

The Leveson Inquiry
Supplemental Statement of Liz Hartley

Scope of this witness statement

1. This witness statement deals with the following matters:
 - (a) The Daily Mail's role in reporting that Hugh Grant had become the father of a baby girl in 2011;
 - (b) Mr Grant's allegation that a story about him in the Mail on Sunday in 2007 had apparently been sourced from illegally accessed voicemail messages; and
 - (c) Mr Grant's further allegation that the Daily Mail paid people to hack phones.

(a) The news that Hugh Grant had become a father

Background

2. In April 2011 the News of the World published a front page story - "Hugh's Secret Girl" - which speculated whether Tinglan Hong was expecting Hugh Grant's baby. I am informed that this story had been previously offered to the Mail on Sunday by Paul McMullan, but the Mail on Sunday was not interested.

The initial tip-off

3. On 17 October 2011 Ben Todd, a reporter working for the Daily Mail, was contacted by a source from within Mr Grant's celebrity circle. I am informed by Mr Todd that his source told him Ms Hong had given birth to Mr Grant's baby at the Portland Hospital the week before. Mr Todd's source was a showbiz contact of five years' standing who had no connection with the hospital. The source gave Mr Todd various pieces of information about the situation.

Follow-up

4. Following the tip-off, Ryan Kysiel, a Daily Mail news reporter, was sent by the News Editor to an address for Ms Hong in London. He spoke to the occupant of the flat as she came out of the flat. She told him she had taken over the tenancy and had no forwarding address

for Ms Hong. She suggested that Mr Kysiel contact the lettings agency in charge of the property and gave him details of the agency.

5. Mr Kysiel contacted the agency, identified himself as a reporter from the Daily Mail, and asked if they had a forwarding address for Ms Hong. The lady at the agency who answered the telephone informed Mr Kysiel that they did not have an address on the file but that they had a mobile number for Ms Hong, which she read out to Mr Kysiel.
6. At approximately 3pm on 19 October Keith Gladdis of the Daily Mail called Ms Hong's mobile number. When Ms Hong answered he identified himself as Keith Gladdis from the Daily Mail and said he was calling to ask if it was correct that she had had a baby. Ms Hong said she could not answer his question as she was driving. Mr Gladdis said "I beg your pardon". Ms Hong said goodbye and rang off. At approximately 4pm the same day Mr Gladdis called again and the call went through to Ms Hong's voicemail. Mr Gladdis left a message explaining who he was, said he would not call again but that if she wanted to call him, he was on the number he left on the voicemail.
7. On 21 October Mr Todd called and spoke to Ms Hong once. Mr Todd identified himself as a journalist from the Daily Mail and expressed his congratulations. Ms Hong said that she did not know what he was talking about, apologised and rang off.
8. In the meantime, Mr Gladdis and other reporters made regular visits to Westminster Register Office to check if the birth had been registered (the news desk being aware that there is a time limit of 42 days by which parents must register the birth of a child). Another reporter also visited Fulham and Morden Register Offices.
9. On one such visit to Westminster Register Office in late October 2011, Simon Neville, a reporter at the Daily Mail, was informed by someone at the office that although there had been no registration by either parent, the office had a record that a child had been born to a woman called Sophie Hong at the Portland hospital on 26 September 2011. (I understand that in order to maintain an accurate public record, register offices hold particulars of all births that take place in their catchment area irrespective of whether the parents comply with their obligation to visit the register office in person and provide accurate particulars of the birth.)
10. With a view to confirming the accuracy of the story, Mr Todd telephoned and/or emailed Mr Grant's UK assistant and/or US publicist on 21, 25 and 26 or 27 October, but they refused to respond to his enquiries. I attach copies of the relevant emails ("LH1").

The story breaks

11. On 1 November 2011 the website of US Weekly magazine, a leading US celebrity gossip magazine, broke the story that Mr Grant had become a father for the first time. Very shortly afterwards Mr Grant issued a statement confirming the story. Following Mr Grant's announcement, the Daily Mail ran the story, as did every other national newspaper. The story it ran was based not just on the information the Mail had already obtained but on information obtained from further contacts approached by the Daily Mail after the story had broken. One of those contacts has been described to me by one of our journalists as a very good source within Hugh Grant's camp. That source provided some new information as well as information that corroborated the information already available to the Mail.

