of the way through paragraph 9 -- were</p> <p style="text-align: center;">Page 85</p>	<p>1 A. I can't recall whether there was. It's certainly 2 possible, but I don't recall.</p> <p>3 Q. Did you see any intelligence briefings either emanating 4 to or from that source, or can you not recall?</p> <p>5 A. I saw intelligence from a wide range of sources; it was 6 a large covert investigation. My expectation would have 7 been it would have been technical and human sources of 8 intelligence.</p> <p>9 Q. To wrap this point up, Operation Nigeria ended when the 10 police arrested relevant individuals, is that so?</p> <p>11 A. That's correct.</p> <p>12 Q. Can I ask you about the report you refer to in 13 paragraph 12, written probably in 2000 or thereabouts, 14 highlighting the role of journalists in promoting 15 corrupt relationships with and making corrupt payments 16 to officers for stories about famous people and 17 high-profile investigations in the MPS. After the 18 elapse of so many years, that report is no longer 19 available. What was the purpose, though, of writing it? 20 Can you recall?</p> <p>21 A. Yes. I and others in my command became concerned about 22 these relationships between journalists and police 23 officers who were suspected of corruption, and it became 24 apparent that some officers were being bribed to provide 25 stories; some of the officers were providing them</p> <p style="text-align: center;">Page 87</p>
<p>1 identified as having relationships with Southern 2 Investigations. To the best of your recollection these 3 included newspapers like the Sun and News of the World, 4 but may have included other newspapers. Are we talking 5 there about other newspapers beyond the 6 News International group?</p> <p>7 A. Quite possibly. Mainly tabloids, to my recollection, 8 but I'm unable to recall the precise detail of --</p> <p>9 LORD JUSTICE LEVESON: It may not be necessary.</p> <p>10 MR JAY: Was the Commissioner aware of this investigation, 11 Operation Nigeria, in particular the newspapers 12 involved? Or do you not know?</p> <p>13 A. Sorry, could you --</p> <p>14 Q. Was the Commissioner aware both of the fact of Operation 15 Nigeria and the newspapers involved? You have mentioned 16 here the Sun and the News of the World.</p> <p>17 A. I'm not aware if the Commissioner was involved -- was 18 aware of who was involved in this particular inquiry.</p> <p>19 Q. When you refer to "covert investigation techniques" in 20 paragraph 10, am I right in saying that these comprised 21 two aspects, first of all the use of a probe, in other 22 words a listening device, to put it bluntly; is that 23 correct?</p> <p>24 A. That's correct.</p> <p>25 Q. Was there also a covert human intelligence source?</p> <p style="text-align: center;">Page 86</p>	<p>1 directly or from their own contacts within the 2 Metropolitan Police, and I formed the view that that was 3 a threat to the organisation and compiled a short 4 report, to my recollection, proposing that we might deal 5 with that by way of an investigation that looked at the 6 financial transactions.</p> <p>7 Q. That's to say between the relevant newspapers or the 8 journalists employed by them, and the officers engaged 9 by the Metropolitan Police, do I have that right?</p> <p>10 A. Well, in particular we believed that the journalists 11 that were paying the bribes were not paying them from 12 their own funds, and the intelligence and evidence 13 revealed payments of between £500 and £2,000, and 14 therefore we believed that they were claiming that money 15 back from their employers, and that one of two 16 possibilities arose: that they were falsely claiming 17 that money back by purporting it to be for a reason 18 other than payments to police officers, or indeed the 19 newspapers were in some way complicit in those payments.</p> <p>20 Q. You make it clear in paragraph 13 that there were 21 discussions with Mr Hayman about those matters, and he 22 had concerns about the evidential difficulties because 23 journalistic material was involved.</p> <p>24 A. That's correct.</p> <p>25 Q. Similar concerns as we've seen arguably in relation to</p> <p style="text-align: center;">Page 88</p>

22 (Pages 85 to 88)

<p>1 Operation Caryatid and the application of PACE?</p> <p>2 A. Yes.</p> <p>3 Q. You make it clear you're unable to say whether</p> <p>4 Commander Hayman, as he then was, referred this matter</p> <p>5 further up the command chain:</p> <p>6 "... although I was under the impression he had."</p> <p>7 What gave you that impression?</p> <p>8 A. Because it was an issue that he took time to think</p> <p>9 about, and I think the conversation went over a number</p> <p>10 of days, if not more than that, and I do recall</p> <p>11 a conversation with Commander Hayman about the</p> <p>12 evidential challenges. Did we have a perfect case upon</p> <p>13 which to launch the investigation? Well, no, but we</p> <p>14 certainly had material that gave us a very strong</p> <p>15 suspicion that these journalists were making these</p> <p>16 payments, and therefore we debated the strength of the</p> <p>17 evidence and some of the complexities related to</p> <p>18 journalistic privilege or journalistic material.</p> <p>19 I was of the view that the offences we were looking</p> <p>20 at were essentially fraud offences and that it wouldn't</p> <p>21 necessarily offer any protection or be relevant, but in</p> <p>22 the end the discussion resulted in the decision that at</p> <p>23 that moment in time it was too risky to launch an</p> <p>24 investigation at that time.</p> <p>25 Q. You make it clear that you felt Mr Hayman was sincere in</p> <p style="text-align: center;">Page 89</p>	<p>1 about that, if I can put it neutrally without indicating</p> <p>2 what the issues are, and we'll move on to paragraph 15,</p> <p>3 where you say in the second part of that paragraph:</p> <p>4 "There were considerable grounds to believe that</p> <p>5 journalists from tabloid newspapers were corruptors,</p> <p>6 driven by intense competitive pressures to use unethical</p> <p>7 and unlawful means to secure stories that included</p> <p>8 corrupting police officers through payments."</p> <p>9 Apart from the matters you've referred to in</p> <p>10 relation to Operation Nigeria and what you learnt</p> <p>11 through that, were there any other grounds to believe</p> <p>12 that journalists from tabloid newspapers were</p> <p>13 corruptors?</p> <p>14 A. Yes. I think to the best of my recollection the</p> <p>15 Metropolitan Police had accumulated a huge volume of</p> <p>16 intelligence relating to the integrity of the</p> <p>17 organisation from a wide range of sources. We'd had the</p> <p>18 Operation Othona running for five years, and as time</p> <p>19 passed, a picture began to emerge of a serious threat</p> <p>20 between -- involving ex-officers who had left the</p> <p>21 service, possibly having been prosecuted or left after</p> <p>22 a discipline case, and journalists, so the officers that</p> <p>23 had moved into the private investigation arena, and</p> <p>24 there was an example here with Southern Investigations,</p> <p>25 but there were others, and journalists, and the trading</p> <p style="text-align: center;">Page 91</p>
<p>1 his reservations at the time?</p> <p>2 A. Yes, yes.</p> <p>3 Q. Which might suggest that you didn't necessarily agree</p> <p>4 with his conclusion; is that right?</p> <p>5 A. I don't think we agreed. I proposed it firmly in the</p> <p>6 belief that there was a line of inquiry into what</p> <p>7 appeared to be a significant threat to the integrity of</p> <p>8 the organisation. I accept there were many</p> <p>9 practicalities and risks with taking that action, and</p> <p>10 I do feel that Commander Hayman prosecuted his arguments</p> <p>11 with all sincerity.</p> <p>12 Q. Thank you. It was Mr Hayman's suggestion, the last</p> <p>13 sentence of paragraph 13:</p> <p>14 "... that he should visit a particular editor or</p> <p>15 newspaper and confront them with this intelligence but</p> <p>16 I do not know what action was taken in this regard."</p> <p>17 Which newspaper or which editor? Can you tell us?</p> <p>18 A. Again, I can't be specific about which paper it was</p> <p>19 without the report. But that was one of the options</p> <p>20 that I know he did consider.</p> <p>21 Q. You mentioned two newspapers earlier on in your</p> <p>22 evidence. Was it the same or different?</p> <p>23 A. I think it was one of the two.</p> <p>24 Q. One of those two. Paragraph 14 we're not going to deal</p> <p>25 with at all, Mr Quick, because there are too many issues</p> <p style="text-align: center;">Page 90</p>	<p>1 of stories. And that picture slowly emerged in the late</p> <p>2 1990s and early part of the last decade.</p> <p>3 Q. So when you're referring to corruption here, you mean</p> <p>4 frank corruption, that money was passing hands for the</p> <p>5 stories; is that --</p> <p>6 A. Yes, that's correct sir, yes.</p> <p>7 Q. Paragraph 16 you deal with a leak surrounding the murder</p> <p>8 of Jill Dando. I think that paragraph is</p> <p>9 self-explanatory.</p> <p>10 Can I move to the review of the cash for honours</p> <p>11 investigation? That, of course, was Operation Ribble,</p> <p>12 and that was being conducted by Acting Assistant</p> <p>13 Commissioner Yates, and you were asked when you were</p> <p>14 Chief Constable in Surrey to undertake a review by the</p> <p>15 Deputy Commissioner, then Paul Stephenson; is that</p> <p>16 correct?</p> <p>17 A. Yes, that's correct.</p> <p>18 Q. And Mr Stephenson, as he then was, was concerned at</p> <p>19 allegations being levelled at the MPS and at Mr Yates</p> <p>20 specifically about the unauthorised disclosure of</p> <p>21 confidential details of the investigation to the media.</p> <p>22 So is this right, part of the review was to consider</p> <p>23 whether indeed there were unauthorised disclosures to</p> <p>24 the media?</p> <p>25 A. Yes. Essentially, the review was directing me at the</p> <p style="text-align: center;">Page 92</p>

23 (Pages 89 to 92)

<p>1 security and integrity of the investigation and the 2 procedures through which sensitive material was being 3 handled. 4 Q. Were you also being asked to consider the potential for 5 any unjustified attacks on the reputations of senior 6 members of the Operation Ribble team and identify steps 7 to prevent these? 8 A. Indeed, yes, that's correct. 9 Q. We only have the draft report, not the final version, 10 but it may be there's little difference between the two, 11 but the draft is annex A to your statement, underneath 12 our tab 2 in the file which has been prepared. 13 A. Yes. 14 Q. As you say in your statement at the bottom of this page, 15 01507, paragraph 18, you found that: 16 "... there was a proper basis for the investigation 17 to continue toward the submission of a full file to the 18 CPS and that there was a good and robust process 19 ensuring a high standard of security ..." 20 A. Yes. 21 Q. Did you also find that there was no evidence of leaks? 22 A. I did find no evidence of leaks, and more than that, 23 I examined the pre-disclosure release of material -- 24 sorry, the pre-interview disclosure of material during 25 the interview of a number of suspects, and it was clear Page 93</p>	<p>1 suggestions of leaks. So it was a very, very difficult 2 time, I think, for the officers and for the Met. 3 Q. But is it fair to say that in your view Mr Yates was in 4 essence being unfairly implicated in this and there was 5 no evidence in relation to him? Is that correct? 6 A. I certainly could see no evidence through my review of 7 deliberately leaking material, and I saw robust and 8 secure processes to handle the material secured through 9 the investigation. 10 Q. In paragraph 19, when you refer to a further contact 11 from Mr Stephenson, January 2007, concerns expressed by 12 the Chief Secretary to the Cabinet, then Sir Gus 13 O'Donnell, O'Donnell had specifically expressed concern 14 about Yates' relationship with the media in this regard. 15 Was the implication there that Sir Gus was suggesting 16 that Mr Yates was or might be leaking information to the 17 media? 18 A. As I understood it, yes. I had, I think, completed my 19 review when I was asked by Paul Stephenson, now 20 Sir Paul, to go back to Scotland Yard and see him. 21 I think that was on 26 January 2007. He relayed to me 22 a conversation he had had with the chief secretary to 23 the cabinet, which had caused him some significant 24 concern. I could see he was very shaken by that, and in 25 effect, it was suggesting that AC Yates was responsible Page 95</p>
<p>1 to me that some of the material in the public domain 2 that was being created as leaked material may well have 3 been sourced from people who had been the subject of an 4 interview and therefore the disclosure of material in 5 preparation for that interview. 6 Q. I think you also found as part of your conclusions, this 7 is page 10 of 11, under tab 2, 01557, that there was 8 a substantial risk, four matters: 9 "i. An intensifying attack on the motivation, 10 integrity or competence of the MPS by those at risk from 11 the investigation or their allies and supporters; 12 "ii. An attempt to discredit or compromise the 13 investigation by suggesting the investigation is not 14 secure and information is being leaked; 15 "iii. Attempt by the media to obtain sensitive 16 material; 17 "iv. Attempts to discredit or compromise key 18 individuals ..." 19 So you, there, were being very defensive of -- and, 20 indeed, supportive of all the individuals involved, is 21 that fair? 22 A. Yes, I had some sympathy with their plight. It was 23 a very hostile environment in which the investigation 24 was occurring. Obviously a huge controversy, massive 25 media reporting around it, speculation, accusations and Page 94</p>	<p>1 for leaks. So he asked me to give some further thought 2 in the light of that to the security and integrity of 3 the cash for honours investigation, and I agreed to do 4 that over the weekend, and on the following Monday 5 I produced a report, which was sent to Paul Stephenson, 6 the Deputy Commissioner, with 13 recommendations to 7 further assure him, as the Deputy Commissioner and the 8 head of professional standards, that the inquiry was 9 sound and that there was no leaks or malpractice. 10 Q. Recommendation 12, at the bottom of page 01508, was 11 a suggestion that consideration should be given to 12 conducting a retrospective analysis of AC Yates' 13 telephone records. 14 A. Yes. 15 Q. And then you said: 16 "This may offer a further layer of audit to counter 17 unsubstantiated claims that sensitive information has 18 been provided to the press." 19 A. Yes. 20 Q. I've been asked to put to you this point: the 21 recommendation was a fairly tepid one, if I can put it 22 in those terms, it wasn't on the basis: well, this is 23 something that must be done. It was only on the basis 24 that it may offer a further layer of audit, is that 25 fair? Page 96</p>

