MR MAZHER MAHMOOD (on former oath) ~

Mr Mahmood, so it remains extant.

MR BARR: Good morning, sir. Before I commence my questioning of Mr Mahmood, it perhaps would be sensible if I adduce by summary the evidence of Mr Greenslade, who has provided a witness statement and exhibits which are relevant to Mr Mahmood's evidence.

LORD JUSTICE LEVESON: Yes.

MR BARR: The witness statement is dated 17 December of last year, and it was provided to the Inquiry after Mr Mahmood gave evidence last year.

Mr Greenslade tells us that in 1988 he was the managing editor, news, of the Sunday Times, the person in overall charge of the news gathering and news production department. He tells us that in December 1988 the paper received a complaint from a police officer about a story written by one of the reporting staff, Mr Mahmood, which had been published in the Sunday Times some months before. That story alleged that a chief inspector had been demoted to constable following a conviction for drink driving. The complaint was that the chief inspector had in fact been demoted only to the rank of inspector.

Mr Greenslade asked his news editor, Michael Williams, to look into the complaint. Mr Williams had told him that Mr Mahmood had informed him that the error was due to a mistake by the news agency that had filed the original story. That's to say, the Devon News Agency. So Mr Greenslade asked Mr Williams to get in touch with the agency in order to ascertain how the mistake had been made.

Mr Williams reported back that the agency had checked its transmission; it showed that its story had correctly stated that the demotion was to constable, rather than inspector. The agency sent a copy of its original to Mr Williams.

Mr Williams then contacted the Sunday Times' computer room to ask for a copy of the file sent by Devon News. He noted that it says "constable" rather than "inspector", in contrast to the file which had been sent to him directly by the agency. During Mr Williams' conversation with the computer room operative, he was told that Mr Mahmood had recently visited the computer room, which was off limits to editorial staff.

After checking once more with the Devon News, Mr Williams and Mr Greenslade suspected that Mr Mahmood may have tampered with the file. The matter was reported to Mr Peter Roberts, the managing editor, and he ordered the paper's systems editor, Mr Bryan Silcock, to investigate further. He ran an audit check to trace the origin of the file, and he wrote a report to Mr Roberts dated 17 December 1988, a copy of that report is attached.

The report relates how Mr Mahmood had entered the computer room and, assisted by the systems operator, had retrieved versions of the agency file. Mr Silcock managed to find versions of the original report, that showed they had correctly stated the demotion was to inspector. The conclusion of Mr Silcock's report was that he could not see any explanation for the differences, except that the audit file was altered, and there could be no doubt that the reports from the Devon News Agency were correct.

On receiving Mr Silcock's report, Mr Greenslade asked Mr Williams to question Mr Mahmood. He admitted going to the computer room, but denied having tampered with the file.

Mr Greenslade did not have the power to fire a staff member, so he asked the editor, who was then Mr Andrew Neil, to convene a meeting of senior executives to discuss the case, and such a meeting was convened. Mr Roberts and Mr Greenslade explained the details of the case and were asked to make recommendations. They recommended dismissal. That recommendation was accepted and it was decided that Mr Roberts would inform Mr Mahmood.

However, when they emerged from the meeting, they found that Mr Mahmood had already resigned. There were envelopes on Mr Greenslade's desk and Mr Williams'. In that event, no further action was taken.

Mr Greenslade tells us that in his mind, Mr Mahmood had resigned to avoid the embarrassment of being officially dismissed.

The exhibits are not only the report but also Mr Mahmood's letter of resignation.

LORD JUSTICE LEVESON: Which says:

"Because of the nature of my work, I am only able to operate with the absolute support and trust of my senior colleagues and lawyers, but now that my honesty and integrity as a journalist is in question, I feel that there is no longer a place for me on the paper."

MR BARR: That's right.

LORD JUSTICE LEVESON: Yes.

MR BARR: Can I confirm that the cameras are off? Thank you.

Questions by MR BARR

MR BARR: Mr Mahmood, you've provided the Inquiry with...
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<th>Q.</th>
<th>Tampering with the computer file in order to pass the proof to your editor was something of a cloud the first time around?</th>
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<td>A.</td>
<td>Correct.</td>
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Day 31 AM Leveson Inquiry 25 January 2012

1. A third witness statement. Are the contents of your witness statement true and correct to the best of your knowledge and belief?
2. A. Yes, they are.
3. Q. Dealing first with the circumstances in which you left the Sunday Times in 1988, you deal with those from paragraph 23 onwards in your most recent statement, and you tell us that you've considered your letter of resignation and the newspaper's internal report at the time and you accept the contents of the report now, as you did in 1988. You say that you did not challenge the report at the time, but chose to leave before you were disciplined because you would resign rather than be dismissed.
4. A. Correct.
5. Q. At that time, you were 25 years old, weren't you?
6. A. 24, actually.
7. Q. 24 years old, and you'd been practising as a journalist since your teens?
8. A. Correct.
9. Q. When I asked you about it, the transcript starts on page 3 and runs over to page 4.
11. Q. -- which you were ashamed of, ashamed of then and now?
12. A. I accept that very much so. I accept that. But the background to it is that I had a history of disagreements with one executive on the paper. As you noted my resignation letter, I was referring to other stories as well where I'd been questioned, you know, so it was an ongoing thing. But that was the final straw.
13. Q. Can we explore, first of all, whether or not there was a highlight of my career, obviously, it's not something a journalist for several years?
14. A. Absolutely. What I was referring to by "disagreement" was that I had a disagreement with Mr Greenslade, who didn't like the way that I worked, you know, didn't like -- I felt he didn't like me, and ever since has displayed obsessive hostility towards me. There were a number of run-ins I had with him. There were disagreements over several stories.
15. Q. We'll come to that in a moment, but isn't the position that your answer to me was disingenuous because the true position was that you had left the Sunday Times because you had committed an act of dishonesty --
16. A. Correct, absolutely --
17. Q. -- which you were ashamed of, ashamed of then and now?
18. A. I accept that very much so. I accept that. But the background to it is that I had a history of disagreements with one executive on the paper. As you noted my resignation letter, I was referring to other stories as well where I'd been questioned, you know, so it was an ongoing thing. But that was the final straw.
19. A. Absolutely. 
20. Q. You say you were young and naive. You'd been working as a series of run-ins with Mr Greenslade while at the paper, and, you know, I'd made a mistake, I acknowledge that, and rather an incur the wrath of an executive I didn't get on with, I foolishly thought the best way would be to cover my mistake. It was the wrong thing to do, and I resigned. Having said that, it was a quarter of a decade ago --
21. LORD JUSTICE LEVESON: It was actually 23 years ago, wasn't it?
22. A. Well --
23. LORD JUSTICE LEVESON: But my concern is what you said to me, which wasn't 23 years ago, or indeed much more than 23 days ago, and I think we could just look at that, please.
24. MR BARR: Indeed we will, because -- and just before we do, you say "mistake"; we are talking about an act of dishonesty, aren't we?
26. Q. When I asked you about it, the transcript starts on page 3 and runs over to page 4.
27. A. Sorry, what tab is that?
Mr Michael Williams and has a slightly unseemly title of "I've seen the future and it's crap."

A. Yes.

Q. If we turn to page 39 of that article --

A. What tab? Which tab is that?

Q. Tab 12, I'm told. It's right at the very back of my bundle.

A. Right.

Q. Mr Williams says towards the bottom of that page:

"At the very least there was a great deal of reckless risk-taking -- not exactly discouraged by the News International corporate ethos. I summarily dismissed a reporter who was caught trying to cover his mistakes by offering a financial bribe to the staff in a newspaper computer room to falsify his copy (something he has never subsequently denied). Shortly afterwards he went seamlessly on to a senior job at our sister paper, the News of the World, where his 'scoops' were celebrated. This autumn he was rehired by the Sunday Times as an 'undercover reporter'. All corporate memory of scandal had been erased."

There's no doubt, is there, that Mr Williams is referring in that article to you?