Contact with Ms Hong and Mr Grant following the US Weekly story

12. Following the announcement of the birth on 1 November Mr Gladdis sent one follow-up text message to Ms Hong which read "Hi Ms Hong, this is Keith Gladdis at the Daily Mail, could you please call or text me on [mobile telephone number]".
13. Sara Nathan, the Daily Mail's showbusiness editor, telephoned Ms Hong once but the line was bad and went dead. Ms Nathan then texted her a message giving her a number to call if she would like to speak to her about her news.
14. The news desk also arranged for a Mandarin speaker, the wife of a senior Daily Mail journalist, to contact Ms Hong on behalf of the Daily Mail. She left one message in Mandarin for Ms Hong congratulating her on the safe arrival of her baby daughter, asking her if she would like to talk about being a new mother, her baby's name and what her future plans were and stating that she would call her back later. The follow-up call went straight through to voicemail and no further calls were made.
15. On 2 November the News Editor sent a reporter, Rebecca Evans, to Ms Hong's address. By the time Ms Evans arrived, a reporter from the Sun and two freelance photographers were already there. Ms Evans knocked on the door but there was no answer. Ms Evans did not see Ms Hong at the address and she left the property before Mr Grant arrived there at approximately 7.30 pm (a Daily Mail photographer had remained at the property and witnessed Mr Grant's arrival).
16. Ms Evans returned to the address the next morning to find a large number of reporters and photographers outside the house. The News Editor, Ben Taylor, instructed Ms Evans to observe what was going on but to keep a distance from the house, which she did. At

around midday Mr Grant turned up again and appealed to the collected media to leave. Ms Evans conveyed this appeal to Mr Taylor, who instructed her to leave, which she immediately did. Ms Evans did not return to the address.

Mr Grant's evidence

17. It will be apparent from the above that Mr Grant's evidence to the Inquiry contains a number of significant inaccuracies. I have set out below the relevant parts of Mr Grant's evidence followed by a brief explanation of the inaccuracy:

17.1 *"they even knew the fake name [Ms Hong] checked into the hospital under. So clearly there had been a leak" (transcript 21 November PM, p.37 lines 19-20);*

"of course I cannot say for sure that someone at the hospital leaked the details of my visit, but it was very soon after that that my assistant started getting messages for the Daily Mail saying that they knew about the visit and the birth. They even knew the disguised name that Tinglan had checked into the hospital under" (para 9, Grant supplemental witness statement).

No Daily Mail journalists obtained or sought to obtain any information from Portland Hospital and the Daily Mail has no reason to believe that anyone inside the hospital disclosed the name Ms Hong used. That name was obtained from a source at Westminster Register Office. The first time a journalist from the Daily Mail contacted Mr Grant's assistant or publicist about the birth was not "very soon after" the birth, but on 21 October, almost a month after the birth – and that approach was the result of a tip-off from a showbiz contact within Mr Grant's own circle.

17.2 *"The Mail continued to besiege my assistants and my PR people in the UK for a comment. My American publicist was astonished that the Daily Mail even managed to plague her in the evenings on her mobile phone – a number she famously keeps private" (para 10, Grant supplemental witness statement).*

The mobile phone number of Mr Grant's US publicist, Ms Leslee Dart, is well-known - as one might expect, given she's a publicist. Mr Todd was given the number by a contact, whom he has known for many years, and who has regular contact with US entertainment agents and publicists. Mr Todd rang Ms Dart's mobile number only once on 26 or 27 October at around 3pm (US East Coast time) and left a message to which he got no response.

- 17.3 *"My suspicion was, and remains, that the paper were reluctant to print based solely on the information they had because it had been obtained ethically and perhaps illegally from a source at the hospital" (para 10, Grant supplemental witness statement).*

The Mail's decision not to publish had nothing to do with the methods by which it had obtained the information (which were neither illegal nor unethical): it was entirely because it did not think it right to publish the story on the basis of the information it then had without positive confirmation by Mr Grant or Ms Hong that Mr Grant was the father of the child.