<p>1 A. Well, it was a recommendation. Whether it was tepid or 2 not I think it was pretty clear. I think as a former 3 head of counter corruption in the Metropolitan Police, 4 I recognised that as fairly standard practice in cases 5 where the organisation suspected an officer might be 6 responsible for leaks. 7 LORD JUSTICE LEVESON: But here you were not suggesting it 8 because you suspected him, but because you wanted to 9 counter the suspicion. You'd seen no evidence and you 10 wanted to be able to blow it away? 11 A. Yes. Essentially that was my recommendation. 12 MR JAY: What happened was, if I can take this bit quite 13 shortly, that Mr Stephenson provided a copy of the 14 recommendation to Mr Yates, sought Mr Yates' views. 15 There was then a period of time which elapsed. And then 16 in paragraph 22 there was a discussion you had with 17 Mr Yates. It was obvious to you that he was aware of 18 your recommendation number 12. You asked Mr Yates for 19 his consent to allow that his private and work telephone 20 records be examined, et cetera. You thought he might 21 welcome this. And then he indicated his refusal, and 22 when you pressed him: 23 "... he made the comment that he was 'very well (or 24 too well) connected'. When I questioned this remark he 25 emphasised 'No Bob -- I am very well connected'."</p> <p style="text-align: center;">Page 97</p>	<p>1 a balance to be struck about what the appropriate 2 measures were. And it was Paul's decision that those 3 steps weren't to be taken. 4 Q. In paragraph 23 you move on to a different issue, which 5 was the then government's intention to extend pre-charge 6 detention from 28 days to possibly 42 days. 7 A. Yes. 8 Q. And this was in March 2008? 9 A. That's correct. 10 Q. On 28 March 2008 -- this is paragraph 25 -- you wrote to 11 the Home Secretary to set out your assessment of the 12 risk. 13 A. Yes. 14 Q. Basically, you said you didn't give express support to 15 extension to any particular number of days, but you were 16 proposing extending the period. Is that a fair 17 encapsulation of your view? 18 A. Well, the Home Secretary asked for operational advice in 19 relation to the potential to extend the days of lawful 20 detention, pre-charge detention, so in effect my 21 decision was not to get involved in specifying a number 22 of days; it was simply to discuss with the most senior 23 counter-terrorism officers in the Metropolitan Police 24 who had most experience of some of the largest terrorism 25 cases this country had seen about whether there was</p> <p style="text-align: center;">Page 99</p>
<p>1 A. Yes. 2 Q. What did you draw from that? 3 A. I didn't place huge significance to it at the time. 4 I thought it was a bit of theatre. I sensed AC Yates 5 was clearly sensitive, as I think I would be, to an 6 intrusive process like that, but I wanted to be fair to 7 him that, as he had raised it, that I had recommended it 8 and that I was going to take it up with the Deputy 9 Commissioner, whose decision I felt it ought to be. 10 Q. And the Deputy Commissioner, when you did raise it with 11 him, indicated he didn't require you to implement 12 recommendation 12. Is there any implicit criticism 13 you're making there, Mr Quick? 14 A. No. It's just telling as things happened. 15 Q. Thank you. Because you made it clear in your letter to 16 the Deputy Commissioner on 29 January -- we needn't turn 17 it up -- that Assistant Commissioner Yates has been made 18 subject to a protective statutory to reduce the risk of 19 unfounded or malicious allegations, which gives us your 20 view, I suppose, of whether there was any merit in these 21 allegations; is that right? 22 A. Absolutely. And I should say at the time I was very 23 cognisant, as I'm sure Paul Stephenson was, that AC 24 Yates was not subject to a formal complaint, as 25 I understood it, and therefore, you know, there was</p> <p style="text-align: center;">Page 98</p>	<p>1 a realistic prospect that circumstances could arise that 2 28 days' detention might prove insufficient to fully 3 investigate suspects, and their advice was, for a number 4 of reasons, which they elaborated upon, that there were 5 foreseeable circumstances where that could happen, and 6 I passed that back to the Home Secretary in a letter, as 7 I felt it was my duty to do. 8 Q. The way you put it in the letter, 01565, under tab 4, 9 last page, you concluded that: 10 "A pragmatic inference can confidently be drawn from 11 statistical empirical evidence arising from recent 12 investigations that circumstances could arise in the 13 future which render existing pre-charge detention limits 14 inadequate to ensure full and expeditious 15 investigation." 16 A. Yes. 17 Q. You had a meeting with the Shadow Home Secretary, 18 Mr Davis, in May 2008, and as paragraph 26 makes clear, 19 he accused you of being a supporter of the then 20 government's proposal to extend detention without charge 21 to 42 days, which you say, "Well, if you look at my 22 letter, that's not what I said"; is that right? 23 A. That's correct. I felt that it wasn't appropriate to 24 get involved in trying to specify a number of days. 25 I was there really to point out the risks operationally</p> <p style="text-align: center;">Page 100</p>

25 (Pages 97 to 100)

<p>1 and no more.</p> <p>2 Q. You had a meeting with him where no doubt there was</p> <p>3 a full and frank exchange of views. One of the points</p> <p>4 he made was that extended detention was not necessary</p> <p>5 due to the CPS threshold test and that was the test</p> <p>6 which said that exceptionally there could be a lower</p> <p>7 standard of satisfaction for charging in terrorist</p> <p>8 cases. Did you feel that that point adequately</p> <p>9 addressed the issue?</p> <p>10 A. No, I didn't. Mr Davis did cite the threshold test, and</p> <p>11 in fact I was aware prior to the meeting he would be</p> <p>12 likely to do so, and so I'd undertaken some research</p> <p>13 about it, but I was surprised when he asserted that the</p> <p>14 suspects could have been charged within 48, 72 hours,</p> <p>15 and I knew that that simply wasn't the case. This was</p> <p>16 a huge and very complex inquiry with massive amounts of</p> <p>17 data that had to be analysed and researched, and</p> <p>18 evidence certainly hadn't emerged in that time to enable</p> <p>19 the suspects to be charged, or all of them.</p> <p>20 Q. Mr Davis also told you he believed that chief constables</p> <p>21 were not in favour of the proposal to extend the</p> <p>22 detention period to 42 days?</p> <p>23 A. He did --</p> <p>24 Q. Can I be clear about what you said in response to that?</p> <p>25 A. A few days earlier I'd actually been at Chief Constables</p> <p style="text-align: center;">Page 101</p>	<p>1 and I think I made it clear that the chief constables</p> <p>2 were unanimous in that position, as far as I could see</p> <p>3 at that meeting.</p> <p>4 Q. You then wrote to Mr Davis setting out your position.</p> <p>5 There was a further meeting with Mr Davis and Mr Grieve</p> <p>6 on 24 June when you made it clear that you felt that the</p> <p>7 newspaper articles and the misrepresentations in them</p> <p>8 were serious?</p> <p>9 A. Yes.</p> <p>10 Q. Mr Davis, you say, didn't seem at all concerned?</p> <p>11 A. No, I didn't feel he was particularly concerned about</p> <p>12 that point.</p> <p>13 Q. Later in 2009, about nine months later, Mr Davis</p> <p>14 attacked your character and professionalism in a Mail on</p> <p>15 Sunday piece, which is annex F or tab 7. Our</p> <p>16 page 01571. I mean, this piece speaks for itself. He</p> <p>17 says that he wrote this piece "the day I knew Bob Quick</p> <p>18 was flawed". He harboured doubts about you, and then</p> <p>19 refers to your first meeting -- this is the meeting in</p> <p>20 May 2008 -- as "astonishing".</p> <p>21 Is the issue here again -- sorry, I'll let you</p> <p>22 express your concern without leading you. Can you tell</p> <p>23 us what the basis or nature of your concern is?</p> <p>24 A. Well, very simply, having prepared for the meeting with</p> <p>25 Mr Davis, I researched the issue of the threshold test.</p> <p style="text-align: center;">Page 103</p>
<p>1 Council, where the chief constables meet on policy</p> <p>2 issues, and there had been a long debate on this very</p> <p>3 issue, and at the end of the debate there was a</p> <p>4 unanimous agreement that ACPO and the Chief Constables</p> <p>5 Council would support the principle of extended</p> <p>6 detention for serious terrorism cases.</p> <p>7 Q. But not to any specific number of days; is that correct?</p> <p>8 A. I can't recall whether the ACPO statement subscribed to</p> <p>9 a given number of days. I don't recall that it did, but</p> <p>10 I couldn't be certain.</p> <p>11 Q. There were then press articles in the Daily Mail and the</p> <p>12 Standard -- this is under tab 5, annex D -- where you</p> <p>13 felt that Mr Davis misrepresented your position, and</p> <p>14 indeed, more importantly, the position of chief</p> <p>15 constables across the country, as you've just explained</p> <p>16 it to us; is that right?</p> <p>17 A. Yes, I did feel that it didn't represent the</p> <p>18 conversation I'd had with him.</p> <p>19 Q. Are you saying that the conversation you had with him</p> <p>20 was confidential and he shouldn't have spoken to the</p> <p>21 press at all, or is your complaint fine for him to speak</p> <p>22 to the press, but if he's going to speak to the press,</p> <p>23 he should get your position accurately stated? Which of</p> <p>24 the two?</p> <p>25 A. The latter. I felt our conversations were very clear</p> <p style="text-align: center;">Page 102</p>	<p>1 I had learned, prior to the meeting, that he was citing</p> <p>2 this argument, so whilst I knew of the threshold test,</p> <p>3 I made myself much more conversant with it and its sort</p> <p>4 of technical requirements, so I felt this really</p> <p>5 misrepresented the situation because I felt actually it</p> <p>6 was Mr Davis that didn't understand the test. I had</p> <p>7 rehearsed it in some detail with the Crown Prosecution</p> <p>8 Service before the meeting, and I felt I understood the</p> <p>9 test then, in a lot of detail, and I felt Mr Davis's</p> <p>10 assertions about the 72 hours charge in effect</p> <p>11 misunderstood the test and what actually happened in the</p> <p>12 investigation.</p> <p>13 So I was very concerned to read this, because it</p> <p>14 simply seemed to be almost the opposite of what actually</p> <p>15 occurred.</p> <p>16 Q. Yes. One last question before we break for lunch. Is</p> <p>17 your concern really directed to Mr Davis, or does your</p> <p>18 concern embrace the Mail on Sunday? It might be said in</p> <p>19 relation to them all they're doing is setting out -- or</p> <p>20 in fact, in the second case, printing -- an article</p> <p>21 which he, Mr Davis, has written. Is there anything</p> <p>22 wrong with that?</p> <p>23 A. I think as a stand-alone issue, you could say that's</p> <p>24 a perfectly legitimate position for the Mail, but</p> <p>25 I think this was part -- in fact, I know it was part of</p> <p style="text-align: center;">Page 104</p>

26 (Pages 101 to 104)

<p>1 a sequence of articles over a sustained period from the 2 Mail during the course of a criminal investigation that 3 I was involved in, so in that regard I felt that it was 4 inappropriate whilst the inquiry was still live. 5 MR JAY: I think that -- 6 LORD JUSTICE LEVESON: But for Mr Davis to say what Mr Davis 7 thinks, that's Mr Davis's responsibility. 8 A. Yes. 9 MR JAY: Is that a convenient moment? 10 LORD JUSTICE LEVESON: It is. 2 o'clock. Thank you very 11 much. 12 (1.02 pm) 13 (The luncheon adjournment) 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: center;">Page 105</p>	

A	43:12	102:12 103:15	arrangements 28:10	Attempts 94:17	56:25 57:13	66:10 67:19
able 33:16 39:17	advice 26:21	announcement 10:1 70:8	array 9:7	attention 71:12	begins 11:17	Blunkett's 66:19
64:5 69:6 84:7	advised 15:6	anonymous 36:13	arrest 35:12	72:5 80:5	begun 67:16	67:3
97:10	advisory 46:5	answer 4:16 22:4	55:18	attributed 21:10	behave 33:1,2	blunt 52:8
absolutely 6:1	affair 6:23	40:20 45:20	arrested 42:23	audit 96:16,24	behaving 32:10	bluntly 86:22
13:16 28:16	affairs 6:10	51:19 66:20,21	62:3 87:10	August 55:19	49:6	board 3:4,5
29:17 50:23	50:16	69:15	arrests 20:19	57:24 63:5	behaviour 6:17	12:25 16:25
64:22 74:21,22	afraid 8:5 14:9	answered 79:17	42:22 55:20	64:20 65:18	8:3 32:2,9,16	26:11 32:3
98:22	22:15 75:4	Anti-Corruption	56:9	authorities 4:21	73:1	33:10 34:1,8
abundantly 60:5	age 43:2	85:3	arriving 12:14	5:1,9	behead 45:13	34:13 42:4
69:5	Agency 79:24	anti-social 8:3	art 78:10	authority 28:14	beheading 45:14	51:2,9 76:8
AC 95:25 96:12	agenda 65:6	anybody 27:15	article 68:14,19	available 8:15	belief 11:2 90:6	Bob 97:25
98:4,23	agents 72:22	32:22 38:23	68:21 69:2	9:22 87:19	believe 19:7,7	103:17
accept 22:15	ago 12:8 42:25	55:2,2 74:6	104:20	aware 28:12,12	23:24 43:22	bombings 18:8
34:3 39:15	46:12,12 47:23	Apartment 71:18 91:9	articles 9:7 21:12	28:15 50:6	48:16,19 50:2	18:12 25:9
45:1 73:3 90:8	84:17	apolitical 4:2	21:12 102:11	56:1 57:8	52:6,22 56:9	bombs 30:20
acceptable 3:19	agree 19:17	apologise 19:4	103:7 105:1	71:15 72:10	56:10 73:15,17	book 1:17,18
accepting 2:16	31:25 34:5	appalloing 35:6	asked 15:16 27:4	79:22 86:10,14	74:7 77:2,16	3:20 6:25 7:5
access 38:18	35:25 82:8	apparent 71:6	28:14 37:3	86:17,18 97:17	77:19 91:4,11	7:15 8:14 23:3
50:18,20 51:8	90:3	75:5 87:24	44:18 47:9	101:11	believed 35:1,17	24:22 25:7,21
84:7	agreed 34:2 90:5	Appeal 79:13	51:11 61:6	awful 49:17	88:10,14	30:22 32:18
accident 4:16	96:3	appear 28:21	66:9,18 67:20	A7 36:6	101:20	34:19 36:23
accidental 44:5	agreeing 62:18	71:17	67:23 71:8		belong 81:14	45:23 74:23
account 14:19	64:4	appearances	76:14 77:23	B	benefit 69:7,10	76:8
28:22 79:4	agreement 102:4	15:6	79:16 80:14	back 2:19 4:8	bequeathed 63:1	Bookbinder 5:3
accumulated	aide 55:25	appeared 5:6	92:13 93:4	7:10,12 15:1	bequest 64:13	borrowed 5:20
91:15	aides 56:8	61:11 71:16	95:19 96:1,20	25:20 37:19	best 23:13 53:4	7:23 58:24
accuracy 12:7	airliners 35:9,10	90:7	97:18 99:18	40:5 44:3	53:18 54:3	bottle 7:10,12
accurate 75:15	64:22 66:1	appears 67:14	asking 25:22	48:23,25 56:10	56:23 86:2	bottom 3:1 8:15
accurately	airport 64:25	70:15	29:10 41:14	63:10 65:6	91:14	73:25 93:14
102:23	66:4	application 89:1	42:20 67:2	67:13 69:2,19	better 13:9 27:15	96:10
accusations	Alastair 10:19	appointed 7:19	aspect 15:9	73:20 84:17,25	beyond 3:18 28:2	bound 67:15
94:25	alcohol 49:22	83:14	18:13 51:21	88:15,17 95:20	67:5 78:22	boundaries
accused 100:19	77:3	appreciate 53:19	52:4	100:6	86:5	58:17
achieve 81:23	allegation 50:7	64:16 69:4	aspects 13:25	backed 35:22	bidding 37:19	breach 55:15
achievement	85:9	84:9	86:21	background	big 4:25 29:20	56:1
76:1	allegations 67:9	appreciates	aspiration 33:1	20:8 32:17	bigger 82:12	breached 32:25
acknowledge	69:19 92:19	71:24	81:18	55:10 83:8	billing 45:5	break 54:19,21
84:2	98:19,21	approach 11:16	asserted 101:13	backwards	bird 19:10	54:23 82:19
ACPO 34:2	alleged 45:11,12	12:14,25 13:23	104:10	40:12 51:15	Birmingham	104:16
35:23 102:4,8	alliances 72:15	18:15 38:14	assertions	bad 10:7 53:17	4:10 45:11	Brian 75:16
ACPO's 46:4	allies 94:11	appropriate 37:7	99:11	bag 69:23	bit 9:14 11:25	Brian's 76:3
ACSO 83:17	allow 39:5 97:19	45:8,19 46:16	assessment	Bailey 12:1	18:7 56:21	brided 87:24
Act 39:19 47:2	allowed 54:12	50:21 51:12	99:11	balance 99:1	59:22 64:5	Bribery 47:15
57:12	altogether 59:25	54:18 99:1	assist 19:21	bar 44:12,14	71:23 97:12	bribes 88:11
acted 50:17	ambassadors	100:23	assistant 64:8,9	based 40:24 73:9	98:4	brief 3:8
Acting 92:12	53:18 54:3	area 36:11,15	64:12,17 73:6	basic 56:19	bits 34:21 75:14	briefed 21:22
action 41:9 63:14	ambitious 9:10	49:1	82:2 83:16	basically 50:22	bitter 10:11	58:8 65:10
90:9,16	amenable 48:11	arena 91:23	92:12 98:17	99:14	black 69:23	briefing 21:20
activities 67:5	amendment 1:13	arguably 10:18	assisted 84:8,13	basis 20:12 28:7	blag 56:21	23:14 36:16
activity 4:25	amount 10:13	13:18 88:25	Associated 17:22	77:17 78:14	Blair 1:3,5,7,8	43:14 52:13
6:12 57:25	amounts 77:3	argue 34:5	18:1 72:14	93:16 96:22,23	1:23 2:1 4:4	briefings 20:8
add 73:24 81:7	101:16	argument 34:4	assume 29:23	103:23	5:11,12,18	36:13 87:3
82:11	analyse 73:7	104:2	assurance 42:24	battered 12:15	12:11 21:9	bring 11:2 41:6
addressed 31:24	analysed 101:17	arguments 90:10	assure 96:7	13:24	24:18 25:1	69:24
101:9	analysis 17:8	arising 45:11	astonishing	battle 5:11	27:22 33:3	Britain's 8:18
addressing 31:4	47:23 96:12	71:9 100:11	103:20	bear 28:8	41:22 44:24	35:11
84:12	Andy 59:11	arm 71:23	Atlantic 35:10	beard 9:3	45:24 48:23	broad 31:14
adds 29:2	64:21	armchairs 13:12	atmosphere 5:14	beat 82:6	50:15 54:10,25	broadcast 16:11
adequately	angle 47:7 54:8	arose 88:16	atrocious 35:6	becoming 12:13	63:19 67:2	27:15
101:8	81:6	arranged 17:7	attack 66:4 94:9	75:5	73:22 74:18	broadcasts 53:24
adjournment	angles 81:4	29:12	attacked 103:14	began 5:11 12:9	blaming 63:13	broadier 41:16
105:13	animal 28:7	arrangement	attacks 93:5	28:18 85:19	blow 97:10	broadest 42:20
administration	animals 72:12	29:11,11	attempt 94:12,15	91:19	blown 35:10	broadly 2:8
19:22	annex 7:1 93:11		attempting	begged 58:24	Blunkett 57:21	broke 45:14
advance 23:14			54:11	beginning 55:8	64:24 65:19,23	broken 47:25