A. Absolutely, and it's a completely untrue allegation, and can I also point out Mr Williams himself left the Sunday Times under somewhat of a cloud. I don't know the precise details, but his employment was terminated in 1994 and I think the reasons are shrouded in secrecy because of some deal he struck through his solicitor Schillings.

But that allegation is completely untrue and even Mr Greenslade, who is known to be very critical of my work, yesterday in his blog said that was news to him.

He found it surprising. It's simply untrue.

Q. I want to be specific. We know from the documents that Professor Greenslade has provided, and which you have not disputed, that you resigned before being dismissed, but the specific allegation there is there was an offer of a financial bribe to staff in the computer room to falsify copy. Is that true?

A. That's completely untrue. I did not bribe anybody. LORD JUSTICE LEVESON: Just before we leave that page, do you recognise how he describes working at the newspaper further up the sheet:

"Take the story to breaking point and then ratchet it back a notch. Unfortunately many journalists at Wapping conveniently forgot about the last bit, as they got carried away in the Wild West atmosphere."

A. No, I don't recognise that at all. I mean, the Sunday Times is very, very strict, they're very thorough, as they are now. It's just completely untrue.

Q. I want to now move to your relationship with Professor Greenslade, as he now is, back in the 1980s when you were working on the Sunday Times. You say that there were several disagreements. The Inquiry has been provided with information which suggests that Professor Greenslade doesn't accept that. He can't recall any disagreements.

A. Well, I say --

Q. Might you be mistaken in your recollection?

A. No, definitely not mistaken. This is a man who has written articles saying "Why I'm out to nail Mazher Mahmood". I think his agenda is very clear. He didn't like me then, doesn't like me now.

Q. It's certainly right to say that Professor Greenslade has published a number of articles critical of some of your work. It's also right, though, that he has on other occasions praised your work, isn't it?

A. Right. I don't know what the proportion is, but the majority of his work is very critical.

Q. He praised your work in exposing the Pakistani cricket match-fixing, didn't he?

A. Yes, he did. Hard not to, to be honest.

Q. And your expose involving the Duchess of York?

A. I don't know whether he praised that or not.
having won. I think Mr Justice Eady said at the time that the position of the News of the World was wholly unenviable, which indeed it was.

Following that, one of the informants on that story had turned against me and the paper and, encouraged by Mr Greenslade -- Mr Greenslade introduced him to David Price and he then made a statement and eventually an appeal was launched.

I was told that purely on the grounds of cost -- you know, it made economic sense not to pursue this, easier to give Bogdan Maris or Turcu or whatever his name was, better to pay him off than go back into court and incur costs yet again.

Q. I want to explore some of that reply a step at a time. Can we start first of all with paragraph 22 of your second witness statement?

A. Where is that in the bundle?

Q. It should be in the original bundle.

A. And it's on the screen.

Q. Sure. You say:

"In a related libel trial [this is related to the Victoria Beckham kidnap story] (brought by a member of the gang who had been reported to have been involved in the discussions -- the newspaper apologised to him) Mr Justice Eady said ..."

I'm going to read on in a moment, but before I do that, that's the apology you're referring to in your third witness statement?

A. That's right, that we apologised to him, so obviously it follows that we had settled with him in some way.

Q. Does it, Mr Mahmood? Because in the judgment at first instance, although the judgment was for News International, News International had not won every factual dispute, had it? In particular, the judge had not found that there was a gang, only a loose association of criminals prepared to take whatever opportunities presented themselves?

A. Right, but we won the libel action.

Q. And so what apology were you there referring to? Was it a --

A. This was following the appeal that we thought we don't want to go ahead with this appeal, we don't want to go back to court and incur further costs, so the newspaper apologised to Turcu or Bogdan Maris. I was only told about it after it happened, actually.

Q. It's singularly unclear in your witness statement, isn't it, that there was an appeal, that there was a great deal of fresh evidence on the appeal and the appeal was compromised?

A. Paragraph 22 was under the subheading "Fabrication" and what I was referring to there was that allegations of fabrication of stories was simply not true, and this was -- this case was illustrating that, that Mr Justice Eady had ruled that our evidence was valid, having gone through every tape of every conversation. So it was in that context I mentioned it.

But as I say, it's something that I should have mentioned, because I feel it's something the Inquiry should be aware of, that you can get petty criminals like Bogdan Maris or Alin Turcu and they walk away with money, despite being villains.

Q. Let's explore what the appeal involved. As you've pointed out a moment ago, at the first trial the claimant did not give evidence?

A. He was not in touch with his brief.

Q. It's right, isn't it, that part of the appeal involved the service of a witness statement from Mr Turcu and assertions by Mr Turcu that he was going to come and attend any retrial of the matter?

A. Right. The first time I've seen these documents have been recently. I was not privy to these. It was all dealt with by our legal department. I was only told about the apology afterwards and it was explained to me that it wasn't viable on commercial grounds. Perhaps these are questions best addressed to our legal team.
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<td>1 gaining stay in this country. He said, &quot;Look, I've helped you, you have connections with the Home Office, you should have helped me stay in this country.&quot; So having landed back in Albania, he turned against me and made phone calls to Mr Greenslade.</td>
<td>1 gun or not?</td>
<td>1 every single tape, scanned -- I mean, the police went through all our tapes first of all, the CPS went through all our tapes and all our evidence, the police were satisfied with our evidence, the CPS was satisfied with our evidence when they brought charges and satisfied with our evidence.</td>
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<td>4 A. But we are aware that one of the members of the gang had a weapon, we're certainly aware of that, and our evidence showed that. Where it came from, I don't know.</td>
<td>4 A. Gashi to claim that it was his gun, it was a replica, you know, it's a matter for him.</td>
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<td>9 A. The gunman who had been taken covertly, including a statement from</td>
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1 know."
2 So on the basis of Gashi, it's a bit unfair to
3 criticise that story. In essence you're saying the
4 police got it wrong, CPS got it wrong, Mr Justice Eady
5 got it wrong but Gashi's right. That's essentially what
6 you're saying to me.
7 LORD JUSTICE LEVESON: I'm not concerned about the story in
8 itself. That's part of, if you like, legal history.
9 I'm concerned with the custom, practice and ethics of
10 the press, and I'd like your help on this: Mr Gashi was
11 your informant. He provided you, as I understand what
12 you've said, with much useful information, which had led
13 to investigations which you'd conducted.
14 A. Correct.
15 LORD JUSTICE LEVESON: And you'd relied upon him for the
16 purpose of your work?
17 A. Well, relied on him in that he provided tips. We would
18 investigate each tip, independently gather evidence. We
19 get tips from all kinds of people.
20 LORD JUSTICE LEVESON: Yes, but in particular you'd relied
21 upon him for tips and for information over some time?
22 A. Correct.
23 LORD JUSTICE LEVESON: Yes.
24 A. And each tip that he presented we vetted thoroughly.
25 LORD JUSTICE LEVESON: Just bear with me, please. I will Page 21