- 17.4 *"During this time the Mail also repeatedly rang Tinglan on her mobile. She always hung up. In the end the calls and texts...from Daily Mail reporters became so persistent and disturbing...that she was forced to change her number" (para 11, Grant supplemental witness statement).*

Reporters from the Daily Mail called Ms Hong on no more than six occasions over a two week period from 19 October – 2 November (three of which went straight to voicemail). In addition, they texted her twice. Had the Daily Mail been informed by Ms Hong or Mr Grant or their publicists or solicitors (or the PCC) that she did not wish to speak to the press, it would have stopped trying to do so.

- 17.5 *"As soon as the story was out, this became a very determined effort to grossly intrude upon Tinglan's privacy and to humiliate her. Neighbours, work colleagues and friends were phoned, followed and doorstepped. Money was offered" (para 17, Grant supplemental witness statement).*

By the time Mr Grant's solicitors arranged for the PCC to ask journalists to stop approaching her on 3 November 2011, the Daily Mail had already withdrawn its reporter. The News Editor and Daily Mail reporters working on the story have confirmed that they made no phone calls to Ms Hong's friends, work colleagues or neighbours or followed or doorstepped them. No accusation of harassment has been made by Ms Hong against the Daily Mail and the Daily Mail has not bought any photographs from paparazzi accused of harassing her (and against whom Tugendhat J granted an injunction).

- 17.6 *"An ex-boyfriend of Tinglan's was pressed (doubtless in exchange for money) into giving them personal details and photographs. He was apparently also asked to try and obtain pictures of the baby" (para 17, Grant Supplemental witness statement);*

"the Daily Mail paid £125,000 to her ex-lover to sell private pictures of [Ms Hong]" (transcript 21 November PM, page 51, lines 18-20):

Ms Hong's former boyfriend approached The Mail on Sunday through an intermediary. He offered The Mail on Sunday an interview as he is perfectly entitled to. He was not "pressed" to do so. The Daily Mail did not pay him anything. The Mail on Sunday did pay him, but the sum it paid was less than 15% of that sum. Neither paper would have published pictures of the baby without the parents' consent.

(b) The allegedly illegally-sourced story in the Mail on Sunday

Background

18. In paragraph 11 of his witness statement Mr Grant refers to an article published in the Mail on Sunday on 18 February 2007 headed "Hugh, Drew and the jealousy of Jemima". The article was about the termination of Mr Grant's relationship with Jemima Khan. It alleged that "the real cause for the split was [Ms Khan's] unbearable suspicion that Grant [was] conducting another, altogether more secret, romance with a highly placed figure in the film world".
19. The article reported that a source had revealed that Ms Khan had suspicions about "a glamorous, young film executive from Warner Bros" who was "educated at Cheltenham Ladies College and Cambridge University" and who "was very senior in the studio". The source alleged that Ms Khan's suspicions were aroused by a series of telephone calls between them and that Mr Grant was "always disappearing for meetings". The source said that "whenever [Mr Grant] was on the phone to this woman, Jemima could hear her plummy laughter".
20. Mr Grant sued Associated Newspapers for libel. His action was settled on terms that included payment of damages and costs and an agreed Statement in Court in which the Mail on Sunday apologised to Mr Grant. In that statement Mr Grant's lawyer said Mr Grant "does not know of a woman from Warner Bros matching this description, let alone was he conducting a flirtation with her. As far as he is aware, she simply does not exist".
21. Although Mr Grant did not allege at the time of his libel complaint that the story about him had been based on voicemail interception, he has in his evidence to this Inquiry suggested that this is the case. At paragraph 11 of his witness statement he strongly implies that the story was based on unlawfully intercepted messages left on his voicemail by the plummy-voiced assistant of a film executive in Los Angeles. In his oral evidence to the Inquiry (transcript 21 November pm, page 9 lines 1-4), he is even more explicit: "So I cannot for the

life of me think of any conceivable source for this story in the Mail on Sunday except those voice messages on my mobile telephone."