Brooks 27:11 28:10 29:10 brought 71:11 budget 9:21 10:4 bullet 5:19 6:8 18:22 19:23 20:7 bundle 36:7 business 53:4,5 businesses 39:1	62:13 65:16 72:3 87:1 89:14 95:6 101:18 cetera 23:2 28:8 41:19 97:20 chaff 35:16 chain 89:5 chair 46:5 chaired 9:18 challenged 33:2 challenges 89:12 chance 10:3 change 4:3,4,25 6:7 15:8 33:4 36:7 84:21 charged 5:13 34:11 36:5 changing 12:14 chap 15:14 character 103:14 characterise 2:14 charge 29:13 51:22,23 64:9 79:5 100:20 104:10 charged 19:13 101:14,19 charging 101:7 Charles 23:1 chart 4:3 checked 25:20 checks 25:21 chief 2:5 3:16 4:19 19:11 74:15 83:14 92:14 95:12,22 101:20,25 102:1,4,14 103:1 chiefs 7:19 Children's 4:10 chose 24:10 choreography 15:3 circulation 24:7 circumstances 21:13 44:25 45:8,18 66:7 79:1 83:23 100:1,5,12 cite 101:10 citing 104:1 civil 6:2 37:22 claiming 88:14 88:16 claims 96:17 clarify 47:9 85:12 Clarke 20:13 21:21 35:4 55:12 58:16 59:11 64:21 70:18,24 Clarke's 47:1	class 9:9 classes 39:21 classic 35:8 clear 5:3,18,22 23:7 24:16 42:5 43:25 47:25 57:1,7 57:14 58:16 60:5 68:9 69:5 70:14 74:21 82:2 88:20 89:3,25 93:25 97:2 98:15 100:18 101:24 102:25 103:1,6 clearly 33:22 55:11 57:10 67:14 98:5 close 9:2 13:19 27:17 41:19 44:12,14 48:18 59:2 closed 11:9 64:24 65:8,15 70:17 closely 15:19 65:25 closer 12:10 clouded 75:18 code 32:25 37:21 37:22 codes 38:21 81:10 coffee 47:13 cognisant 98:23 coincidence 52:6 coincident 25:8 cold 63:9 colleagues 34:3 35:25 42:9,12 42:15,23 43:1 43:6,22 48:24 49:10 76:9 combination 14:4 18:17 81:24 combines 18:21 come 14:15 31:11,17 39:16 41:11 44:3 45:9 50:5,8 57:20 63:16 72:13 73:20 coming 38:4 50:15 60:4 66:3 67:10 71:10 command 85:3 87:21 89:5 Commander 89:4,11 90:10 commands 3:11 commas 51:6 79:14 comment 4:4 5:10 6:17 25:15 61:16	62:4 70:2 74:1 75:12 76:6,7 76:16 97:23 commentary 75:18 commented 78:11 commenting 33:7,12 comments 58:23 84:2 Commission 23:4 Commissioner 2:6,8 6:6 9:4 11:3 14:24 15:4,8 25:18 33:6 42:2 51:14,15,15,25 53:25 59:12 60:1 63:22,22 64:2,2,8,9,13 64:14,17 68:13 71:11,19 81:12 82:3 83:16 86:10,14,17 92:13,15 96:6 96:7 98:9,10 98:16,17 commissioners 7:22 11:11 36:12 73:6 74:16 commissioners... 11:8 28:9 60:22 Commissioner's 83:11 Committee 55:9 56:3 common 47:17 Commons 4:14 4:17 communicating 52:5 53:16 communications 37:17 51:23 53:3 communities 20:20 compact 20:3 company 53:4 compete 39:5 competence 94:10 competitive 91:6 compiled 88:3 complaint 10:11 82:2 98:24 102:21 Complaints 23:4 completed 95:18 completely 5:14 34:9 complex 32:11 32:23,23 68:13	101:16 complexities 89:17 complexity 82:1 complicit 88:19 comprised 86:20 comprises 3:4 compromise 94:12,17 Computer 57:12 computers 35:17 48:4 concept 7:23 concern 36:12 45:23 60:17 61:5 95:13,24 103:22,23 104:17,18 concerned 12:19 20:2 23:2 39:12 48:10 51:20 52:11 67:8,22 78:3 87:21 92:18 103:10,11 104:13 concerning 71:25 concerns 20:25 35:3 59:15 76:25 77:1,6 84:12 88:22,25 95:11 concluded 100:9 conclusion 90:4 conclusions 94:6 conditions 38:14 Condon 11:7 12:12 31:13 76:15 Condon's 30:16 conduct 26:25 37:22,22 44:22 conducted 45:17 47:2 92:12 conducting 44:16 46:16 96:12 conference 13:5 14:14 70:4 confidences 48:22 confident 36:9 confidential 92:21 102:20 confidently 100:10 confirmed 66:3 confront 90:15 confronted 68:5 connected 20:18 97:24,25 connection 3:13 consensus 34:6 consent 20:5,6 97:19	consider 69:6,6,9 78:8 90:20 92:22 93:4 considerable 84:4 91:4 consideration 96:11 considered 3:19 60:19 63:1,6 considering 38:13 conspiracy 45:12 Constable 2:5 4:19 83:14 92:14 constables 3:16 82:4 101:20,25 102:1,4,15 103:1 Constabulary 5:5 constant 49:4 constructed 10:5 38:10 consultancy 9:19 consumers 52:3 consuming 12:21 contact 26:25 28:1 73:11 74:1 76:24 77:15 95:10 contacts 39:5 54:11 73:19 88:1 contained 62:15 content 29:8 context 27:24 29:7 49:21,21 57:18 75:9 80:25,25 contextualise 53:11 continue 93:17 continued 83:13 contract 20:3 contractors 39:11 contrary 16:21 contribute 19:5 19:9 contributed 50:3 controlled 21:7 controversy 94:24 convenient 105:9 conversant 104:3 conversation 21:2 53:25 57:21 64:20 65:5,19 66:1,2 66:13 89:9,11 95:22 102:18 102:19 conversations 52:12 58:15	102:25 convey 43:5 conviction 47:5 58:22 convinced 10:2 cop 8:18 cope 53:17 copy 97:13 core 15:16 correct 2:9,11 8:18 10:8 16:11 19:1 26:3,4 28:23 33:15 42:18 46:3 49:25 54:15 55:22 60:16 65:20,21 65:23 83:18,20 83:21 86:23,24 87:11 88:24 92:6,16,17 93:8 95:5 99:9 100:23 102:7 correcting 10:23 correspondents 6:9,10,15,15 11:19 corrupt 11:18 87:15,15 corrupting 91:8 corruption 31:20 31:22 47:24 48:1,11,14 50:6 85:4,16 85:17 87:23 92:3,4 97:3 corruptors 91:5 91:13 council 5:3 102:1 102:5 counter 96:16 97:3,9 counterfactual 58:8 counter-terror... 20:15 34:22 99:23 country 24:8 65:20 99:25 102:15 couple 27:8 course 2:5 3:23 5:15 6:22 7:5 7:17 24:6 27:20 39:18 41:3 44:17 45:3 46:24 51:4,22 59:17 59:19 60:14 62:6,8,25 63:14 68:9 70:23 77:23 92:11 105:2 courses 41:8 Court 79:13 cover 24:16
--	---	--	--	--	--	--

27:20 84:10	103:10,13,25	dedication 14:7	difference 2:12	disclosures	duty 44:1 100:7	employment
coverage 6:13	104:6,17,21	deeper 77:6	2:14 4:9 40:6	92:23		9:12
7:25 15:21	105:6,6	deeply 20:20	93:10	discovered 66:25	E	en 56:21
covered 6:14	Davis's 104:9	defence 38:6,9	differences 2:15	78:10	earlier 35:13	enable 101:18
12:11 19:23	105:7	39:11 73:13	different 2:23	discredit 94:12	37:12 38:3	encapsulation
24:6 26:9	day 15:4 29:15	77:20	4:20,24 7:9	94:17	47:6 51:19	99:17
47:15 73:21	34:22 35:4	defensive 12:13	14:3 15:2	discuss 99:22	52:13 90:21	encompassed
covering 36:14	43:2 103:17	94:19	18:14 27:16	discussed 22:21	101:25	56:4
37:8	days 6:8 34:15	defensiveness	32:8 34:9 38:4	29:17 34:2	early 4:3,9 5:10	encrypted 35:17
covers 43:14	34:23 35:24	72:6	43:19 47:20	50:14 72:9	8:21 9:8,16	ended 47:3,4
covert 86:19,25	70:5,12 89:10	definition 51:9	55:15 57:6	discussing 34:19	13:2 45:15,15	87:9
87:6	99:6,6,15,19	degree 8:5 72:15	58:11,16 59:5	discussion 12:2	56:22 92:2	enemies 26:19
co-operation	99:22 100:2,21	83:9	59:7,9 60:12	12:20 13:6,7	earth 70:8	engaged 88:8
59:23	100:24 101:22	deliberately 13:6	61:11 63:1,18	13:10,11,21	easier 33:19	England 59:1
CPS 93:18 101:5	101:25 102:7,9	95:7	68:5 71:7	19:10,12 25:20	east 59:1	English 75:4
CRA 16:8 17:5	day-to-day 16:5	deliberations	84:19 90:22	29:14 35:18,22	easy 67:13	enhancement
17:10	de 23:1	51:8	99:4	40:8 41:16	editor 25:13 27:6	48:20
create 78:5	dead 4:16	delivered 9:21	differentiate	47:13 49:14	27:8,13 90:14	enjoyment 48:21
created 85:18	deal 10:1 15:3	delve 69:23	31:6	57:9 64:7 80:9	90:17	enormous 8:1
94:2	16:7 22:10	demand 60:9	differentiates	89:22 97:16	editorial 16:15	32:18 40:11
creating 39:20	29:20 35:2,16	demonstrate	31:9	discussions	editors 10:15	65:1 66:16
crime 4:5,6 5:12	35:16 36:18	22:12	differentiating	28:20 33:25	14:22 16:15	enquire 27:4
6:8,15,18 7:15	37:16 44:20	denied 76:10	42:15	51:5 57:14	21:23 23:19	ensure 100:14
7:25 8:3 11:19	46:20 51:1	denies 76:5	differently 60:2	88:21	27:3,8	ensuring 16:22
18:14 19:14,21	59:1,14 62:11	depressing 10:15	60:11	dismissed 7:20	educated 8:19	93:19
50:4 59:16	62:12 71:8	deputy 2:6 59:11	difficult 4:13	dispiriting 9:16	education 30:15	entered 56:15
63:2 74:16	72:23 74:6,8	63:7,21 64:1	23:11 33:22	dispute 29:7	Edwina 4:13	enticements
79:23,24 82:10	75:19 82:10	64:14 92:15	40:18 41:14	distance 61:8	effect 36:16	47:18
criminal 5:16 8:7	84:24 88:4	96:6,7 98:8,10	58:7 64:17	distinction 7:17	95:25 99:20	entire 76:1,2
20:16 44:23,25	90:24 92:7	98:16	72:12,18,23	83:10	104:10	entirely 14:25
45:10 50:9	dealing 3:12	Derbyshire 5:2	73:14,18 77:13	disturbed 20:20	effort 1:24	19:1 45:19
57:14 58:22	18:10 27:24	describe 11:20	78:16 79:10,18	52:25	egos 3:7	60:12 64:10
105:2	33:4,23 42:11	49:5 70:20	81:22 95:1	disturbing 62:16	eight 35:9	78:18 79:15
critical 14:10	43:21 58:20	described 8:17	difficulties 20:14	diversity 9:9	either 16:10	entitled 19:11
criticise 68:18	59:1 62:1,24	describes 6:25	44:16 88:22	divulge 48:21	35:25 59:11	36:9 41:13
criticising 38:7	dealt 65:8	describing 49:6	difficultly 3:14	document 84:11	63:21 64:20	79:25
criticism 11:9	deaths 4:11	49:23	7:24 73:17	documentation	87:3	environment
98:12	debate 6:11 19:5	description	77:17	84:16	elaborated 100:4	2:23 3:13
cross 38:15	29:3 30:24	32:19	dinners 14:22	documents 70:5	elapse 87:18	94:23
Crown 104:7	36:3 73:3	designed 53:4	15:2 77:3	72:16 84:8,17	elapsed 97:15	epicentre 71:24
cultivate 54:11	102:2,3	desire 43:12	direct 41:18	doing 18:17	elected 7:22	episode 85:12
cultural 81:22	debated 89:16	detail 31:15	54:11 57:4	25:11 30:9	elections 8:4	equally 32:7
culture 8:24 12:2	decade 92:2	34:18 56:7	69:24 72:25	37:10 53:7	electoral 41:12	59:19,20 73:5
12:5	December 2:7	84:24 86:8	directed 104:17	69:9 104:19	element 72:21	equipped 74:7
cumulatively	10:20	104:7,9	directing 92:25	domain 94:1	80:1,2 81:24	escalate 59:8
10:15	decently 32:10	detailed 21:18	direction 21:22	dominant 7:16	elements 31:16	essence 85:9 95:4
current 3:13	decide 9:25	38:19 68:13	24:9	dominated 64:22	Elizabeth 74:1	essentially 89:20
30:24	79:20	details 92:21	directly 7:23	doomed 25:1	Elveden 31:22	92:25 97:11
Currie 4:13	decided 11:10	Detective 85:1	21:15 40:15	door 4:23 74:3	42:17,21	establishment
cycle 10:25	23:11 64:1	detectives 11:20	43:2 66:3 88:1	doorstep 8:4	emanating 87:3	72:11 85:19
	decision 58:17	12:2	director 51:1	doubt 14:21 17:6	embrace 104:18	et 23:2 28:7
D	58:18 59:2,5,6	detention 33:24	directorate	101:2	emerge 91:19	41:19 97:20
D 102:12	59:7,9,13,20	34:14 35:19	50:16 51:16	doubts 103:18	emerged 92:1	ether 28:17
Daily 8:16,23	63:19 69:16,17	99:6,20,20	59:16 63:1,2	DPA 15:7 39:16	101:18	ethnic 9:1
17:14 24:11	69:25 70:3,4,7	100:2,13,20	63:24,24 64:9	39:24 40:11,23	emphasis 81:10	Evening 17:15
26:12,17,17	70:15,18,24	101:4,22 102:6	disagree 74:4	50:17,20 51:2	emphasise 60:3	17:17 18:1
40:4 102:11	71:5 73:9,15	determination	75:14	draft 93:9,11	81:17	27:14 52:3
Dando 92:8	77:17 78:9	11:13	disasters 32:21	dramatic 16:2,3	emphasised	54:5
dare 35:14	79:20 89:22	develop 39:6	disciplinary	draw 77:19 98:2	97:25	event 24:23
data 101:17	98:9 99:2,21	81:1	44:22 45:3	drawn 72:5 80:5	emphasising	28:19 29:25
dated 1:10,10	decisions 41:19	developed 37:13	81:10	100:10	68:5	46:12
83:5	59:18 60:10,19	device 86:22	discipline 32:25	drinking 12:6	empirical 100:11	events 16:2,3
dating 84:17	78:16 79:4	diary 22:12,15	91:22	driven 91:6	employed 88:8	18:18 25:25
Davis 100:18	decision-making	Dick 24:4 28:22	disclosure 85:10	due 2:5 59:17	employee 48:6	eventually 10:5
101:10,20	78:13	52:13	92:20 93:24	62:25 101:5	employers 88:15	everybody 70:22
102:13 103:4,5	declared 5:7	died 11:22	94:4	dug 65:3	employing 50:9	ever-expanding