1 get there. However dishonest he might be, he was now
2 saying, in a statement which was going to be put before
3 the court, that you'd put him up to this particular
4 story. That's what he was saying.
5 A. Correct.
6 LORD JUSTICE LEVESON: Are you telling me that nobody
7 discussed that with you or warned you about it or told
8 you about it at all? So that you had no knowledge of
9 this?
10 A. I can't recall that, but what I can recall is that he
11 was also encouraged by Mr Greenslade to speak to police
12 and I was called in and interviewed by police over
13 a whole range of allegations that he'd made, and each of
14 them were later proved to be false, so --
15 LORD JUSTICE LEVESON: But --
16 A. -- we knew that the man's a liar.
17 LORD JUSTICE LEVESON: -- you misunderstand my point,
18 Mr Mahmood. I am concerned to know whether your
19 newspaper, who clearly knew about all this, they were
20 seeing the papers, raised with you issues or put into
21 train measures arising out of the fact that this man who
22 provided you with tips was now alleging that you'd set
23 him up to it. There was no such discussion with you?
24 A. I can't recall. I can't recall a specific discussion.
25 LORD JUSTICE LEVESON: Because one might think that however
Page 22
<table>
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<th>Page 25</th>
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<tr>
<td>&quot;I have recently [it's dated 4 July 2006] read the witness statement relied upon by the appellant given by Florim Gashi dated 21 September 2005. The purpose of this statement is to answer various allegations raised by Mr Gashi in his statement. This is intended to be a brief statement in response, and if this appeal progresses any further, as the appellant wishes, then I can produce a fuller statement in due course if required.&quot; Then your statement goes on to rebut the various allegations in the main and to accept one or two of them.</td>
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<td>MR BARR: Can we go back to paragraph 22 of your original witness statement, Mr Mahmood, your second statement. Anyway, I've understood what you have said.</td>
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<td>Q. Having drawn your attention to that document, it's right, isn't it, that your earlier evidence that you knew nothing about this appeal until after it had been settled --</td>
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<tr>
<td>A. No, I didn't know that we'd -- Q. -- must have been wrong? A. No, it's not wrong. I didn't know that we'd settled. I had no idea that we'd settled. Thanks for alerting me to this. It clearly was discussed with me because I've written a statement of response to the allegations that you made so I think that answers that question but I was certainly not aware that we'd settled and I still don't know what the amount of the settlement was or what the terms of the settlement were.</td>
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<td>Q. I would like to know how it is that you're telling us on Wednesday morning that you didn't know about the appeal until after it had settled when --</td>
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<td>A. No, what I'm saying about the appeal -- Q. -- your exhibit on Monday makes clear that you did. A. As I said to you, I was unaware of the terms of the settlement or they'd reached a settlement. I was told about that afterwards. Clearly I was aware of the fact there was an appeal.</td>
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<td>LORD JUSTICE LEVESON: You appreciate that I'm not concerned with the facts of the case, that's merely the background. I'm concerned about a slightly different point, about discussions arising out of the fact that one of your tipsters had said all this very damaging material or statements about you. Anyway, I've understood what you have said. MR BARR: Can we go back to paragraph 22 of your original witness statement, Mr Mahmood, your second statement. This may need to be brought to the screen again. It's the paragraph we looked at a moment ago. I've read the introductory sentence already. The quotation of Mr Justice Eady says: &quot;Mr Mahmood may be hard bitten and cynical, but</td>
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<td>Q. If we look at paragraph 8 of your third statement --</td>
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<td>A. Is that coming up? Q. -- which says: &quot;I had also thought and still think that the fact of the appeal and settlement did not change the effect of the words in the judgment which I quoted in my second statement. The words of Mr Justice Eady which I quoted were about an additional point that had arisen in the proceedings, which was an attack on my character, suggesting that I knew that this story was false and that I had picked on vulnerable asylum seekers.&quot; The point is, Mr Mahmood, not only was the quote relevant to the fabrication issue, the appeal was also relevant to the question of whether or not there was a plot at all, wasn't it?</td>
<td></td>
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<tr>
<td>A. Sure. Q. And so this is really no excuse at all, is it, for not mentioning the appeal more fully in your second witness statement? A. As I say, it's an oversight and it's an issue that I would want aired because it's an issue that I'm concerned about, how people like this can go to court and walk away with money purely on economic grounds. It's an issue that I'm concerned about.</td>
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<tr>
<td>Q. Can we move now to what you tell us about the PCC. You tell us that there was an investigation by the PCC into --</td>
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<tr>
<td>A. That's right. As I said, it was under the subheading &quot;Fabrication&quot;.</td>
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<tr>
<td>A. Absolutely, no, I agree. Q. -- the additional allegation that you'd fabricated it? A. Of course.</td>
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<td>Q. -- which says: &quot;There was clearly a plan to kidnap Victoria Beckham.&quot;</td>
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<tr>
<td>A. That's right. As I said, it was under the subheading &quot;Fabrication&quot;.</td>
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<td>Q. As well as -- A. Absolutely, no, I agree.</td>
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</table>
| 7 (Pages 25 to 28)
the payments which had been made by the News of the World to Mr Gashi.

A. Correct, there was.

Q. It's right, isn't it, that the PCC found in the News of the World's favour?

A. That's correct.

Q. And it did that because it interpreted the PCC code in relation to payments to witnesses as only applying once charges were laid?

A. Correct.

Q. And not in accordance with the wider meaning of legal proceedings, which is applied in contempt of court cases.

A. Right, okay.

Q. The third matter which I'd like to ask you about today, Mr Mahmood, is your use of Florim Gashi after the Beckham kidnap plot.

A. Right.

Q. It is right, isn't it, that you continued to use Mr Gashi to provide you with tips for stories after the Beckham plot?

A. That's correct.

Q. Even though he was regarded by the police as an unreliable witness?

A. Most of the people I deal with would be regarded as unreliable witness.

I've had front page splashes from crack addicts. A story I did about a footballer's father who was running a crack den in Nottingham, that came from a crack addict who even stole my tape recorder. We deal with unreliable people all the time but it's information that's important, that we vet and check thoroughly. So it can't be said that because Gashi had been described as unreliable by police that we thought he was unreliable.

Q. It does put at risk, though, doesn't it, the potential integrity of your investigations if you're relying upon a man whose credibility issues were as significant as Mr Gashi's?

A. As I said, we get stories from crack addicts, prostitutes, all kinds of sources. Our job is to test the tip that they're providing, gather information, and only if our lawyers are satisfied does it appear in the paper.

Q. You tell us at paragraph 19 that Mr Gashi made allegations about you in the red mercury trial and then touched upon a little earlier in your evidence. You also say that in the red mercury trial, he admitted in court that he had made false accusations about you and withdrew them. Which allegations are you saying he withdrew?

A. I can't recall that. I did ask our lawyers to try and get a transcript of the case, but they've not been able to do that in time, but I do recall being told by our legal team that he'd stood up in court and admitted that he'd lied and was not -- unable to explain why he'd lied.

Q. You tell us that when you joined the Sunday Times last year the editor asked you to confirm that you no longer used Mr Gashi nor would you in the future use Mr Gashi and you gave him that assurance?

A. Absolutely. This is a man who's made allegations against me to the police, so it wouldn't even -- the question doesn't even arise, really.

Q. Did --

A. We fell out after he was deported so I've not spoken to him or dealt with him since. In fact, he was ringing me up threatening me from Albania.

Q. Did the Sunday Times require any other conditions on the way in which you conducted your investigations when they employed you last year?

A. No, they did not.

MR BARR: Thank you. Those were all my questions.

A. Thank you.

LORD JUSTICE LEVESON: Is there a risk that if you use an informant who you know to be unreliable as the basis to start investigation, that you're then really embarking upon what is little more than a fishing expedition?

A. No, it's not true at all. I mean, with Gashi, I mean at the time all the information that he'd provided me was accurate. I didn't regard him as an unreliable witness, even after the Beckham case. I believed and still do that the information he provided at the time was correct. But the nature the work is, as I explained, that you have to deal with people who are simply unreliable, untrustworthy. You have to.

LORD JUSTICE LEVESON: I understand the point. And I also understand your point about conditional fee agreements, but its place in this discussion we will have to think about.

All right, thank you very much. I will rise.

MR JAY: The next witness is Mr Robert Crow, please.

LORD JUSTICE LEVESON: Can I confirm that the audio and visual are back on? Thank you.

MR ROBERT CROW (affirmed)

Questions by MR JAY

A. Thank you.

LORD JUSTICE LEVESON: I understand the point. And I also understand your point about conditional fee agreements, but its place in this discussion we will have to think about.

All right, thank you very much. I will rise.

MR JAY: Kindly sit down and make yourself comfortable and

(A short break)
provide us with your full name.

Q. Thank you very much. You've provided us with a witness statement which you've signed and dated 14 December of last year, and in respect of which there is a statement of truth. Subject to one typographical correction in paragraph 8, is this your true evidence, Mr Crow?

A. Yes.

Q. The correction is substituting "Whittamore" for "Whittaker", do you see that?

A. Yes, that's true.

Q. You, of course, are General Secretary of the National Union of Rail, Maritime and Transport Workers, and have been since 2002; is that correct?

A. That's true.

Q. Can I ask you, please, about paragraphs 3 and 4 of your statement, where you deal with surveillance instigated by News International and carried out by Mr Derek Webb.