The true source of the story

22. The source of the story was a confidential contact of Sharon Feinstein, a freelance journalist who often works with Katie Nicholl, the diary editor of The Mail on Sunday. That contact provided the information contained in the story. The contact is, I am informed, a trusted source who Ms Feinstein was aware spoke regularly to Jemima Khan and had provided accurate information in the past. Both Ms Feinstein and Ms Nicholl have emphatically denied that the story was based on or derived from voicemail messages.
23. It does not actually take much analysis of the situation to appreciate that Mr Grant's allegation of voicemail interception makes absolutely no sense. His allegation depends on the plummy-voiced assistant he mentions being the person with whom he was suspected of having an affair. But the biographical details of the woman in the article bear no relation to the woman he describes (and cannot possibly have been derived from any voicemail messages she left him). The woman in the article is a young and "very senior" film executive, "highly placed in the film world" working for Warner Bros with whom he was always having meetings (in the UK, apparently). By contrast, the woman Mr Grant describes is the middle-aged p.a. to a great friend of his in L.A. who left "very occasional, work-related messages" such as "Hi, we have Jack Bealy on the phone for you" and "who would chat about English stuff, Marmite or whatever". If the Mail on Sunday had intercepted those voicemail messages (which it did not), it could not possibly have come up with a story about a young but senior film executive who was educated at Cheltenham Ladies' College and Cambridge.
24. There was, moreover, no reference in the article to the woman in question leaving voicemail messages: rather, there were said to be a series of phone calls and meetings between Mr Grant and the woman. Nor did the article say that the woman worked in Los Angeles (as it surely would have done if it had been based on voicemails from there). The source in fact informed Ms Feinstein that the woman worked for Warner Bros in the UK, which is consistent with the assertion in the article that Mr Grant was always having meetings with her and that Ms Khan was suspicious about his "prolonged absences when Hugh would leave the house and turn his phone off".

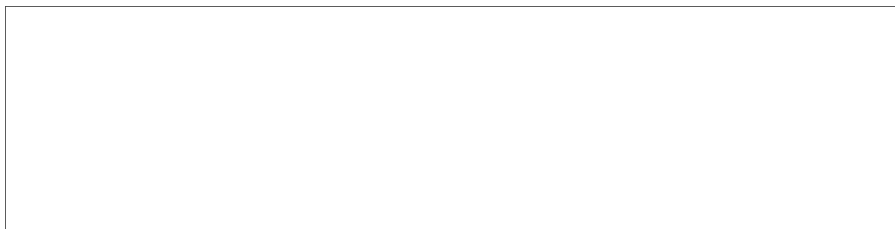
(c) **Hugh Grant's further allegation that the Daily Mail hacked phones**

25. At paragraph 47 of his witness statement Mr Grant says Paul McMullan told him (in a conversation recorded by Mr Grant without Mr McMullan's knowledge) that "the biggest payers for hacking in the past were the Daily Mail".
26. In fact this was Mr Grant's interpretation of Mr McMullan's words. Mr Grant took no steps before he gave evidence to the Inquiry to check with Mr McMullan whether his interpretation of their covertly recorded conversation in a noisy pub was correct. Mr McMullan has subsequently told the Inquiry that Mr Grant's interpretation is incorrect and he was "just trying to say that the two biggest-paying papers in Britain who always had the best stories and therefore the highest circulation were the News of the World and the Mail"; that he did not say that the Mail had hacked any phone; and he was not in any event in a position to know.

Conclusion

27. I need not stress to this Inquiry the seriousness of an allegation that a newspaper has engaged in phone hacking. Such an allegation against the News of the World resulted in the closure of the newspaper and hundreds of journalists being thrown out of work. Such an allegation against the Daily Mail and Mail on Sunday is highly damaging to their reputations as well as the reputations of their editors and journalists.
28. Mr Grant has made two allegations of phone hacking against Associated Newspapers. Neither of these allegations stands up to scrutiny and should never have been made.

Signed



Date

6 January 2012