10:25	15:23	24:24 50:15	5:6,12 10:13	101:3	52:20 63:10	57:19 61:9
evidence 1:12	expertise 39:2	96:21 97:4	15:4,23,24	fully 100:2	69:22 77:6	66:11 67:4
9:12 10:19	explain 3:22 19:4	fall 28:5	17:9 20:5,7	full-scale 47:5	95:20	hacking 50:14
34:12 41:23	36:5,8 41:21	falsely 88:16	25:24 28:5,18	fundamental	Godwin 82:3	61:18 68:7
44:4 46:22	44:4 46:3	Family 67:16	44:24 55:17	84:21	goes 38:20 48:25	half 9:24
47:1,6 52:11	56:13 83:23	famous 87:16	59:12 61:23	fundamentally	going 6:22 8:1	hammer 79:7
53:16 55:8,10	explained 56:19	far 14:20 20:1	64:7 82:25	2:23	11:5 14:13,15	hand 59:15
56:3 58:15	57:18 102:15	23:5 38:20	84:2,25 86:21	funds 5:5 88:12	18:19 19:10	handle 95:8
60:6 61:9,9	explanation	55:6 103:2	103:19	furnishing 84:16	20:4 23:7,11	handled 93:3
66:10 67:3	59:10	faster 35:6	fit 80:13	further 35:14	24:10 28:25	handling 10:13
68:5 72:25	explicitly 75:20	fathom 61:15	fits 65:24	46:19 58:21,22	29:16 34:12	hands 80:18 92:4
73:21 74:19	explore 15:16	favour 101:21	five 17:13 46:12	62:4 69:19	37:9,18 38:25	hang 61:20
75:13 76:17,17	43:10	favourable 23:16	66:13 85:14	70:3 71:6	40:17 44:10	hanging 12:1
76:21 80:21	exponentially	favoured 16:20	91:18	73:23 76:7	51:14 52:1	happen 26:16
83:6 88:12	10:14	16:23	flawed 103:18	89:5 95:10	54:17 55:9	57:16 100:5
89:17 90:22	express 17:2	favourite 8:17	flu 4:14	96:1,7,16,24	61:3 64:4	happened 28:13
93:21,22 95:5	26:17,17 37:3	featured 72:3	flur 19:10	103:5	67:23 69:2,5	29:15 32:21
95:6 97:9	99:14 103:22	February 1:10	follow 3:6 51:3	fury 75:2	71:4 75:11	59:10 62:13,19
100:11 101:18	expressed 34:9	2:7 83:5	74:18	future 26:10	79:5 90:24	62:19 63:4
evidential 88:22	60:17 95:11,13	Fedorcio 22:18	followed 82:5	100:13	98:8 102:22	64:15 68:1
89:12	expression 69:15	28:22 29:9,16	83:19	G	golden 32:13	70:12 97:12
exact 79:1	extend 99:5,19	30:15 51:4	following 41:17	gain 48:19	good 9:24 10:7	98:14 104:11
exactly 10:6	100:20 101:21	52:9,18	53:16 68:23,24	gatekeeper	15:20 24:5	happening 18:10
13:16 69:8	extended 33:24	feeds 10:21	70:5,12 96:4	50:18,21	30:19 40:16	happens 10:20
examination	34:14 101:4	feel 14:2 31:8	foolishly 54:12	gather 1:20 46:3	53:9,19 74:4	happy 60:13
44:21	102:5	36:9 41:25	force 5:7 52:23	gathering 70:5	93:18	harboured
examined 45:18	extending 99:16	60:1 71:12	forces 2:13,17,18	general 12:22	Goodman 54:17	103:18
45:22 93:23	extension 99:15	72:4 84:12	Force's 52:7	14:11 16:4	Goodman/Mul...	hard 14:5,6
97:20	extensive 54:13	90:10 101:8	foreseeable	18:3 32:15,18	55:7,18	hasty 70:15
example 20:8	extent 31:18 58:9	102:17 103:11	100:5	34:5 46:15	goose 32:13	hated 74:24
78:9 91:24	60:8,18 65:12	feeling 32:11	form 1:12 83:4	71:18 72:6	gossip 49:8,14	75:3
exception 14:23	76:11	fell 20:15	formal 1:12 13:4	75:12 76:14	gossiping 44:2,5	Hayman 41:3
39:20 40:23,24	extinct 32:19	fellow 9:10	13:10 83:5	generally 5:16	government	45:9,20 55:1
50:17	extremely 4:13	felt 13:21 36:12	98:24	8:8 18:8 26:11	40:19,20	59:11 64:8,17
exceptionally	45:15 55:13	89:25 98:9	formed 85:2 88:2	genie 7:10,11	government's	64:21 76:21
101:6	68:21 69:16	100:7,23	former 97:2	gentle 9:1	99:5 100:20	83:19 88:21
excessive 4:10	79:10 81:22	102:13,25	forthcoming	gentleman 16:3	grapple 72:13	89:4,11,25
exchange 101:3	ex-Home 66:5	103:6 104:4,5	22:24	geographical	grateful 80:18	90:10
exchanges 31:23	ex-officers 91:20	104:8,9 105:3	forward 57:16	49:21	84:4	Hayman's 90:12
excite 30:18	F	fewer 14:15	68:9	germane 84:11	gratefully 5:21	head 6:3 28:22
Exeter 83:10	F 103:15	26:10	found 8:12 19:15	getting 14:6	gravity 65:1	51:15 67:12
exhausting 10:18	faced 20:14	fields 39:9 69:11	24:24 45:21	genie 7:10,11	great 25:4,24	80:17 85:2
exhibit 1:18	40:15 47:24	fierce 5:11	60:21 84:18	53:7 56:20	37:16 75:19	96:8 97:3
exist 31:15 49:9	facing 34:25	fight 19:21	93:15 94:6	gifts 22:11 31:5	81:21	heading 19:19
existed 29:12	fact 4:25 18:4	file 60:23 93:12	four 9:6 17:14	give 11:17 27:24	greater 47:18	headline 24:25
80:4	25:21 30:13	93:17	23:9 37:4 94:8	28:14,24 54:21	75:2	25:4,24
existence 77:21	31:12 44:12	Filkin's 74:1	fourth 24:21	55:10 96:1	Grieve 103:5	Health 4:12
existing 100:13	55:21 67:2	final 44:19 74:14	frank 92:4 101:3	99:14	grips 62:12	hear 6:22 19:11
expand 18:6	77:25 86:14	74:18 79:22	frankly 44:2	given 14:18	ground 81:24	34:12 44:10
expectation 87:6	101:11 104:20	93:9	fraud 89:20	26:21 27:25	grounds 91:4,11	80:23
expected 32:2	104:25	finally 19:5 26:8	Frederick 82:23	28:22 40:11	group 9:17,19	heard 3:5 29:11
34:3 35:25	facto 32:24	financial 31:20	83:1	41:24 42:25	17:18 24:5	49:17 55:11
expecting 21:9	facts 13:22	31:21 38:10	frequent 3:24	46:15 50:18	51:17,18 61:24	57:4 62:15
21:11	failed 48:13	47:18 48:14,19	73:12	57:23 58:2	70:20 76:12	68:17 74:12
expeditious	failure 77:14	88:6	fresh 26:19	68:3 70:4 71:3	86:6	hearing 54:7
100:14	fair 14:17,18	find 14:8,9,10	Friday 13:3	74:19 96:11	grown 25:13	heart 48:15
expenses 28:8	21:5 24:12	16:10 30:13	friend 14:23,23	102:9	Guardian 15:18	Heathrow 64:24
expensive 23:21	26:9 27:12	43:1 46:5	27:18 78:5	gives 75:9 98:19	17:14 27:7	66:4
experience 15:18	41:6,10 44:16	93:21,22	friendly 78:22	giving 21:3	65:22 68:14	heavily 72:3
25:11 30:9,14	52:10 53:2	findings 10:2	friends 78:24	go 3:9 4:8 6:9	guilty 65:10,12	heavy 12:6
30:16 40:16	67:6,7 75:24	fine 75:16 102:21	front 14:7 28:21	7:12 11:12	guises 85:17	held 69:7
61:12 68:13	94:21 95:3	finished 20:21	48:3 49:18	14:20 15:1	Gus 95:12,15	help 19:20 29:19
69:7,10 99:24	96:25 98:6	69:12	74:2 77:2	29:12 35:12	H	30:5 68:12
experiences 7:1	99:16	firmly 90:5	fruit 64:12	37:14 39:13	habit 49:19	helpful 84:15
7:13	fairly 8:20 13:8	firms 37:18	full 1:7 82:25	40:5 46:17	hacked 56:20	helps 29:7
experiment		first 1:3,7 2:12	93:17 100:14			heroics 14:7