There's a letter from Linklaters which was sent to your solicitors on 20 January of this year, which indicates that Mr Webb was carrying out covert surveillance of you, and I can give the dates: between 26 October and 11 and 14 January 2011. Is that right?

A. That's right.

Q. So you either -- well, there are various other means, but you chose, on my understanding, on a number of occasions to take a lift on your personal assistant's scooter?

A. It's private property, sir.

Q. The correction is substituting "Whittamore" for "Whittaker", do you see that?

A. Yes.

Q. You don't know, however, why News International were carrying out surveillance into you, but you can surmise; is that right?

A. Yes.

Q. Can I deal, please, with paragraph 5 of your statement?

You rightly say that as a public figure, as the General Secretary of a union, you can expect a certain amount of negative publicity. In general terms, where do you see the boundaries between that which is intrusive and therefore impermissible and that which may be permissible?

A. We run a democratic organisation. Our job is to secure the most safest possible workplace for our members, both in work, they go home unharmed, uninjured and in one piece. Also our job is to secure the best possible terms and conditions for our members and in the wider field to get the best possible welfare and social reasons for our members to be about in society. That's our job.

The boundaries as I see it is that number one, if my union for a democratic ballot called strike action, in

We have that article at page 54982. Do you have that in front of you? It may be on that screen, Mr Crow. Coming up?

A. No, unfortunately it's not.

Q. You don't know, however, why News International were carrying out surveillance into you, but you can surmise; is that right?

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The boundaries as I see it is that number one, if my union for a democratic ballot called strike action, in
Q. We see a picture of you, it's not very clear, on the back of your personal assistant Mr Scott's scooter. We can't see the registration mark of the scooter, but we know there is one, and this is relevant to evidence you're about to give, and there's a certain commentary and/or discussion on the significance of all of this.

A. Yes. The picture is taken from outside my home. The scooter is in reverse, with the individual personal secretary coming, reversed his scooter. He's picked me up, I'm waving at my young daughter upstairs in the bedroom, and I set off to go to King's Cross station to attend the meeting in Newcastle about the regional council.

Q. Yes. There is an important issue as to how the Mail on Sunday obtained information in relation to Mr Scott, which I am going to turn to, but setting that issue to one side, what objection, if any, do you have to this piece in the Mail on Sunday?

A. Number one, obviously the person taking the picture is hiding away somewhere, which is not really a big issue as far as I'm concerned. He's taking a picture of a member of staff of our organisation. He's not an official of the union, he's purely a member of staff who decided to help out. This weren't in a strike, which some people could use the argument it was down to the RMT which caused the disruption on the Central Line, over some eight, nine, ten years ago, and an individual concerned helped me out. I don't drive a car myself and/or discussion on the significance of all of this.

Q. It might be said, Mr Crow, that the story is entirely vacuous in the sense that you have to get to work, you take a scooter of your personal assistant's, so what?

A. But on the other hand it might be said, well, is there a problem publishing this sort of vacuity? How do you see it?

Q. Which, if my memory is right, was 8 March 2003. Can you tell me, please, what your involvement is or was in relation to that, or more particularly, the involvement of Mr Scott, your personal assistant?

A. Yes. My personal assistant, who has been my personal assistant for ten years, and the previous General Secretary Jimmy Knapp's assistant for some eight years, he's been a member of our union with unblemished record, at home one afternoon, early evening, when there was a knock on the door and it was two police officers from the corruption unit, who asked him did his scooter break down in the Wandsworth area of London? And he categorically remembered that he'd never ever been to Wandsworth, he's picked me up in Wandsworth with his scooter and he said "Your scooter broke down in Wandsworth". He said, "No, it never broke down in Wandsworth". He said all we can say is someone phoned up at this moment in time the DVLA in Swansea on a particular date, which he gave to Mr Scott, and said that your motorbike, your scooter's broken down and he wanted to know who the owner was. Or he found a scooter, who was the owner of the scooter.

Q. -- from DVLA, transmitted that information to Mr Whittamore --

A. Yes.

Q. -- and then evidently that information was passed on to the Daily Mail or Sunday Mail who produced the article and no action was taken by the police against the newspapers as a result of obtaining corrupt information.

Q. Yes. This ties in with Operation Glade, that someone bragged information --

A. Yes.

Q. -- and then evidently that information was passed on to the Mail on Sunday?

A. Yes.

Q. Does that --

A. That's the scooter and the motorbike -- the scooter concerned with the glazed out registration numbers concerned.

Q. So the information which was made available to DVLA was the registration mark of Mr Scott's scooter?

A. Yes.

Q. But the request was who was driving the motorcycle and how they obtained the information.

Q: You deal with that in paragraph 8 of your statement. This is part of Operation Glade, which was Metropolitan Police investigation following the raid on Mr Whittamore's premises.