hierarchy 42:16	93:6	independence	institutions 72:1	investigation	73:25 74:10,12	70:2,11,13,21
high 45:25 65:3	ii 94:12	7:18	insufficient 10:4	56:11 76:2	75:6,8,12	70:23 71:1
69:8 93:19	iii 94:15	independent 5:8	100:2	80:1,3 85:6,20	79:22 80:7	74:9,11 75:6
higher 60:14	ill 67:25	17:11 23:3	integrity 90:7	86:10,19 87:6	82:21,24,25	75:11 77:22
highlighting	illegal 57:5	indicate 16:25	91:16 93:1	88:5 89:13,24	84:24 86:10	78:3,17,21,24
87:14	image 9:8 82:2	indicated 97:21	94:10 96:2	91:23 92:11,21	97:12 105:5,9	79:7 80:8
highly 44:21	imagine 12:3	98:11	intellectual 9:9	93:1,16 94:11	Jean 23:1	81:21 82:14,16
45:4	40:2 56:17	indicating 10:3	intelligence 85:4	94:13,13,23	Jill 92:8	82:22 84:1,6
high-profile 41:2	64:11	85:4 91:1	85:18 86:25	95:9 96:3	job 15:22 19:16	84:19,23 86:9
87:17	immediately	indication 61:23	87:3,5,8 88:12	100:15 104:12	53:5,20	97:7 105:6,10
hindsight 67:13	34:10 63:4	indications	90:15 91:16	105:2	jogged 71:23	justifiable 60:12
Hinton 22:13	impact 4:6 17:25	63:17	intending 43:5	investigations	John 11:10 12:25	justify 70:6 71:5
26:5	imparted 14:3	indiscretion	intense 91:6	46:21 63:10	14:18 21:22	
history 11:18	imperative 38:11	43:10	intensifying 94:9	85:7,20 86:2	25:17,17,25	K
HMIC 2:4 73:21	implement 98:11	individual 41:18	intent 16:22	87:17 91:24	69:15,25 73:15	keen 29:3
74:7	implicated 95:4	41:19 73:9	intention 99:5	100:12	77:16	keep 32:15 75:11
holder 16:5	implication	individuals 10:9	interactions 3:23	investigative	joined 2:1,4 83:8	kept 53:20
holding 10:9	95:15	22:23 47:16	14:16 24:17	50:10	joint 36:12	key 94:17
holiday 64:25	implications	48:1 73:8	interception	investigators	journalism	kidnap 45:12
home 4:17 6:10	57:17	87:10 94:18,20	57:4	65:2 79:25	71:24	killing 32:13
99:11,18 100:6	implicit 13:17	industrious	interest 42:17	invidious 68:18	journalist 15:18	kind 11:11 18:17
100:17	98:12	21:18	interested 16:3	69:4	16:2 21:3 22:6	19:13,17 30:17
homosexual 9:1	implies 75:20	industry 80:1,3	interesting 14:8	involve 71:16	50:7,11	31:14 67:19
honours 78:12	importance 3:12	inefficient 5:7	14:9,10 16:13	involved 10:13	journalistic	81:13
92:10 96:3	73:10	inevitable 3:24	25:21 51:13	37:18 43:23	88:23 89:18,18	knew 7:6 23:2,10
hoof 40:7	important 15:8	60:10	61:3 70:19	63:17 78:14	journalists 10:15	27:10,14 28:23
hope 79:16	18:13 24:8	inference 100:10	75:8	85:17 86:12,15	11:24 12:3,5	44:13 63:7,7
horrors 62:1	26:22 32:7	influence 41:8	interestingly	86:17,18 88:23	14:22 16:9	64:25 66:14
horse 28:5,6,11	49:21 51:21	73:10 77:18	36:25	94:20 99:21	21:19 22:8,11	67:8,22,23
28:18,19 29:25	52:4 54:6	informal 13:1	interests 8:11	100:24 105:3	23:20 27:2	72:25 101:15
horses 29:13,22	58:14 64:19	information	internal 51:23	involving 5:2	28:1 42:10	103:17 104:2
29:23	71:20 74:14	10:12 14:5	53:3,5	91:20	44:8,11 46:2,7	knife 18:14
Hospital 4:10	79:11 81:6,19	18:7 20:1 21:3	International	in-depth 15:21	48:19 49:14	know 2:21,22
hospitality 22:12	importantly 48:7	37:16,17 38:19	28:2 36:20	issue 5:13 7:16	50:19,24 54:10	7:11 19:14
31:5,7,7	102:14	42:9,13 48:3,3	72:13 73:16	8:4 14:12,19	72:2,7,18 73:1	20:24 21:18
hostile 24:11,24	impression 11:6	50:11 52:24	86:6	24:16 32:24	85:10,24 87:14	24:4,6 25:14
94:23	16:19,21 89:6	53:9 54:2	Internet 45:14	33:24 34:24	87:22 88:8,10	26:16 27:2,14
hour 9:24	89:7	60:18 63:15	interning 30:25	36:18 41:23	89:15 91:5,12	27:15 28:20,23
hours 17:1 23:9	imprisonment	67:12 71:11,16	internment	43:14 50:14	91:22,25	31:1,22 36:11
28:20 101:14	47:5	71:19 72:2	35:20	51:1 60:1 62:5	Jowell 9:18	36:21,23 38:13
104:10	improper 12:17	85:10 94:14	internships	73:22 74:8	judge 79:13	40:21 44:14
House 4:14,17	45:21 50:12	95:16 96:17	30:24	79:1,2 89:8	July 25:9 68:10	56:6 57:15
household 56:2	improve 12:15	informed 20:6	interrupting	99:4 101:9	68:19	60:15 61:7,7,8
67:6	13:24 43:18	20:11	21:4	102:3 103:21	June 9:11 22:17	61:15 64:4
Howard 5:12	inadequate	injuncts 74:5	intervention	103:25 104:23	36:5 103:6	66:25 67:7,21
huge 65:2 91:15	100:14	Innumerable 9:7	41:18	issues 3:12 7:20	junior 42:24	70:12 71:18,21
94:24 98:3	inappropriate	inquiries 44:17	interview 93:25	15:9 33:23	48:12 77:8	73:14 75:15
101:16	22:3,5 33:14	44:20	94:4,5	39:2 90:25	justice 1:4,22	76:17 78:10,25
human 49:7,19	45:7 105:4	inquiry 1:9,12	interviews 15:5	91:2 102:2	5:15,16 7:8 8:7	79:1 86:12
86:25 87:7	incidence 5:12	6:19 11:8	16:9	iv 94:17	8:7,10 10:21	90:16,20 98:25
Hyder 52:12	incident 28:6	20:14,24 22:25	introduced		13:13,15 18:6	104:25
hypothetical	29:4	30:5 32:5	53:23	J	18:21 19:2,19	knowledge 70:9
62:24	incidents 28:4	45:10,16,17,21	introduction	January 65:13	19:22,25 20:17	known 22:25
hypothetically	include 85:6	46:16 55:21	18:15	95:11,21 98:16	23:25 24:3	27:6,7,11,13
64:7,11	included 15:24	58:23 63:20	introductory	January/Febr...	29:2,6,19,22	63:8
	16:1 86:3,4	75:25 77:2,11	2:12	63:5	30:7 36:2 38:1	Kuttner 22:18
I	91:7	83:2,6,13	intrusive 44:22	Jay 1:3,6,7 2:1	38:7,15,25	
Ian 1:5,8	including 3:23	86:18 90:6	45:4 98:6	5:18 8:14 11:1	39:4 40:9,19	L
idea 15:20 24:5	66:17	96:8 101:16	invariably 10:16	11:16 13:17	40:22 44:5	Labour 4:5 9:2
28:16 30:19	inconceivable	inspector 29:13	inverted 51:5	20:7 24:10	46:15 52:20	9:10
53:19 66:5	43:1	Inspectorate 5:5	79:14	30:8 36:5	53:14 54:4,9	Labour's 8:17
71:17	increasing 41:25	instance 6:3 7:19	investigate 72:18	39:13 40:23	54:20 57:10	languages 35:16
identified 46:1,7	43:4	32:4 59:12	77:14 100:3	44:10 46:19,25	60:5,8,17,25	large 3:7,7 23:19
55:1,2 86:1	increasingly	instances 21:14	investigated 69:1	54:9,10,25	61:14,19,22	36:7 42:22
identify 33:16,16	48:18	49:15	investigating	57:17 62:24	62:5,7,11,23	43:7 51:3 77:3
33:19 84:7	inculcation 48:9		19:13 78:1	68:23 71:7	68:12 69:4,13	77:3 87:6

largely 4:2	36:2 38:1,7,15	look 10:16 56:10	22:16,23 24:14	23:6 24:8	mentioned 30:15	mixture 11:21
larger 2:16	38:25 39:4	69:22 77:9	24:20 29:15,17	25:16 26:19	47:4,4 61:18	Mm 17:4 39:3
largest 24:7	40:9,19,22	100:21	104:16	27:2,6 29:22	63:2 86:15	mobile 45:5
99:24	44:5 46:15	looked 55:24	luncheon 105:13	32:3 34:4	90:21	50:20,24
late 60:21,21	52:20 53:14	69:19 81:3		35:10 38:17,19	mentioning 55:1	model 82:10
92:1	54:4,9,20	88:5	M	41:20 42:19	mere 77:25	models 82:9,11
launch 89:13,23	57:10 60:5,8	looking 17:24	machine 5:23 6:2	45:15 46:12	merely 11:23	module 6:19
law 72:17 75:8	60:17,25 61:14	21:17 22:6	magnitude 20:17	49:7 50:23	13:21 62:18	modus 56:19
lawful 99:19	61:19,22 62:5	24:21 45:4	Mail 8:16,23	52:14,24 53:19	63:14	moment 2:16
Lawrence 11:8	62:7,11,23	67:13 79:12	9:11 17:14	54:1 56:7	merit 98:20	54:18 59:14
12:12 83:13	68:12 69:4,13	80:24 82:8	24:11 26:12	60:20 64:23	message 14:2,12	74:9 89:23
lawyers 78:10	70:2,11,13,21	89:19	36:25 102:11	67:2,10 69:23	34:4	105:9
layer 96:16,24	70:23 71:1	looks 7:25 62:21	103:14 104:18	71:20 72:8	met 2:21 11:8	Monday 13:2
lead 76:22	74:9,11 75:6	loosely 72:10	104:24 105:2	74:10 77:25	25:16,18,23	96:4
leader 5:2	75:11 77:12,22	Lord 1:3,4,5,7	main 8:3	78:9 92:3	26:1 29:23	money 38:11
leadership 51:18	78:3,17,21,24	1:22,23 2:1	maintain 73:14	103:16	30:2 31:1	42:10,13 43:2
leading 103:22	79:7 80:8	5:15,18 7:8 8:7	Majesty's 5:5	meaningful	47:24 52:6	77:10 88:14,17
leak 44:16,25	81:21 82:14,16	8:10 10:21	major 9:18 13:9	80:24	53:6,18 54:8	92:4
46:21 76:9,11	82:22 84:1,6	12:11,12,14	making 42:19	means 29:3	58:25 72:11	month 16:9
92:7	84:19,23 86:9	13:13,15,18,23	47:20 60:19	47:10 91:7	75:17 76:2	monthly 17:11
leaked 27:19	97:7 105:6,10	14:16 18:6,21	73:18 79:4	measures 99:2	77:25 95:2	months 15:23,24
94:2,14	Lewis 27:9	19:2,19,25	87:15 89:15	medals 53:7	Metropolitan	15:25 16:1
leaking 95:7,16	lie 48:15	21:9 23:25	98:13	media 10:2 11:16	2:2 6:6 32:17	23:6 53:25
leaks 41:23 42:1	lies 53:12	24:3,18 27:22	malice 67:25	12:19,20 16:11	45:6 55:3 72:7	103:13
42:3 43:4,7	life 2:10 9:15	29:2,6,19,22	malicious 98:19	21:25 24:23	82:12 84:15	morning 24:25
44:5 45:10	19:9 37:15	30:7 33:3 36:2	malpractice 96:9	27:16 31:7,16	85:2,16 88:2,9	mornings 13:1
48:24 52:9	38:21 67:10	38:1,7,15,25	management 3:3	31:21 36:10	91:15 97:3	motivation 43:10
76:5 93:21,22	light 53:4 58:19	39:4 40:9,19	3:4,5 12:24	37:9 39:15,16	99:23	94:9
95:1 96:1,9	96:2	40:22 41:3,22	33:10,25 34:8	39:17,22,25	Met's 12:24 34:1	motivations 73:8
97:6	lightly 81:8	44:5,24 45:24	34:13 42:4	40:16 42:1	middle 64:25	mouth 60:25
learned 104:1	light-humoured	46:15 48:23	51:2,9 76:8	43:23 45:15	Midlands 4:15	move 11:5 16:15
learnt 91:10	53:1	50:15 52:20	78:4	46:4 47:15	mid-1990s 2:4	18:4 35:6
leave 38:11 51:7	liked 35:7 66:5	53:14 54:4,9	manager 78:5	48:24 50:4,18	mind 16:6 42:11	54:17 68:9
leaving 2:2 25:25	likelihood 40:11	54:10,20,25	March 1:1 83:15	52:3 76:25	43:13 52:8	71:7 83:13
36:18 37:14,16	likewise 17:16	57:10 60:5,8	99:8,10	81:1 92:21,24	67:5,7,15	91:2 92:10
39:10	limits 100:13	60:17,25 61:14	Mark 27:17	94:15,25 95:14	mindset 70:17	99:4
led 5:7 33:20	line 25:22 47:10	61:19,22 62:5	massive 94:24	95:17	minimum 82:9	moved 3:18
left 4:22 28:13	52:21 90:6	62:7,11,23	101:16	meet 102:1	82:10,11	76:12 91:23
35:14 91:20,21	lines 37:4	63:19 67:2	master 36:7	meeting 6:5 9:17	Minister 3:24	moving 49:13
legal 28:19	linked 39:1	68:12 69:4,13	material 22:2	13:2 16:8	8:20 34:20,23	66:12
legislation 5:8	links 9:2 40:11	70:2,11,13,21	65:20 69:20	24:20 26:3	78:15	MPS 2:6,13
35:3	48:23	70:23 71:1	88:23 89:14,18	34:20 78:13	Ministerial	12:19 18:23
legitimate 3:10	list 62:15 66:22	73:22 74:9,11	93:2,23,24	100:17 101:2	37:21	28:11,13 36:19
104:24	listening 86:22	74:18 75:6,11	94:1,2,4,16	101:11 103:3,5	ministers 57:19	83:9,12,15,22
lengthy 33:25	literally 61:25	76:15,15 77:12	95:7,8	103:19,19,24	78:15,18	87:17 92:19
35:18 68:22	literature 75:4	77:22,23 78:3	matter 4:19 15:2	104:1,8	ministries 39:10	94:10
lent 28:6	little 4:8,15 18:6	78:17,21,24	30:8 32:5	meetings 14:14	minor 1:21	Mulcaire 54:17
Les 22:13 26:5	22:13 41:5	79:7 80:8	33:20 34:14	16:8,15,19,22	minority 9:1	58:5 60:23
letter 98:15	53:1 76:20	81:21 82:14,16	54:18 59:25	16:24 17:8,10	85:5	multiple 8:10
100:6,8,22	93:10	82:22 84:1,6	63:20 64:3	17:11,11 22:7	minute 57:21	murder 92:7
let's 18:6 37:17	live 105:4	84:19,23 86:9	65:7,14,17	26:8,10,13	64:23	Muslim 45:13
level 3:15 11:23	Livingstone 9:18	97:7 105:6,10	73:13 79:21	44:8,11	minutes 54:20	mustn't 81:20
26:24 33:10	lobbying 41:7	Lords 7:21	80:20 89:4	member 28:6	82:16	Myler 22:18
34:10,25 35:5	local 47:9,12	losing 66:15,16	matters 11:14	51:2,16	Mirror 17:15	
35:5 40:9 42:4	London 2:17,19	lost 34:23	20:15 33:7,12	members 5:8	40:4	N
63:22 76:24	9:21 15:9 25:8	lot 30:20 35:12	68:3 88:21	12:4 34:8	misquoted 9:12	nailed 74:2
levelled 92:19	30:22	63:17 84:10	91:9 94:8	52:21 81:13	misrepresentat...	nails 79:8
levels 42:16	Londoners 15:12	104:9	maximum 35:20	93:6	103:7	name 1:7 46:7
73:11 77:14	15:13	lots 53:6,6,20	35:24	memoir 61:17	misrepresented	66:19 82:25
Leveson 1:4,22	long 12:8 20:19	57:6 63:16	Mayfair 22:16	memory 2:20	102:13 104:5	names 44:12
5:15 7:8 8:7,10	29:4 32:19	love 74:24 75:2	MBA 83:10	22:22	missing 17:2	46:13 51:18
10:21 13:13,15	48:8 51:14	low 47:16	meals 22:10	Menezes 23:1	mistake 15:25	62:14 63:16
18:6,21 19:2	102:2	lower 42:16 48:5	mean 6:12 8:2	mention 8:23	49:13	national 3:12
19:19,25 23:25	longer 59:15	101:6	14:4,18 15:9	22:17 41:2	misunderstood	natural 15:15
24:3 29:2,6,19	87:18	lunch 14:25	18:11 21:6,8	43:23 44:15	104:11	49:8,19
29:22 30:7	long-term 85:13	16:16,17 22:13	21:17 22:6	46:25 60:20	Misuse 57:12	nature 15:21