A. Yes.
the answer came back Mr Scott?
A. Yeah. Putting two and two together, they obviously had
the picture, they had the person who picked me up, it
may have been someone, a member of the public who had
seen me on the back of a scooter going to work but they
didn't know who the individual was, and the only way
they could obtain that information was by blagging the
DVLA to find out Mr Scott's registration number by
making out that the scooter had been either lost or
downed broken in Wandsworth, which he'd never been.
Q. I understand. Did Mr Scott provide a witness statement
to the police --
A. Yes, he did.
Q. -- in relation to this?
A. Yes.
Q. We know what happened to Operation Glade, that it
culminated in a hearing at Blackfriars Crown Court on
19 April 2005 and conditional discharges were imposed by
the courts, so Mr Scott never gave evidence, presumably?
A. He wasn't called. He was prepared to give evidence and
we also complained to the Information Commissioner as
well.
Q. Can I just ask you, please, because I've been asked to
put this to you, in relation to the fourth line from the
end of paragraph 8, if I can invite that to your
attention, Mr Crow?
A. Yes.
Q. The point is fully understood in relation to DVLA and
blagging. You're possibly suggesting there that the
fact that it was ascertained that Mr Scott would be
picking you up on a particular day might have been
obtained by hacking into either your phone or Mr Scott's
phone, do you follow me?
A. That's correct, yes.
Q. It's been suggested to me that you have no evidence for
that, that's just guesswork on your part. Is that fair
or not?
A. Yes. We've asked the police to see if there was proof
that our phones had been hacked. They said that it's
still under investigation under Operation Weeting at
this moment in time. It's just strange that this
particular day I was picked up by my personal
secretary -- because he never picked me up every day,
I used to get the 275 bus to Walthamstow and get the
Victoria Line in.
On this particular day I had to be at King's Cross
for a train to Newcastle and the weather weren't
particularly good. He wanted to make sure and I wanted
to make sure that I got the train on time. So it's
strange that this particular day, there was no other day
that week, that at that particular time, at that
particular hour of the day, that someone was there with
a camera to take a picture.
LORD JUSTICE LEVESON: One possibility, and I'm not trying
to resolve it, is that someone had seen you go in on the
scooter before, found out the home of the scooter and
hoped that they'd catch you?
A. That may be the case, and I'm sort of no detective to
find that out, but it would be very strange that someone
on a scooter would actually find a scooter in Hackney,
out of all the places in London, to find out where its
premises were.
LORD JUSTICE LEVESON: No, I understand the point, but once
they know its home, somebody could just wait and see.
I don't know, we just have to find out, but the --
A. Either way, why would they ring the DVLA up and ask for
information?
LORD JUSTICE LEVESON: That's a different question.
MR JAY: Because they want to find out Mr Scott's
identity --
A. And his home address.
LORD JUSTICE LEVESON: That's the point.
MR JAY: That's the point.
LORD JUSTICE LEVESON: Yes.
MR JAY: There's that extra point, that it's not just
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<td>1</td>
<td>A. He walked straight up to me and stood on me feet and his words were, &quot;What's it like then not getting to work?&quot;</td>
<td>1</td>
<td>a situation of intimidation and hit out because it's not my style. I phoned the police and the police come and they told the people to move out the way and stop obstructing me going to work.</td>
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<td>2</td>
<td>You stopped people getting to work this week, how about a taste of your own medicine?&quot; with someone taking pictures who I found out to be a Mr Lee Thompson,</td>
<td>2</td>
<td>I have to say, just on another note, that if we have a strike and if we dare stop people going to work, the police would have come and arrested us straight away for obstruction and intimidation, but they was allowed to get away with it.</td>
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<td>3</td>
<td>I found out through his blog, who makes it clear by selling his work to newspapers that on his CV how happy he was that he stopped me leaving my home that day to go to work.</td>
<td>3</td>
<td>They made a video the next day, which was something like <a href="http://www.stopbobcrowgettingtowork.com">www.stopbobcrowgettingtowork.com</a>. You could see the video of me walking up the road and also put in their editorial that I was a coward because I phoned the police. I don't know what else I should have to do.</td>
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<td>4</td>
<td>He walked straight up to me and stood on me feet and his words were, &quot;What's it like then not getting to work?&quot;</td>
<td>4</td>
<td>That's the police turning up and asking what the situation was. I actually got my mobile phone out and took a video of them and the police actually told me to put my video away.</td>
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<td>5</td>
<td>&quot;This man has stopped all your trains this week, what do you think?&quot; all the way up, shouting into the baker's shop, shouted into the local chemist, shouted into the launderette: come out and basically, you know, pillar this man on his way to the station.</td>
<td>5</td>
<td>Q. Thank you. That's very clear, Mr Crow, on that point. There's another example. We're moving forward in time to January of last year, Mr Crow, when you take a holiday along with your partner and two friends. This is in the Caribbean, I believe. Can I just have from Page 46</td>
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<td>6</td>
<td>&quot;This man has stopped all your trains this week, what do you think?&quot; all the way up, shouting into the baker's shop, shouted into the local chemist, shouted into the launderette: come out and basically, you know, pillar this man on his way to the station.</td>
<td>6</td>
<td>A. Yes I do.</td>
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<td>7</td>
<td>&quot;This man has stopped all your trains this week, what do you think?&quot; all the way up, shouting into the baker's shop, shouted into the local chemist, shouted into the launderette: come out and basically, you know, pillar this man on his way to the station.</td>
<td>7</td>
<td>Q. And the letter from Linklaters makes it clear that you were under surveillance from Mr Webb from 11 to 14 January, which may or may not be relevant to this. So your holiday begins on 13 January. Is that the day you fly out to the Caribbean --</td>
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<td>8</td>
<td>&quot;This man has stopped all your trains this week, what do you think?&quot; all the way up, shouting into the baker's shop, shouted into the local chemist, shouted into the launderette: come out and basically, you know, pillar this man on his way to the station.</td>
<td>8</td>
<td>A. No, I day I fly out.</td>
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<td>9</td>
<td>When I got to the station, he still stood in me way and said I weren't allowed to go to work.</td>
<td>9</td>
<td>Q. Do you arrive on the 14th?</td>
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<td>10</td>
<td>A. Yes.</td>
<td>10</td>
<td>A. No, the 13th.</td>
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<td>11</td>
<td>Q. -- photograph of that. We won't be able to use the video I'm afraid but there's a photograph of two men -- there we are.</td>
<td>11</td>
<td>Q. We can see the article at 54983. It's dated 23 January. It's in the News of the World and it's by the chief reporter, Mr Neville Thurlbeck. Do you have that?</td>
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<td>12</td>
<td>Q. -- photograph of that. We won't be able to use the video I'm afraid but there's a photograph of two men -- there we are.</td>
<td>12</td>
<td>A. Yes.</td>
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<td>13</td>
<td>This is in the Caribbean, I believe. Can I just have from Page 47</td>
<td>13</td>
<td>Q. Before I ask you questions about the article itself, can you please the date the holiday began, because this is relevant to --</td>
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<td>14</td>
<td>Q. -- photograph of that. We won't be able to use the video I'm afraid but there's a photograph of two men -- there we are.</td>
<td>14</td>
<td>A. 13 January.</td>
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<td>15</td>
<td>A. Yes.</td>
<td>15</td>
<td>Q. We tell the people to move out the way and stop obstructing me going to work.</td>
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<td>16</td>
<td>Q. What's that showing, Mr Crow?</td>
<td>16</td>
<td>A. Yes.</td>
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<td>17</td>
<td>A. That's -- behind me is the bus parked up. They're two of the people that was smartly dressed. There was another person as well that was smartly dressed. There was two people with television cameras, either side of me face, pointing to me face. The bus driver, who was a big lad as well, and they're saying to me now that I can't go through to the station to go to work, and they stood there. At that point I had to say, well, you know, what do I do? I weren't going to get into a passport, for leaving the ship and going off the ship.</td>
<td>17</td>
<td>A. Yes. On 14 January, our first port of call was the lovely island of Grenada. Myself and three other colleagues with me who was leaving the ship, you hand your passport in when you go onto the ship and they give you a card, like a credit card, which is the same as a passport, for leaving the ship and going off the ship.</td>
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12 (Pages 45 to 48)
It was purely by chance as we're walking up the gangway to get off the ship, the security officer that takes your card and checks you in that you're off the ship or on the ship was talking to a man in uniform, ship uniform, same like the uniform that he had on. He had a piece of paper in his hand that he was asking, "Is Robert Crow on the ship?" and I was taken aback. I first of all thought they were going to throw a party for me if I was on there. I was taken aback and I didn't want to say there and then I was on the ship to the person because he'd have known I'd been there. So the person walked down the gangway and I said to the security officer, "Why you are giving information?" He said "That's okay, that's Mr Matthews, he does work for Thomson Ships, he takes people for trips and one thing and the other and he shows people shops and jewellery and things like that". I said "Why would he be asking for information?" He said "Perhaps you've booked a trip". I said "No, I've booked nothing".

We followed where his footsteps were and said to the person at the port, "Did you see Mr Matthews go through?" He said "Oh yes, he's gone into the supermarket". We went into the supermarket, four of us, and confronted him and he said he was just down at the port side, about half a mile from the ship, and a person who came up to him and said, "Oh, can you do us a favour mate, would you go down to the ship and see if Mr Crow is on there because we're throwing a surprise party for him". He said "Of course I will", and he walked half a mile, which I thought was very strange, why you would want to walk back half a mile just because someone asked you if you was on the ship or not.

Then we confronted the person concerned and he said that he'd just done it to help this person out, he thought he was being helpful. We have a subsequent claim going in at this moment in time that someone has given information out and we believe that the person concerned was obtaining information.

The picture concerned -- I can't really see his name on there, but the side of the newspaper article is --

Q. Chris Bott.

A. If you go to Google search, he operates as a private investigator/photographer operating from Florida in USA.

Q. Okay.

A. The actual picture concerned was about three or four days into the vacation on the island of Aruba, where they followed me and my partner, taking pictures, obviously to humiliate me and completely to be intrusive.

PCC. We may well have done. We've certainly got a case against Thomson's at the moment, Cruises, on the basis that we believe a member of their staff divulged information, confidential information, on a client's integrity, and also that that information shouldn't be provided because it should be secured with the company you book your holiday up with. The information shouldn't be given out.

Q. Do you have any evidence that this might be linked to Mr Webb, apart from the coincidence of --

A. No, I have no evidence, no.

Q. Can I ask you about the next example, I think it's the final one, paragraph 11, Mr Crow. This is the union AGM held in June of last year at the Nevis Centre. Where is that?

A. Fort William, underneath the Ben Nevis mountain.

Q. Can you tell us about that?

A. We had our annual general meeting each year. The caretaker of the Nevis Centre, which is a municipal centre, where we hold our conference, said he was getting phone calls throughout the week leading up to the AGM asking questions about did we have a hospitality room and what kind of facilities that we was given and so on. And he just batted them back in the normal way that it was none of his business and he's got a business...
booking with the National Union of Rail, Maritime and  
Transport Workers in holding our conference.

Then a person who at that time said he was working  
as a freelance working out of Inverness for the
Sunday Times tried to obtain a copy of our annual  
general meeting agenda, which was private and for
members only, and again the caretaker said "It's out of  
my remit, you need to go and speak to the trade union if
they want to give you a copy".

Our press officer received a number of copies --  
phone calls, where he told them it's a private matter,
the annual general meeting, for our members and members
only.

What took place then was the caretaker of the Ben  
Nevis Centre does his closed circuit TV watch every so
often and he went onto his closed circuit TV watch and
found that the individual journalist who said that he
was working as a freelancer for the Sunday Times was
going down bins trying to obtain information. We
reported that to the police. The police have done
nothing on the issue and we're taking the complaint out
against the police.

Earlier on in this Inquiry I heard an editor or
a deputy editor say that they don't go on fishing trips,
that newspaper. They might not go on fishing trips, but
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they certainly go on refuse trips up there because the
man had his head in the bin like the character Top Cat,
to be honest with you, and quite clearly that
information was tried to be obtained in our view
illegally to use against and slur the RMT.

Q. Can I just understand the strength of the evidence,
which relates the information coming from a bin, as you
say, rather than being, for example, the agenda
accidentally left in the Nevis Centre, and then being
picked up and handed to the Sunday Times?

A. Whether he went into the centre and got a copy or
whether he got a copy from someone else, I don't know,
but the fact is that we've still got the CCTV and the
person don't just go into the bins, he takes the bin
bags away with him and puts them in his car. There's
cutbacks going on at the moment, I know, with the local
authorities, I never thought journalists would go around
and help out the bin men, to be honest with you.

Q. Okay, thank you. I think that's all your evidence on
that point.

There's a point I missed, I'm afraid, in relation to
the holiday. I've been asked to put this to you. Look
at paragraph 10 of your statement.

A. Yes.

Q. The penultimate sentence reads:
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"In my opinion, the details of our holiday, which
was a Caribbean cruise, could only have come from either
hacking phones or buying information from the tour
operator."

The gist of your evidence was far more, indeed
solely related to the second point, information obtained
from the tour operator. Do you have any evidence that
the information was obtained from hacking phones?

A. No, not directly. Only to say that we believe there was
hacking going on, our movements were -- only could have
been known in that sense of the word by where we'd have
been at a port of call at that time and so on. No
direct evidence, sir, on what the information is, but
certainly Mr Matthews -- and went to the head of
security as well -- he clearly went there to give
information to the person that took the photographs in
our view or the person in the port and the story
actually ends up in the News of the World.

Q. But from the picture you're giving us, it sounds more as
if all the information is collated by old-fashioned
surveillance techniques and a bit of dishonesty, namely
Mr Matthews obtaining information and possibly Mr Bott
obtaining information and possibly, and I understand
this to be your case, Thomsons providing information,
but those are the more likely sources of information
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rather than hacking of phones, would you accept that?

A. I can't prove, you know, if it was done by phone hacking
or it was Mr Matthews or it was someone else. All
I know is it ends up in the story of Mr Thurlbeck.

LORD JUSTICE LEVESON: If you're being watched, of course
you could have been watched going on board ship.

A. Yes.

LORD JUSTICE LEVESON: Or getting to the place from which
you were embarking on your cruise.

A. That's correct, sir.

LORD JUSTICE LEVESON: Whatever. But do I gather your
substantial complaint in relation to this incident is
the intrusion into your holiday?

A. Yes.

MR JAY: That's very clear, Mr Crow.

Q. Are there any other examples which you want to draw
to our attention?

A. Very briefly. Basically on the illegal activity which
I believe happened to me by parking a bus outside the
home of the road where I lived. I'd like to also say
that we've already settled with Sun newspaper a libel
case where I was accused of having a union car -- which
I don't even drive, haven't got a licence -- and a union
sponsored house, which the union pays no contribution at
all to where I live. That was settled, got into the Sun
Page 56

(Mrs. Jay)
MR BARR: Mr Green, I won't ask you your full name because you've just given it, but could I ask you to start with: your blog ethically and responsibly. Perhaps I could ask you to develop what you mean by "ethically and responsibly". In your view, what does that entail? A. Well, the starting position is that you just think through why you are publishing this, what is the purpose in why you are publishing whatever you are publishing? If it seems to serve a good purpose, then I think there is no reason for me not to publish this? For example, can I source it or not? If I can't source it, why am I making the claim? Is this something which is appropriate for me to write about? Am I doing this for the wrong motive altogether?

And there are times where I just don't run something or write about something just because it doesn't -- first of all, it wouldn't seem interesting to write or it probably wouldn't be of any interest to the people who read my blog. I've developed a very good relationship with the people who comment on my blog and I would be wasting their time.

So if it's not really that consequential or worth a blog, I may say something on Twitter. I try and make Jack of Kent a nonpartisan blog. I am a supporter of the Liberal Democrats but I don't write a party political blog at all. I use Twitter for more inconsequential statements, but for blogging I do put a lot of thought into why am I actually publishing this to the world?

Q. That approach has plainly been successful because you tell us that in over four years of writing about sensitive and controversial subjects you have never had a significant complaint or a credible threat.

A. Mm-hm.

Q. Completely accepting that you're an entirely responsible blogger, I would like to ask you about the potential for bloggers to act irresponsibly, and for your views on how they should be addressed.

A. Correct.

Q. You started your blog Jack of Kent in 2007. Your objective is to provide a liberal and critical perspective on legal and policy matters. You aim to be nonpartisan and not to descend to gossip. You say that almost all of your sources are stated and often quoted in full or linked to. Could I ask you, please, how many hits do you get on your blog on average?

A. I actually don't know. Last time I looked at the -- what are called the stats for my blog, I think it was between about 1,000 and 2,000 hits a day, and the New Statesman stats I think are higher than that as well.

Q. Thank you. You tell us that when you blog, you comply with the general law of the land, and you believe that you blog ethically and responsibly. Perhaps I could ask you to develop what you mean by "ethically and responsibly". In your view, what does that entail?

A. Well, the starting position is that you just think through why you are publishing this, what is the purpose in why you are publishing whatever you are publishing? If it seems to serve a good purpose, then I think there is any reason for me not to publish this? For example, can I source it or not? If I can't source it, why am I making the claim? Is this something which is appropriate for me to write about? Am I doing this for the wrong motive altogether?

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A. Correct.
the blogosphere is best regulated.

A. You can't look at blogging in isolation. Almost all the examples one can come up with are where you would say there has been irresponsible blogging or irresponsible use of social media. Often the information involved has come from somewhere else. So for example when there was a great deal of excitement because superinjunctions were being broken on Twitter, and indeed somebody set up a Twitter account which somehow, some way, managed to list seven or eight superinjunctions with relevant details, then yes, that was taken forward by various people on Twitter and it caused some excitement, but the question for me is how that information got put into social media in the first place.

Similarly, on the Trafigura matter, the identity of the entity who was seeking to allegedly injunct Parliament or threatened to injunct Parliament over the Minton report, it was broken on Twitter, but all the information which allowed people on Twitter to break that information had been very carefully put into the public domain by non-blogging social media sources. All that happened is that people on Twitter were able to just put things together and work out what -- you know, who was actually threatening Parliament with an injunction.

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So almost all the examples I can personally think about in three years of using social media of alleged abuses by people using social media often can be traced back to somebody who may or may not have an agenda in placing that information into social media in the first place.

Q. At the very least, social media has the effect of promulgating the information very widely and very quickly, doesn't it?

A. Yes. I think the best -- social media covers things far wider than politics and media. There are some fantastic blogs out there which don't write about political matters or media matters at all. But it is something which can take reportage further.

Mainstream media are hard pressed. It's very difficult to create content day after day. Things are put out there. But what people in social media can do is step back in their own time and put together in one place all the material from disparate places for the benefit of the readers, so it's becoming more often that stories are being taken forward by citizens using social media, blogging, tweeting, Facebook or whatever, podcasts, videocasts on YouTube, because they have the time and it's a form of active citizenship.

The notion that bloggers are out there as cowboys, which was put forward to this Inquiry by a witness here, is looking at it in a very wrong way, in my opinion. What you actually have are citizens who are now able to use various forms of social media to share information amongst themselves. It's very rare, in my experience, for a blogger or tweeter to themselves place into the public domain private information. What has usually happened is they've taken it from some other source and it's been tweeted or it's been blogged.