47:24 103:23 nearly 9:24 85:14 necessarily 12:6 16:4 39:7 52:22 89:21 90:3 necessary 19:4 28:3 35:18 86:9 101:4 need 24:16 41:6 80:16 81:3,23 82:7 needed 12:19 20:23 30:13 needn't 36:6 98:16 needs 21:7 80:20 neighbour 27:18 neighbourhood 18:15 Neighbourhoods 18:16 Neil 26:1 Neither 40:22 neonatal 4:11 network 47:25 networks 48:1 neutrally 91:1 never 6:6 35:1 36:20 39:22 50:5 67:19 new 5:7 7:22 9:2 13:24 15:14 44:13 68:20,21 74:16 83:12 newly 85:2 news 10:7,7 17:12 23:22,25 24:6 28:2 36:20 40:12 53:17 59:21 72:13 73:16 86:3,6,16 newspaper 25:12 30:10,11 52:7 52:23 53:6 66:4 90:15,17 103:7 newspapers 8:1 9:7 17:2 36:24 53:3 66:6 67:10 72:12 86:3,4,5,11,15 88:7,19 90:21 91:5,12 nexus 6:11 Nigeria 85:21 86:11,15 87:9 91:10 nine 17:15 103:13 norm 9:15 normal 31:2 normally 10:11 14:9 22:8	41:20 64:3 Northern 17:16 17:18 26:15 notable 10:9 note 8:2 58:23 84:6 notice 32:23 60:20 83:3 noticed 21:21 November 65:11 no-brainer 71:2 NSY 16:16 NSY's 12:15 nuanced 13:8 number 1:19 2:22,22 4:11 7:4,7,21 23:19 25:16 41:25 42:22 43:4,7 48:17 50:25 51:3 64:18 73:18 75:25 77:3 82:3 84:8 85:24 89:9 93:25 97:18 99:15,21 100:3 100:24 102:7,9 numbers 46:1 56:21 58:9,10 60:23 66:23 nurses 4:12 nutshell 2:14 <hr/> O objected 63:25 objective 18:25 54:8 objectives 18:3 observation 12:22 observations 68:2 Observer 17:14 obsessed 9:9 obtain 94:15 obvious 1:24 2:25 5:25 30:10 62:21 67:14 97:17 obviously 14:18 17:24 18:7,11 18:18 19:3 22:22 25:18 27:10 28:8 30:20 39:1 52:14 66:20 69:2 84:4 94:24 occasion 23:17 23:18 26:1,5 42:8 49:22 occasional 44:14 occasionally 16:16 occasions 7:21 25:16 27:25	75:25 occur 49:24 occurred 5:1 104:15 occurring 94:24 October 8:16 odd 61:16 oddity 37:11 oddly 38:10 offence 57:3,9,11 57:12,15 offences 57:11 89:19,20 offer 89:21 96:16 96:24 office 13:3 16:5 18:11 31:1 41:11 49:11,13 61:17 71:10 83:12 officer 8:19 19:11 22:8 48:5 55:3 75:16 97:5 officers 6:20 9:1 12:21,23 13:2 19:8 33:7,9,17 36:9,15 37:8 38:3,25 39:7 40:17 44:12 47:19 48:1,8 48:11,18 49:6 53:7 54:12,12 54:14,25 58:24 71:17 72:10 74:15 77:8 79:10 81:16 85:5 87:16,23 87:24,25 88:8 88:18 91:8,22 95:2 99:23 offices 2:20 14:15 16:17 official 39:18 47:2 52:7 officials 9:25 off-the-record 21:1 oh 30:17 61:25 62:8 69:13 Okay 29:9 59:14 old 11:24 12:1 Olympian 79:12 79:14 Olympic 9:17 Olympics 9:21 omitted 1:14 once 16:8,18 one-to-one 16:9 ongoing 55:12 57:5 onside 19:20 open 11:10 15:20 41:19 63:20 70:8 opening 5:21	18:4 operandi 56:19 operate 3:14 52:16 80:13 operating 21:15 82:5 operation 31:22 35:8 42:17,21 85:13,14,21 86:11,14 87:9 89:1 91:10,18 92:11 93:6 operational 4:19 7:18 85:18 99:18 operationally 100:25 operations 58:20 83:16 85:2 opinion 12:18 13:12 20:23 37:3 68:4 opinions 12:20 opportunities 39:6 opportunity 80:19 opposed 44:2 opposite 11:13 104:14 options 90:19 order 9:3 52:1 73:16 orders 32:19 organisation 31:15 37:19 53:10 59:9 60:15 73:11,12 78:4 81:11,13 81:17 88:3 90:8 91:17 97:5 organisational 48:9 organisations 31:8,19 39:16 39:17 40:12,13 72:1 Organised 79:24 organising 16:22 Othona 85:14 91:18 ought 39:16 49:20 98:9 outdated 35:2 outfit 85:6 outside 2:17 36:15 49:1,13 53:12 68:18 73:7 75:25 outspoken 8:24 overcomplicati... 73:22 overcosiness 50:2 overestimate	73:10 overlaid 56:24 overly 29:4 overprescriptive 81:25 over-great 50:2 Oxford 2:2 8:19 75:4 o'clock 105:10 O'Donnell 95:13 95:13 <hr/> P PACE 89:1 Paddick 52:11 74:19,22 75:10 page 3:2 6:25 8:15 24:22 25:7 37:5 45:24 55:8 74:25 93:14 94:7 96:10 100:9 103:16 paid 23:22 45:6 47:19 painted 85:15 paper 36:21 82:4 82:7 90:18 papers 17:24 26:15 52:4 paragraph 3:1,2 3:22 4:1 5:19 6:16 11:17 12:10 13:18 15:3,17 16:7 18:3,5 22:1,10 26:23 27:19 31:4 33:3 36:8 36:18 41:2,18 41:21,24 43:24 44:19 46:20 47:11 48:14,24 48:25 50:16 52:19 54:10 55:8,11,14 56:13 69:12 71:9 73:23,25 74:7 84:25 85:22,25 86:20 87:13 88:20 90:13,24 91:2 91:3 92:7,8 93:15 95:10 97:16 99:4,10 100:18 paragraphs 43:20,21 68:14 paralleled 6:20 parcel 20:7 parked 63:11 part 5:22 6:11 13:23 17:18,21 18:1,25 20:7 20:12 30:14 32:17,25 34:19 37:11,14 53:21	53:22 71:21 72:4 91:3 92:2 92:22 94:6 104:25,25 participant 15:16 particular 8:11 12:23 14:19 16:20 24:5 27:5,9 29:4 32:4,25 36:14 41:8 60:20 76:21 78:4 79:8 86:11,18 88:10 90:14 99:15 particularly 26:22 28:1 33:5 38:1 42:1 57:18,23 65:7 77:1 84:11 103:11 parts 6:17 12:18 38:21 59:8 party 4:5,24,25 5:13 pass 70:9 passage 1:13 passed 67:20 91:19 100:6 passing 42:9,13 50:11 92:4 pattern 9:6 14:11 16:7 Paul 6:14 11:7 11:12 30:16 31:13 70:16 92:15 95:19,20 96:5 98:23 Paul's 99:2 pay 38:14 paying 88:11,11 payment 36:22 85:11 payments 87:15 88:13,18,19 89:16 91:8 peer 2:10 pellucidly 74:22 pensions 38:9 penultimate 47:10 people 3:11,15 11:25 20:21 27:14 30:25 33:1 35:13 36:18 37:14,16 39:10 43:5,8,9 43:25 48:25 49:9,10,12 52:5,15,23 53:8,10,20 57:7,15 58:10 62:3,14,21 63:17 64:3 69:22 72:14	73:12 76:12 78:13 79:4 87:16 94:3 perception 77:5 77:7,11,18 79:2,18 perfect 89:12 perfectly 21:23 31:2 67:11 73:4 104:24 period 2:4 20:19 37:6,10,24 57:22 63:5 75:17 97:15 99:16 101:22 105:1 periods 35:19 permanent 6:5 permissible 74:1 perpetrated 85:5 perpetrating 43:6 58:10 person 39:21 79:5 personal 12:17 50:20 66:17 67:22 78:5,24 personalities 3:7 personally 22:7 perturbed 34:7 Peter 20:13 21:21 35:4 47:1 58:16 59:11,20 60:3 63:13 64:21 70:18 phases 85:12 phenomenon 49:23 philosophy 14:2 phone 24:19 45:5 50:14,20 61:18 65:23 66:22,23 67:4 68:7 phrase 21:16 43:24 47:13 55:22 74:4 82:9 pick 8:14 picks 41:23 picture 21:19 26:8 53:21 80:22 85:15 91:19 92:1 pictures 53:6 piece 8:16 9:11 70:19 79:8,18 103:15,16,17 pieces 53:9 82:4 82:7 PIN 56:20 placate 73:16 place 20:5 21:6 23:21 35:12 63:3 65:3 78:16 98:3
--	---	---	--	---	---	---

plasticised 82:3	5:13 6:11,11	predicted 10:6	104:1	proposing 88:4	putting 7:9 58:7	read 18:3 23:9
playing 30:24	6:14 7:11	prefer 33:18	privacy 67:23	99:16	puzzles 70:3	52:7,22 65:21
pleaded 65:12	politically 8:18	34:17 80:17	private 14:14	propriety 81:18		75:8 104:13
pleas 65:10	politician 41:11	preparation	67:9 79:25	prosecuted	Q	reading 54:6
pleasant 24:14	49:19 67:18	84:13 94:5	80:1,3 83:11	90:10 91:21	quarter 16:18	68:25
please 1:3,7	politicians 3:23	prepare 28:18	91:23 97:19	Prosecution 55:7	question 4:17 7:9	real 11:9 61:5
29:19 56:18	5:25 8:1,2 9:25	prepared 70:14	privilege 89:18	104:7	30:10 39:8	66:12
82:21,25	19:15 32:6	93:12 103:24	pro 31:24	prospect 100:1	40:10,14,14	realised 25:19
pleased 80:23	41:5,7 49:16	preparing 1:24	proactive 18:9	protect 15:12	51:13 52:8	realistic 100:1
plight 94:22	49:17,18 81:1	present 9:25	18:18,19	protection 62:16	57:11 58:7	really 11:18,22
plot 35:9 64:23	81:5,5	12:10 13:25	probability 9:20	89:21	61:15,19 62:20	12:11 18:21
66:1	politics 4:23 7:16	22:9,17 51:4	probable 58:9	protective 98:18	62:24 66:9	19:23 24:4
pm 82:18,20	49:11	presentation	probably 5:16	proudest 76:1	67:3,17,21	32:1 40:23
105:12	poor 6:17 69:16	10:1	6:12 11:25	prove 100:2	72:9 76:9,14	41:23 47:17
poem 75:3	portrait 9:8	press 2:17,20	12:4 16:13,17	proven 45:12	77:22 79:11,16	53:15 56:22,25
point 1:21 3:10	position 3:25	3:13 6:18,21	22:1 31:13	provide 18:7	79:22 80:8	57:4 61:25
5:19 6:8,16	4:20,24 12:12	10:4,10,14	41:5 47:12	20:1 29:7	104:16	65:4 68:4
11:2 15:10	26:15 34:1,2,3	11:5,9,14	53:1 59:12	87:24	questioned 97:24	71:21 74:3
17:17,22 18:22	35:8,15,23	12:13 13:7,19	63:21 67:20	provided 1:9	questions 1:6	100:25 104:4
19:7,24 20:7	36:16 39:6	13:22 14:2,8	73:21 87:13	53:10 60:9	44:18 51:19	104:17
22:5 24:8,12	43:15 48:21	14:13,16 15:5	probe 86:21	83:2 96:18	52:17 74:18	reason 25:11
31:5 44:3	55:25 59:4	15:19 16:8,20	problem 33:6	97:13	82:24	43:22 56:14
47:20 53:23	74:21 76:4	16:23 20:9,11	47:24 48:15,16	providing 20:8	quick 6:21 69:18	66:1,11 72:4
58:14 60:4	79:12 102:13	22:8 23:16	73:7,11,19	52:24 87:25	82:21,23,25	72:16 88:17
64:19 69:14,21	102:14,23	26:8 28:22	78:6 81:22	provincial 2:13	83:1,8 84:2	reasonable 37:24
71:9 73:20	103:2,4 104:24	36:19 40:13,17	82:13 84:19	provisions 57:6	90:25 98:13	58:17,18 66:7
74:14 78:7	positions 10:10	51:21,22 52:1	problems 60:14	proximity 50:3	103:17	reasonableness
82:14 87:9	12:20	69:9 70:4	66:14 71:3	public 9:15,23	quickly 41:1	59:6
96:20 100:25	positive 10:4	72:14 74:6	procedure 72:19	18:7,9 19:8,10	quid 31:24	reasonably
101:8 103:12	13:25 14:5	81:4 96:18	82:6	19:20 20:1,4	quite 5:3 7:4 8:2	17:23 27:7,9
pointed 17:1	possibilities	102:11,21,22	procedures 93:2	20:22 28:7	13:5 15:15	27:17 47:25
points 44:24	88:16	102:22	process 11:11	30:21 32:2	24:4 25:3 30:2	50:10
47:22 101:3	possibility 37:25	pressed 97:22	21:4 31:3	36:3 37:15	30:3 34:8 41:7	reasons 2:25
police 2:2,13,16	possible 3:18	pressures 65:2	44:22 48:8	38:4 39:9,12	41:10 43:8	5:25 10:13
2:18 4:15,21	42:20 43:3	91:6	78:13 93:18	41:13 43:13,18	48:5 58:2	38:12 51:25
5:1,4,7,8,15,22	59:5,7,17,19	presumably 15:6	98:6	50:16 65:1	69:25 70:14,25	75:17 100:4
6:6,10,20 7:18	59:20 77:19	16:10 23:22	processes 95:8	77:5,8,10,10	72:3 86:7	reassurance 18:9
7:19,22 8:25	87:2	33:13 46:7	produce 23:4	77:18 79:2,18	97:12	Rebekah 24:17
12:13 14:1	possibly 25:22	54:13	80:24	80:14 94:1	quos 31:24	24:24 25:4,6
19:8,16 20:5	45:16 75:20	presume 30:2	produced 53:3	publications	quotation 1:16	25:13,16 27:11
21:14,16 23:3	86:7 91:21	pretty 11:21 12:6	96:5	17:17	1:18	28:10 29:10
32:18 33:23	99:6	16:25 23:7,8	profession 12:4	published 21:10	quoted 21:4,15	recall 24:17,21
34:21 36:2	post 32:24 45:13	23:20 40:18	40:6	purporting		33:6 65:10
37:8,12,20	46:4 66:15	41:1 52:15	professional	88:17		86:8 87:1,2,4
38:2,6,9,14,23	83:19	97:2	28:3 44:1	purpose 87:19	radar 56:16	87:20 89:10
38:25 39:22	potential 57:17	prevalent 57:24	77:24 78:19,22	purposes 5:4	raise 19:6 40:14	102:8,9
45:6 48:5,6	93:4 99:19	prevent 93:7	81:18 96:8	28:3 73:3	98:10	recapture 46:11
49:6 53:6 55:4	potentially 59:16	preventing 37:10	professionalism	pursuant 83:3	raised 7:20 28:19	recognise 64:19
69:8 71:17	powerful 72:15	pre-charge 99:5	32:10 103:14	pursue 46:19	98:7	recognised 97:4
72:7,18 74:3	72:22	99:20 100:13	profile 43:18	50:4	raises 40:9 77:22	recollect 28:24
74:16 79:10	practicalities	pre-disclosure	prominent 50:10	pursued 50:7	ran 10:5 85:14	57:20 66:2
80:13,25 81:5	90:9	93:23	promised 9:22	push 57:16	rang 66:8	recollecting
82:12 84:15	practice 97:4	pre-interview	promoted 83:9	put 5:8 7:6 10:17	range 79:9 87:5	56:23
85:3,16 87:10	practising 58:5	93:24	promoting 87:14	10:24 19:19	91:17	recollection
87:22 88:2,9	pragmatic 40:23	primarily 33:10	proper 21:23	20:16 30:3	rank 42:24 47:16	23:13 28:14
88:18 91:8,15	100:10	primary 56:7	41:10,17,20	40:3 41:15	48:5 69:8	29:18 56:23
97:3 99:23	precaution 42:20	Prime 3:24 8:20	44:20 45:10	43:11 44:18	ranks 2:3 38:16	65:22,24 84:9
police's 81:9	precise 76:18,20	34:20,23 78:15	67:11 77:9	51:11,24 52:17	83:14	86:2,7 88:4
policies 31:5,6,9	86:8	princes 55:16,23	79:16 93:16	54:3 56:8	rape 75:22 76:2	91:14
31:25	precisely 61:21	55:25 56:15	properly 41:7	60:25 61:4,12	reaching 22:22	recommendati...
policing 4:2,23	70:24	principle 40:24	79:17	62:25 69:11	79:2	96:10,21 97:1
18:15 71:21	predecessor	102:5	proportion	71:2,8 72:24	react 19:2	97:11,14,18
policy 13:7 31:16	11:15	principles 32:15	29:24	77:13 79:13	reacting 18:18	98:12
33:4,8,13 40:7	predecessors	print 16:11	proposal 100:20	84:3 86:22	reaction 58:11	recommendati...
102:1	15:11 20:2	printing 104:20	101:21	91:1 96:20,21	61:1,4 68:16	80:11,12 96:6
political 4:25 5:4	80:10	prior 101:11	proposed 90:5	100:8	76:22	recommended