Q. Accepting that there are many very beneficial uses of social media, which you've just touched upon, it's right, though, isn't it, that it can be misused, someone can use a blog or a tweet to intrude into people's privacy without warrant, to promulgate inaccuracies, to undermine injunctions, that can be done anonymously as well?

A. That is the case. Social media can be misused just like mainstream media can be misused and the law can be misused.

Q. But the thoughts that I'm seeking are do you have any views as to whether, in order to guard against such misuse, it is feasible to regulate first of all blogging?

A. I think there's two ways I'd like to address that question. First of all is to make a very general point. At a number of times, people involved in social media have shown a lot more responsibility than people in mainstream media, so, for example, during the Lawrence case, it could have been perfectly possible for everybody to have linked to or reproduced the Rod Liddle piece in the Spectator, which one wonders how it managed into the Spectator but it was published and it shouldn't have been published.

It didn't happen.

As regards the superinjunctions, yes, I think the CTB, I think, injunction was widely mocked, not by me but it was widely mocked, but when somebody went further and put some very personal information into social media, it wasn't retweeted. People said no, this isn't good and it got very little traction.

My starting point in addressing the question you've just posed is: there is a great deal of self-regulation and responsibility because what you are dealing with is not a type of person called blogger, you're actually dealing with citizens who are communicating with each other about issues that concern and interest them.

As regards regulation, I would suggest there are two ways things are regulated. One is to take a very, shall we say, formal approach to regulation that in circumstance A you will face sanction B. And so you...
have some sort of code, you have some sort of legitimacy for that code, you have some sort of way of practically enforcing that code and you have some sort of way of providing a sanction against somebody who is in breach of that code for no good reason.

It is incredibly difficult to see how that sort of model of regulation could work with people just using social media to communicate with each other, of which blogging is just one kind.

But there's another sense of the word regulate, for example when you use the phrase "I'm about to regulate my own conduct". It is there things which make certain outcomes more likely, just because they are there. And but for them not being there, things would or wouldn't happen. And one way of helping social media is providing information. So the better blogs and the better tweeters link to information, so, for example, if I'm covering a legal case, which is live in the news, I can link to the statute, I can link to the CPR provisions, I can link to a whole range of materials which other entities have very kindly put on the Internet, and that just basically means that blogging and social media usage over time will be better, because they have access to better information.

And that is one way of encouraging good blogging. It's just to basically provide good, first rate information for citizens to be able to share amongst themselves and public bodies are doing that.

And the media are in my opinion becoming better at working with social media rather than against social media.

There are other ways, for example, in my view the Trafigura story was broken. I think that whoever posted that story in the Guardian had a very good inkling that citizens looking at it carefully would be able to work out which Parliamentary Question it was, and it happened, and it happened in real time in about 20 minutes. I saw it happen, sitting at my screen, seeing political bloggers and tweeters actually saying "Wow, this is interesting. Where can we go with this? What public domain information is available?" And it was there.

That is one way in which mainstream media works with social media. Another way is actually working with bloggers.

Bloggers are not first-level reporters. The whole idea that you could replace reporting with blogging is misconceived. What actually is the case is reporters put the information into the public domain, but in the olden days, the only people who could actually sit back and analyse this and tell us what it means would be OpEd columnists or the occasional pamphleteer. Now anybody can do that.

I think the best example of how blogging, social media and mainstream media work together is in science. Because there's been a dramatic improvement in science journalism overall, although we do get some quite silly tabloid stuff, because some of the best science journalists, like Adam Williford, Mark Henderson, Ian Semple(?), cooperate with bloggers, science bloggers, not only to source stories but to actually take stories forward. It's quite a wonderful thing to see how mainstream media are working with citizens now.

I would actually say, looking at blogging and the blogosphere as something in itself and something which is capable of being regulated, and the question is should we or how do you do it, is to look at how people are using social media in the wrong way.

Q. Thank you. You go on to tell us at paragraph 7 of your witness statement that you pre-moderate comments on your blog.

A. Yes.

Q. Which has obviously worked well for you and promoted, as you tell us, the quality of the comments which are posted.

A. Yes.

Q. Plainly there are some sites that don't pre-moderate and there may be some that don't even post-moderate?

A. Yes.

Q. Would you regard it as good practice to pre-moderate?

A. No, it's a matter of choice. An outstanding blogger is Nelson Jones who writes Heresy Corner. He does very similar work to me, forensic analysis, putting things together --

LORD JUSTICE LEVESON: Mr Green, could you slow down?

A. I'm sorry.

LORD JUSTICE LEVESON: It's one of my repeated comments that people are speaking very quickly and because I'm trying to get it all recorded and transcribed, it can be lost.

A. I apologise. I'll slow down.

There's a blogger who does very similar work to me called Nelson Jones who writes the Heresy Corner blog. He doesn't pre-moderate and his comments are of a broadly similar quality to mine.

I pre-moderate because first of all I write about sensitive issues. I'm also -- I also happen to be legally trained, so I do think I'm able to make decisions on what should and shouldn't be posted. But the fact that I pre-moderate is possibly one reason why I have such good quality comments on my site, but it's
As regards those bloggers who have fairly vile comments on their sites and refuse to take them down, well, that's not what I would do, but they're just exercising what they can do with social media in the way they're choosing. I choose not to do that.

Q. You tell us in paragraph 8 of your witness statement that in 2010, Jack of Kent was shortlisted in the blogging category for the George Orwell prize for political writing. You have been asked to co-judge the blogging prize in 2011 and examined over 200 political blogger entries. Also last year your New Statesman blog was shortlisted alongside the blogs of the BBC's business editor and the Economist's political editor in the mainstream media blog category of the Editorial Intelligence awards.

A. They are all different forms of social media. Twitter is an extraordinary platform. On the face of it, you take up that much of the 140 characters. So it's a very efficient way of getting information on a particular topic very, very quickly.

It's not a surprise, I think, that almost every journalist now has a Twitter account. Because not only is it a way of promoting your writing by saying this is what I've written or this is what I like, but it's a very good way of getting information very quickly on emerging topics, and so you have some first rate what are called anchor journalists like Neal Mann, who can break stories far quicker because they are watching the Twitter accounts of various things in separate lists, can see something and then very quickly verify it or not and break a story, and it is quite an interesting way of gaining information.

But to think of it as Twitter or Facebook or blogging, again I would suggest an alternative way is just to think of it as different electronic technical platforms of social media which people are using. So yes, the same issues and concerns do cover all of them.

Q. You then go in your witness statement to tell us a little bit about blogging, and in particular to give us some pointers towards a definition but not an actual definition. It's a form of self-publishing, can be immediate, well suited to responding to developing news events, as you've just told us. You then go on to tell us about live blogging and you draw a parallel with pamphleteering and refer, as you have done orally a moment ago, to the power of linking.

At the top of paragraph 21 of your witness statement, you give an example of the ongoing collaborative relationship that the blogger can have with his readers to take matters further and develop ideas, and you introduce your work about Mr Hari's blog as David Rose. Your statement exhibits a lot of attention to matters in the public domain which, when put together, although you didn't name Mr Hari, enabled others to put the jigsaw together?

A. Yes. I feel more comfortable talking in concrete terms about blogging rather than abstract terms so if I could come to the two examples I've exhibited because they're very similar. One is for work I did on so-called David Rose. The other one is something which of course will be very familiar to the Inquiry, which is the Night Jack blogging I've done, which serves two purposes because it's something you all know about, so you can see how it works, and second of all it's just been a very interesting exercise in what blogging is capable of.
It wasn't an attempt to witch-hunt, in fact I never of who this person was. I just wanted to get to the bottom I didn't publish on my blog because I didn't think it a controversial journalist, there were certainly things malicious comments published. Obviously he was a controversial journalist, there were certainly things I didn't publish on my blog because I didn't think it was appropriate and I just wanted to get to the bottom of who this person was. It wasn't an attempt to witch-hunt, in fact I never called for the journalist to be sacked. I was the one who suggested to his editor that the journalist be sent for journalism training because I don't want to use my blogging for people to lose their jobs. It just doesn't seem appropriate. But it did seem an interesting question.