98:7	11:18 27:16	reservations	41:4 42:6	Scotland 13:24	43:1,6 44:11	shadowing 50:24
reconstruct	32:6,6 62:9	90:1	48:23 51:9	44:13,15 83:12	47:19 48:8,10	shaken 95:24
66:13 67:24	77:24 78:18	resignation 6:13	54:4,9,16	95:20	48:18,24 50:7	Shakespeare
reconstruction	81:4 95:14	resigned 83:22	56:16 60:24	screen 7:6 8:15	51:18 54:14,25	74:25 75:1
76:2	relationships	resolution 47:12	63:19 70:11,13	9:14	69:22 72:10	shape 9:8 78:14
record 20:10	11:20 66:15	resolutions	74:17 75:23	scrutiny 22:11	78:3,4,15	share 48:21 68:7
21:8 36:10,13	86:1 87:15,22	47:10	78:23,25 83:19	season 64:25	79:10 81:16	shaved 9:3
recorded 16:24	relatively 35:2	resolves 29:3	86:20 88:9	second 5:18	93:5 99:22	sheer 48:20
records 44:21	47:16 48:17	resonance 10:19	90:4 92:22	10:14 25:23	sense 7:12,14	Shell 17:17,18
45:5,17,22	49:7 50:9 65:6	resources 58:19	98:21 100:22	47:22 72:4	13:9 22:2	shift 81:22
96:13 97:20	relayed 95:21	60:9 74:12	102:16	91:3 104:20	26:20 37:15	shooting 22:25
recount 30:22	release 10:5	respected 70:19	rightly 31:5	seconded 83:11	38:22 39:5	short 54:18,23
recruited 40:3	93:23	respond 23:10	39:12	secondly 61:6	47:17 49:8	65:6 82:19
recruiting 40:10	released 29:24	response 2:17	ring 66:20	77:10 84:6	56:6 57:23	88:3
recuse 78:11	relevant 31:4	83:12 85:3	rise 18:14	secretaries 6:5	58:2 61:16	shorter 23:6
recused 78:12,17	34:12,15 38:1	101:24	risen 10:14	secretary 4:12	69:12 71:18	shorthand 54:21
reduce 98:18	62:7 64:8	responsibility	risk 31:19,20,21	4:18 66:5	80:21	shortly 65:18
refer 3:1 6:7,21	80:13 87:10	3:10 33:8,13	31:23 94:8,10	95:12,22 99:11	sensed 98:4	71:8 97:13
7:14 8:16 43:4	88:7 89:21	34:7 36:11,15	98:18 99:12	99:18 100:6,17	sensitive 38:18	shot 4:16
85:21 86:19	reluctance 50:3	49:3 58:18	risks 90:9 100:25	Secrets 39:18	85:10 93:2	show 4:8 21:12
87:12 95:10	reluctant 21:16	74:15 76:10	risky 89:23	47:2	94:15 96:17	65:4
reference 3:3 4:4	remain 19:16	80:10 105:7	Robert 82:23	section 16:23	98:5	showed 9:20
49:16 77:15	36:1	responsible	83:1	41:5 55:7	sensitivity 66:17	side 23:12
referred 21:21	remark 97:24	75:21 76:5	robust 93:18	sections 16:20	sent 96:5	sides 5:20
89:4 91:9	remarks 2:12	78:1 95:25	95:7	sector 38:4	sentence 13:17	signed 1:10 83:4
referring 6:1,2	remember 22:14	97:6	rogue 80:1,2	sectors 38:16	15:17 21:8	significance 98:3
12:8,23,24	22:20 23:18	rest 53:8 58:25	role 18:13 19:8	secure 91:7	39:14 44:19	significant 2:17
37:11 42:3	25:5 46:10,13	72:11,20	37:20 87:14	94:14 95:8	74:14 90:13	48:17 85:4
54:14 55:2	55:17 57:2	restaurant 23:20	roll 38:12	secured 95:8	sentenced 20:22	90:7 95:23
76:18,24 92:3	64:16 68:25	restriction 37:6	rolling 35:19	security 6:4	65:13	silent 19:17 36:1
refers 103:19	reminded 46:25	37:10,14 38:15	room 13:5	21:14 34:21	sentences 68:15	similar 11:25
refining 9:8	removed 41:15	39:18,23,25	rooms 14:14	39:2 55:16	separate 37:12	88:25
reflect 6:12 8:10	render 100:13	40:3 41:1	round 21:22	56:1 57:17	September 22:13	simply 79:12
52:14	repeat 60:13	restrictive 37:23	route 56:21	66:17,18 93:1	26:6 68:20	99:22 101:15
reflects 7:13	repeating 11:24	38:23	row 59:22	93:19 96:2	sequence 105:1	103:24 104:14
reformer 9:2	rephrase 61:4	result 85:17	royal 55:16,23	see 3:19 6:6	serialised 36:23	sincere 89:25
refusal 69:14	71:14	resulted 89:22	55:25 56:2,14	14:20,25 17:6	36:25	sincerity 90:11
97:21	report 8:3 10:2	results 9:22	67:5,15	17:9 23:8	series 30:25	sir 1:3,25 5:17
regard 90:16	12:12 22:24	retained 46:4	royals 59:15	29:13 36:7	35:18 43:20,21	6:13 11:12
95:14 105:3	23:5 45:23	retire 38:3	rules 81:24	38:20,22 42:22	74:5	12:3 13:16
regards 26:8	72:4 73:21	retired 28:6,11	run 32:3 35:14	53:8,17 59:5	serious 55:13	19:1,23 30:5
register 22:12	75:22 79:22	retrospective	41:11	62:5 64:4,16	63:2 79:23,24	38:8 40:14
regular 29:24,24	80:4 87:12,18	96:12	running 91:18	69:13,17 74:10	85:4 91:29	53:13 60:7
30:4 34:20	88:4 90:19	return 39:17		77:15,20 84:14	102:6 103:8	62:18 63:13
78:14	93:9 96:5	returned 2:6	S	87:3 95:6,20	servants 6:2 32:2	70:16 79:15
regulations 32:8	reported 24:22	83:15	Safer 18:16	95:24 103:2	served 2:18 4:21	84:5,22 85:23
81:10,19	reporting 9:19	Returning 2:21	satisfaction	seeing 6:10 48:10	service 8:25	92:6 95:12,15
rehearsed 104:7	62:18 75:22	revealed 6:19	101:7	72:16	15:12 19:17	95:20
reiterate 81:2	94:25	88:13	satisfied 76:8,11	seeking 21:25	33:23 37:13,20	siren 43:24
reiterations	reports 71:10,20	revealing 71:15	76:12	22:2 41:8 79:7	37:22 38:2	sits 38:13
56:24	71:25	review 63:20	satisfy 60:10	seen 4:2,20 26:2	41:13 69:8	sitting 9:17
related 47:3	represent 102:17	70:8 92:10,14	saw 25:6 54:1	26:5 35:1 39:8	91:21 104:8	13:11 48:3
89:17	represented 17:5	92:22,25 95:6	87:5 95:7	39:9 80:9,12	services 6:4	situation 37:8
relates 25:7	reputation 12:15	95:19	saying 17:21	80:16,21 88:25	21:14 34:22	71:6 104:5
relating 91:16	13:24 48:20	reviews 63:9	32:16 43:8,9	97:9 99:25	servicing 55:3	situations 77:13
relation 8:19,21	reputations 93:5	Ribble 92:11	49:11,17 54:5	Select 55:9 56:3	set 32:7 53:9	six 15:23,25
18:8 35:9 40:1	request 28:10	93:6	61:23 63:8,14	self-evident 50:1	59:17 74:22	46:12
44:18 45:5	require 80:14	rid 53:21	66:6 86:20	self-explanatory	81:19 99:11	sixpence 13:15
46:4,21 62:19	98:11	right 2:8,10 3:16	102:19	22:1 92:9	setting 8:20	slant 10:16
64:24 73:4,5	required 30:1	5:17 6:24 8:12	says 69:17	senior 3:15 6:2	103:4 104:19	slight 26:20 40:6
74:21 78:11	70:6	9:13 11:1 15:7	103:17	11:4 12:18,21	seven 17:12,13	slightly 7:9 11:9
88:25 91:10	requirements	17:21 19:25	scale 54:13	12:23 13:2	35:9	13:10 14:3
95:5 99:19	104:4	22:19 25:5,10	scandal 4:9 5:1	19:8 32:2 33:7	seven-day 35:19	20:16 27:16
104:19	research 101:12	26:7 28:25	SCOA 79:23	34:3 36:14	severity 20:9	43:25 51:20
relations 11:16	researched	30:7 33:9 38:5	scoop 22:6	38:18 39:10	Shadow 100:17	54:8 57:22
relationship 3:17	101:17 103:25	39:21 40:24	scoping 59:17	42:9,12,15	shadowed 15:18	60:2,11 65:21

small 1:13 48:17 76:11	84:12 92:20 95:13	93:11,14 102:8	successors 15:11 20:3	sworn 1:5 82:23	term 44:7 78:9	29:2,6 30:3,6
social 14:15,25 26:24 49:22	specify 100:24	States 7:13,16,23	sufficient 46:5	sympathy 94:22	termed 41:1	30:15,18 31:11
sofa 13:12	specifying 99:21	station 74:3	suggest 17:23 73:8 90:3	system 7:5 20:17	terms 2:1 21:25 30:5 38:2	31:12 32:1,22 33:20 34:15,17
Soham 6:23	speculation 94:25	statistical 100:11	suggested 50:6 62:8 70:17	T	42:20 58:9,22	35:4,23 36:12
sold 18:2	speech 24:23	statistics 46:20	suggesting 13:19 13:20,20 38:8	tab 36:6 93:12 94:7 100:8	65:16 77:5,12	37:11,19 38:5
soldier 45:13	speechless 25:6	statutory 83:3 98:18	39:7 45:20	102:12 103:15	77:14,18 81:15	38:17,17,24
somebody 23:12	speed 70:1	stay 34:6	50:19 53:12,14	table 13:10,11	83:8 96:22	39:9,11 40:6,8
27:10 28:19,21	speedy 68:16	staying 25:8	63:4 94:13	tabled 91:5,12	terribly 15:22 24:13	40:17,20,25,25
34:10 48:4,12	spend 10:23 11:14 29:4	steering 9:17	95:15,25 97:7	tabloids 86:7	territory 84:10	41:10,22 43:3
48:12 49:18	51:20	Stephenson 6:14	suggestion 42:21 67:11 90:12	take 8:2 12:10 18:11 28:11	terrorism 19:12 99:24 102:6	43:9,20,23,25
52:15 66:9	spending 11:4,15 44:2	11:12 70:16	96:11	34:18 41:8	terrorist 18:12 20:9 33:24	44:7 45:9
71:22 77:25	spent 70:5	92:15,18 95:11	suggestions 95:1	55:6,10 58:21	34:14,25 55:12	46:11,14,16,21
78:8 79:19	spiked 16:14	95:19 96:5	suggests 67:4	58:21 59:5,9	60:8 101:7	47:5,6,13,21
son 25:7 30:9,13 30:16	spoken 14:13 102:20	97:13 98:23	Sun 17:13 25:12 30:9,11,16	64:5,5,13 76:3 80:19 97:12	Tessa 9:18	47:22 48:7
song 43:24	spot 69:11	steps 93:6 99:3	86:3,16	98:8	test 31:18 37:4 39:13 101:5,5	49:5,5 50:5,12
son-in-law 27:10	spread 16:24 17:23 26:11	Stevens 11:10 12:14,25 13:18	Sunday 17:12,13 26:17,18 37:1	taken 17:14 23:4 59:2,13,20	101:10 103:25	52:10,17 53:2
soon 50:15 85:19	squarily 10:22	13:23 14:16	40:5 103:15	60:11 63:3,11	104:2,6,9,11	53:8 55:6,20
SOP 36:5	staff 3:11 11:4 14:7 28:2 37:7	21:22 25:17,17	104:18	63:15,21 79:3	Thames 2:19,20 4:22	55:20,25 56:3
sophisticated 50:9 52:3 58:3	38:18 39:15	25:25 41:3	Superintendent 85:1	90:16 99:3	65:18 64:19	56:22,25 57:7
sorry 18:1 52:20 53:1 54:9	52:2,22 53:17	76:15 77:23	supplied 1:16	takes 17:9	67:23,25 68:23	57:13 58:13,14
69:11 70:9	53:24 54:2,6	Stockwell 22:24	support 83:12 99:14 102:5	talk 5:19 10:10 23:11 26:20	69:21,24 70:20	59:13,25 60:5
86:13 93:24	81:13	stop 49:20	supporter 100:19	36:10 49:9,10	71:1,14,14,22	60:12 61:3,25
103:21	stage 24:7 26:21 35:23 51:17	stopped 73:1	supporters 94:11	52:1,1 64:23	72:8,15,21,23	63:6 64:19
sort 7:8 13:21 16:4 31:23	62:20 63:15,25	stories 20:12 87:16,25 91:7	supportive 94:20	talking 13:8 22:23 30:12	73:6,19,25	65:18 66:18
32:12,24 35:15	64:20 65:14	92:1,5	suppose 13:5 27:6 30:10	31:18,20 33:9	74:14,25 75:2	75:16,22,24
37:21 49:23	70:9	story 9:24 10:5 10:17,22,24	strange 52:6	38:17 64:10	75:16,22,24	76:17,20 77:6
53:25 61:23	stages 56:22 58:16	23:12 45:14	strategic 85:15	86:4	76:17,20 77:6	77:7,23 78:7,7
62:2 67:18	standard 1:11 17:15,18 18:1	56:25	strength 89:16	tapestry 53:22	77:7,23 78:7,7	78:23,25 79:1
70:9 71:20	27:14 32:1,9,9	strange 52:6	strengthening 84:9	targets 56:8	78:23,25 79:1	79:3,15 80:17
104:3	52:4 54:6 82:5	strategic 85:15	84:9	teach 15:19	80:19,20,21	80:19,20,21
sorts 18:16 31:2 62:1	83:3 93:19	strength 89:16	strictly 28:3	team 93:6	82:8,12,16	82:8,12,16
sought 9:7 84:16 97:14	97:4 101:7	strengthening 84:9	strong 30:1 89:14	teams 16:16	89:8,9 90:5,23	89:8,9 90:5,23
sound 96:9	102:12	struck 57:2 99:1	strategic 85:15	technical 87:7 104:4	91:14 92:8	91:14 92:8
source 21:17 52:9 61:12	stand-alone 104:23	stuck 75:7	strength 89:16	technique 58:3,4	94:6 95:2,18	94:6 95:2,18
86:25 87:4	standards 32:16 96:8	studied 75:4	strengthening 84:9	techniques 50:10 86:19	95:21 97:2,2	95:21 97:2,2
sourced 94:3	standing 75:9	study 59:17	strictly 28:3	technology 37:17 53:23	98:5 103:1	98:5 103:1
sources 87:5,7 91:17	stand-alone 104:23	style 3:3	strong 30:1 89:14	Telegraph 17:13 17:13	104:23,25	104:23,25
south 59:1	Star 17:3 26:15 26:17,18	subclauses 74:5	struck 57:2 99:1	telephone 44:21 45:4,17,22,25	105:5	105:5
Southern 85:7 85:20 86:1	start 84:1	subdivided 32:12	stuck 75:7	46:1 50:25	things 15:5 18:16 31:2 32:20	thinking 73:5
91:24	started 6:9 75:6	subject 1:13 4:2 4:24 10:10	studied 75:4	54:11 57:5	49:10,17 51:24	thinks 105:7
speak 20:22 29:8 67:13 102:21 102:22	starting 69:14	25:19 32:4	study 59:17	61:10 65:18	53:7,22 54:1,5	third 6:16 18:22
speaking 2:8 36:15	starving 5:4	33:19 42:17	style 3:3	66:18 96:13	57:2 60:2	Thomson 27:17 15:20 19:15
speaks 44:11 46:22 103:16	state 42:11 72:22 75:20	94:3 98:18,24	subclauses 74:5	97:19	63:18 67:19	24:4 27:25
special 72:19	stated 102:23	submission 93:17	subdivided 32:12	telephoned 29:10	81:12 98:14	30:19,20 38:19
specialist 58:20 59:16 83:16	statement 1:9,11 1:23 3:20 7:2	submissions 5:21 18:4	subclauses 74:5	telephones 55:17 55:23 56:5	3:10,20 5:13	50:11 61:24
specific 20:12 31:16 90:18	11:6,17 25:15	subscribed 102:8	subclauses 74:5	television 15:5	5:16,17 6:7 7:1	62:2 65:23
102:7	27:19 30:23	substance 56:18 68:15	subclauses 74:5	tell 3:4 15:13,14 90:17 103:22	7:24 9:16 11:1	68:25 70:16,22
specifically 31:25 76:15	31:12 34:24	substantial 94:8	subclauses 74:5	telling 98:14	11:1,11,12,23	79:19 96:1
	42:19 54:15	subtle 31:23	subclauses 74:5	tempting 46:19	14:4,18 15:8	97:20 98:4
	71:9 73:4 83:2	succeeding 12:18	subclauses 74:5	tendency 3:7	15:14,22,24	thousands 3:11
	83:4,25 84:3	successful 15:22 24:13	subclauses 74:5	tepid 96:21 97:1	16:1,12,24	threat 18:12
	84:10,13,25	successfully 65:7	subclauses 74:5		17:1,15,19,21	34:25 35:5,5
			subclauses 74:5		18:2 19:1,23	55:12 60:9
			subclauses 74:5		20:13 21:11,23	65:1 85:16
			subclauses 74:5		22:22 23:9	88:3 90:7
			subclauses 74:5		24:13,22 26:19	91:19
			subclauses 74:5		26:24 27:1,12	threats 20:9

three 2:20 13:1 17:12,15 24:19 56:8 68:14	training 48:9 81:15	<hr/> U <hr/>	unscrupulously 9:10	38:20,22 52:1 53:11 58:13	90:24	38:22 59:23
three-sided 81:2	transactions 88:6	UK 7:13	unsubstantiated 96:17	63:12 64:13 69:6,9 73:23	we've 3:5 26:1,5 30:8 55:1,11 73:21 74:12	63:4 67:16,20 73:2 80:3 89:20
threshold 101:5 101:10 103:25 104:2	transfer 63:23	unable 86:8 89:3	unusual 47:7	75:12 76:6,18 80:11 81:17	88:25	wrap 87:9
throw 52:21 53:4	transformatio... 81:16	unanimous 102:4 103:2	unworkable 82:1	wanted 8:12,25 11:5 13:4,6 26:20 35:13 36:8 81:14 84:20 97:8,10 98:6	whichever 81:6	writ 36:7
throwing 37:24	transparency 18:25	unauthorised 85:9 92:20,23	upper 9:9	warrant 72:19	whilst 104:2 105:4	write 21:11 80:17
tightly 21:7 67:15	transport 30:21	uncomfortable 19:15	use 39:5 72:10 77:10 86:21 91:6	Warwick 1:5,8	Whitehall 5:23 6:1	writer 54:21
tiller 13:13	traveller 9:10	unconditional 74:2	usual 83:4	wasn't 3:21	Widspread 5:23 6:1	writing 21:12 66:6 80:19 87:19
time 4:12,13 5:6 6:4,4 8:13 9:16 10:13,23 11:4 11:14 12:1,8 12:21 18:11 21:21 23:6,8 23:11 25:5,23 25:24 28:9 30:14,25 33:5 33:24 34:8,16 42:1 44:2 51:14,20 52:11 55:13 57:3 60:1,9,12 61:5 62:2 65:20 67:1 68:9 71:12 72:17 77:10 81:9 89:8,23,24 90:1 91:18 95:2 97:15 98:3,22 101:18	treated 6:21 37:21	uncovered 59:24 59:24	usually 16:12,12 16:14 25:17	wasting 79:8	wide 69:1 87:5 91:17	written 24:24 36:20 68:21 72:17 87:13 104:21
times 11:19,22 12:5 17:12,12 18:14 20:25 27:8 40:5 55:15 68:21	trial 21:5 35:21	undercover 85:13	<hr/> V <hr/>	warrants 72:19	wider 61:24 67:17 79:9	wrong 1:19 19:3 38:24 46:11,13 67:24 104:22
timescale 63:3	trials 20:17,21	underneath 93:11	Valley 2:19,20 4:22	Warwick 1:5,8	widely 67:22	wrote 28:16 99:10 103:4,17
today 1:3 6:22 33:17 34:13 44:10	triangle 5:20 81:3	understand 24:15 28:9 29:9,16 41:22 55:24 60:3 63:9 66:21 69:25 70:23 80:10 81:21 104:6	values 31:14 48:9 81:11,14 81:16	wasn't 8:13 way 2:3 6:20 7:9 7:15,18 10:23 14:3,8 16:10 20:16 21:1,2 32:3 37:12 38:9 44:20 46:15 48:11 49:7 50:3,12 55:21 56:12 65:6 67:25 69:9 70:16,22 72:24 80:13 82:8 85:25 88:5,19 100:8	wife 25:3,13,20 25:22	Wycombe 65:3
toddler 4:16	triangular 32:5	understandable 18:23	vanished 61:8	wasted 8:13	wildly 67:22	<hr/> Y <hr/>
told 10:22 11:24 24:19 55:15,17 56:9,10,11,14 56:19 60:22 61:1,2,5 64:17 65:14,15 66:22 101:20	triangulate 53:11	understandably 30:2	variety 75:16	way 2:3 6:20 7:9 7:15,18 10:23 14:3,8 16:10 20:16 21:1,2 32:3 37:12 38:9 44:20 46:15 48:11 49:7 50:3,12 55:21 56:12 65:6 67:25 69:9 70:16,22 72:24 80:13 82:8 85:25 88:5,19 100:8	Williams 56:4	Yard 44:13,15 83:12 95:20
tone 8:20	tribunal 9:12	understanding 6:3 21:13	various 5:20 39:10 51:18	ways 15:13	Windsor 38:13	Yard's 13:24
top 80:16	tried 9:25	understood 18:24 65:9,16 95:18 98:25 104:8	Veronica 27:13	Wednesday 1:1 6:5 13:3	wine 44:12,14	Yates 69:15 73:15 76:21 77:16 92:13,19 95:3,14,16,25 96:12 97:14,14 97:17,18 98:4 98:17,24
topic 8:11 71:7	truck 82:7	undertake 74:13 92:14	versa 36:19	week 13:1 65:23 74:19	wish 8:5 33:16 68:3,7 84:14	yeah 32:14 42:6 year 1:10 17:9 63:6 68:23,24 85:1
torrid 23:8	true 6:12 25:22 47:21 73:4,5 77:1,20	undertaken 101:12	version 93:9	weeks 23:6 42:25	wishes 52:15	years 9:6 23:4,7 26:10 32:21 37:7,24 38:12 46:12,12 47:23 51:3 61:17 66:13 71:5 81:9 84:17 85:14 87:18 91:18
totally 58:17	trust 52:15	unethical 91:6	Veterinary 19:11	well-known 44:17	withdraw 68:24	yesterday 31:13 76:15 77:23
touched 30:9 81:8	truth 1:11 83:4	unfairly 95:4	vice 36:19	went 8:23 21:22 24:23 28:2 30:21 67:5 89:9	witness 1:3 44:10 62:16 82:17,21	yielded 64:12
touching 13:13	try 12:14 13:25 14:5 15:20 18:9 46:11	unfortunately 36:4	victims 6:18 58:10 64:18	weren't 4:11 8:6 24:10 33:12 71:11 99:3	witnesses 20:4	York 68:20,21
tough 4:5,5	trying 31:13 35:2 35:15 40:7 49:5 54:1 62:12 66:12 78:16 80:22 100:24	unfounded 98:19	view 4:1,22 5:10 11:22 15:10 20:11 22:5 23:5 31:14 33:14 34:9,13 34:13 36:4 37:6 42:12,14 49:12 68:16 81:2,8 88:2 89:19 95:3 98:20 99:17	welcome 97:21	wonder 77:9	young 30:25
town 65:4	twice 25:23 26:1	unhappiness 75:18	views 43:12 79:9 80:15 97:14 101:3	well-known 44:17	wonderful 53:7	<hr/> 0 <hr/>
trade 41:1	two 2:18,20 10:12 17:2,11 19:2 23:4 28:4 31:10 37:6,24 39:21 41:2 44:24 46:13 47:22 56:8 62:2 71:5 77:13 84:2 85:12 86:21 88:15 90:21,23 90:24 93:10 102:24	unhappy 75:18	visit 90:14	work 2:24 9:19 9:23 10:25 14:1 15:1 18:8 25:11 30:1,9 30:14,16 37:9 37:18,19,23 38:4 40:12 79:8 80:12 84:3 97:19	woods 65:2	01507 93:15
trades 48:2	two-thirds 85:25	unjustified 93:5	voicemail 57:19	work 2:24 9:19 9:23 10:25 14:1 15:1 18:8 25:11 30:1,9 30:14,16 37:9 37:18,19,23 38:4 40:12 79:8 80:12 84:3 97:19	word 78:10 79:13	01508 96:10
trading 71:16 72:2 91:25	two-way 57:5	unlawful 72:25 91:7	voicemails 56:20	work 2:24 9:19 9:23 10:25 14:1 15:1 18:8 25:11 30:1,9 30:14,16 37:9 37:18,19,23 38:4 40:12 79:8 80:12 84:3 97:19	workings 16:5 51:8	01557 94:7
traffic 45:25	two-year 37:9 39:23	unlawfully 72:1	voices 19:12	work 2:24 9:19 9:23 10:25 14:1 15:1 18:8 25:11 30:1,9 30:14,16 37:9 37:18,19,23 38:4 40:12 79:8 80:12 84:3 97:19	worries 11:4	01565 100:8
	type 37:2	unpleasant 11:21	volume 45:25 91:15	worried 1:22 37:15 77:4	worry 11:4	01571 103:16
		unprepared 20:16	volunteer 30:8	worst 10:16	worth 38:11	02750 3:2
		unrecorded 44:8	volunteering 28:4	wouldn't 32:7	wouldn't 32:7	02762 37:5
		unremarkable 9:24	vote 34:23			02770 55:8
			<hr/> W <hr/>			02774 71:10
			Wade 24:17 25:13 27:11			<hr/> 1 <hr/>
			Wadley 27:13			1 2:7 10:20
			walking 6:7 82:6			
			Wallis 22:18 26:1			
			want 10:12 26:19 30:3 32:7			

<p>1.02 105:12 10 3:22 86:20 94:7 10.00 1:2 100 27:22 29:23 10608 8:14 11 94:7 11.24 54:22 11.30 54:24 12 4:1 15:24 16:1 17:10 84:17 87:13 96:10 97:18 98:12 12.13 82:18 12.26 82:20 13 83:5 84:17 88:20 90:13 96:6 135 8:15 136 6:25 14 5:19 6:16 8:16 90:24 15 11:17 30:14 91:2 15-year-olds 30:18 16 92:7 18 12:10 13:18 22:13 26:6 93:15 19 95:10 190 24:22 1974 2:3 1978 83:9 1980s 5:2 76:3 1990s 4:3,9 5:10 92:2 1993 4:4 85:15 1994 83:10 1998 83:11 85:15 1999 85:1</p> <hr/> <p>2</p> <p>2 22:24 93:12 94:7 105:10 2,000 88:13 20 10:3 15:3,17 20th 5:6 2000 2:6 87:13 2004 8:17 83:14 2005 2:7 9:11 17:9 18:2 24:20 25:9 26:3,9 75:22 2006 22:14 24:20 26:6,12 55:19 60:21,22 64:20 65:11 2007 22:17 24:20 26:2 95:11,21 2008 2:7 9:16 26:12 36:6 79:23 83:15 99:8,10 100:18 103:20 2008/2009 18:2</p>	<p>2009 68:10,20,20 69:2 83:22 103:13 2010 2:10 2012 1:1 83:5 21 16:7 22 18:3 97:16 23 18:5 22:1,10 99:4 237 74:25 239 45:24 24 17:1 28:20 103:6 25 99:10 26 26:23 95:21 100:18 27 27:19 28 34:15,18 99:6 99:10 100:2 29 98:16</p> <hr/> <p>3</p> <p>3 25:7 30 31:4 31 83:22 33 33:3 36:8 48:25 35 36:18 37 41:2</p> <hr/> <p>4</p> <p>4 36:5 100:8 42 34:18 99:6 100:21 101:22 43 41:24 48:24 44 44:19 45 46:20 47:11 48 101:14 49 48:14</p> <hr/> <p>5</p> <p>5 102:12 5,000 81:13 500 88:13 52 50:16 53,000 52:5,21 55 52:19 54:10 57 55:8 58 55:11 56:13 59 55:14</p> <hr/> <p>6</p> <p>6 22:17 60 2:22 64 71:9 65 73:23 67 73:25 68 74:7</p> <hr/> <p>7</p> <p>7 1:1 103:15 70 2:23 72 101:14 104:10</p> <hr/> <p>8</p>	<p>8 55:19 57:24 65:18 84:25 80 9:20</p> <hr/> <p>9</p> <p>9 1:10 3:1 68:10 85:22,25 9/11 35:11 90 34:18,23 35:24</p>				
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