We got to the point where it was fairly obvious who was behind this David Rose account and it was fairly obvious it was Johann Hari. No non-public information had been used in that exercise. All that had happened was bloggers and commenters had put together information which the David Rose person had put into the public domain themselves. It's just that we had put it together and analysed it.

And then there were other allegations about the journalist, about plagiarism and fabrication, which came to a head, and so there was a suspension and eventually the journalist disclosed himself to his employer, that is what he had been doing with his Wikipedia.

So he wasn't outed by Jack of Kent. All we did was put together information which pointed in one direction because I thought it was important for the admission to come from the journalist themselves for what they had been doing.

What has happened since is that a lot of other things may have come to light. Lots of journalists are now telling me things which I should be publishing about the journalist and I think that's inappropriate because the person has apologised, although many people, including myself, don't think the apology is very satisfactory, but there is a point where you go from actually trying to look at something to something being a witch-hunt, and I don't want to go that far.

Q. Thank you.

A. The other example is Night Jack which I can come to later.

Q. Yes.

LORD JUSTICE LEVESON: Is there a risk that journalists are giving you information for you to put out in your blog that they wouldn't put out in their newspapers?

A. It's happened occasionally that I have been approached on that basis. But on the other hand I don't think I have ever published something which I wouldn't be happy publishing had I got the information myself. I do think some journalists do have a relationship with bloggers like that. The nearest I've ever come to that situation was when a journalist from the Guardian had a copy of the WikiLeaks nondisclosure agreement and I thought this was an interesting issue that WikiLeaks, which supposedly was in favour of transparency, had
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<th>Q.</th>
<th>A.</th>
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<td><strong>Q.</strong> From your experience, how does that work?</td>
<td><strong>A.</strong> Yes.</td>
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<td><strong>Q.</strong> You do this in two parts. First of all, looking at negative aspects, and you give us examples where you tell us that the mainstream media has abused material available in social media. The first example you give us is the way in which the Scottish edition of the Sunday Express on 8 March 2009 used material from Facebook to write an article about Dunblane survivors for which they later had to apologise. Then you also tell us that there have been instances where photographs posted on Facebook, essentially for private purposes, have then been used by the mainstream media without obtaining permission first?</td>
<td><strong>A.</strong> Yes. I'll just deal with the Sunday Express thing first. It was an absolutely horrific episode in journalism. Some journalist on the Scottish edition of the Sunday Express got access to the Facebook accounts of the individuals who had been unfortunately caught up in the Dunblane massacre. They were teenagers. They were acting like teenagers, they were talking to each other about what they did as teenagers. This is what social media is for. They're in different places, they're able to communicate with each other. The Sunday Express took it upon itself to make this a major story. It took examples of exchanges and photographs and tried to make out that the survivors of Dunblane were being disrespectful in acting like this, that it was scandalous. It was an utterly horrible piece of journalism, and it's something which I would invite the Inquiry to have a look at as an episode because I think it's the worst single example of newspaper abuse of social media. There was outrage, and the outrage was converted into a campaign, an online campaign, which within a week forced the Sunday Express, Scottish edition, to apologise. <strong>LORD JUSTICE LEVESON:</strong> So the date of the apology is 2009, not -- <strong>A.</strong> 2009, I apologise, that's a typographic error.</td>
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<td><strong>Q.</strong> You witness statement continues by exploring the relationship between social media and the mainstream media?</td>
<td><strong>A.</strong> Yes.</td>
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<td><strong>Q.</strong> From your experience, how does that work?</td>
<td><strong>A.</strong> Well, two or three ways. People will very readily comment on what you say on Twitter and the more followers you have, the more people who watch your Twitter account, the more comments like that you have, and it is actually quite brutal sometimes and upsetting. On the other hand, it does make sure if you are doing something which isn't quite right, you're called out on it straight away and people say this is wrong or you've got something wrong. The other way peer review works is that over time certain tweeters will gain more followers or gain more credibility, some lose credibility. It's not like message boards where everybody has space to go as long as they want. You can choose who you follow. So there are journalists who -- and bloggers and tweeters who have built up very high follower accounts just because they over time are seen as a reliable source of legal information or science information. I would say it's analogous to what I view the 19th century city of London must have been like, that everybody just knew each other's reputation. You can quickly see their follower account, who they follow, whether they have credentials, whatever. You can instantly form a view, not always the correct view, but you can instantly form a view as the credibility of a tweeter. Somebody wants to go onto Twitter just to be malicious and send lots of abusive tweets, you will -- they will find it very difficult to build up a substantial follow account over time. These are two ways where there is what I would call self-regulation. There's transparency, you can see how influential somebody is or not, you can see them by their follow account or how often they retweet. There is accountability. If you do something wrong, you will very, very quickly know about it. And so in a way it is a good example of self-regulation, because it polices itself and gives itself the information to allow it to police itself. <strong>Q.</strong> Day 31 AM Leveson Inquiry 25 January 2012</td>
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| **Q.** From your experience, how does that work? | **A.** Well, two or three ways. People will very readily comment on what you say on Twitter and the more followers you have, the more people who watch your Twitter account, the more comments like that you have, and it is actually quite brutal sometimes and upsetting. On the other hand, it does make sure if you are doing something which isn't quite right, you're called out on it straight away and people say this is wrong or you've got something wrong. The other way peer review works is that over time certain tweeters will gain more followers or gain more credibility, some lose credibility. It's not like message boards where everybody has space to go as long as they want. You can choose who you follow. So there are journalists who -- and bloggers and tweeters who have built up very high follower accounts just because they over time are seen as a reliable source of legal information or science information. I would say it's analogous to what I view the 19th century city of London must have been like, that everybody just knew each other's reputation. You can quickly see their follower account, who they follow, whether they have credentials, whatever. You can instantly form a view, not always the correct view, but you can instantly form a view as the credibility of a tweeter. Somebody wants to go onto Twitter just to be malicious and send lots of abusive tweets, you will -- they will find it very difficult to build up a substantial follow account over time. These are two ways where there is what I would call self-regulation. There's transparency, you can see how influential somebody is or not, you can see them by their follow account or how often they retweet. There is accountability. If you do something wrong, you will very, very quickly know about it. And so in a way it is a good example of self-regulation, because it polices itself and gives itself the information to allow it to police itself. **Q.** You witness statement continues by exploring the relationship between social media and the mainstream media? | **A.** Yes. |

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<td>1 LORD JUSTICE LEVESON: Not 2011.</td>
<td>1 There's no public interest in this. This is a very</td>
<td>1 LORD JUSTICE LEVESON: I'd be very grateful, and it may be</td>
</tr>
<tr>
<td>2 MR BARR: The point is the apology was forced through social</td>
<td>2 personal operation for people or whatever, or</td>
<td>2 sufficient merely to publish that further statement</td>
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<td>3 media before the PCC could comment?</td>
<td>3 a psychological experience where they're having</td>
<td>3 rather than ask you to come and speak to it, but I would</td>
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<td>4 A. Yes. These outrages come and go and sometimes they are</td>
<td>4 counselling. It's a very difficult time for people to</td>
<td>4 be grateful.</td>
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<td>5 disproportionate and you do think why are so many people</td>
<td>5 go through, and then a tabloid will get photographs of</td>
<td>5 A. I should be grateful if it could just be published.</td>
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<td>6 outraged? All that is happening, it isn't that the</td>
<td>6 them and do a before and after, just to humiliate them,</td>
<td>6 LORD JUSTICE LEVESON: Thank you.</td>
</tr>
<tr>
<td>7 social media platform is causing the outrage, it's just</td>
<td>7 just because it's something to do. It's wrong. There's</td>
<td>7 MR BARR: The third category of abuses that you tell us</td>
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<td>8 people acting as citizens are outraged at something they</td>
<td>8 no public interest in doing it, and these sort of things</td>
<td>8 about is the exposure of anonymous bloggers. At paragraph</td>
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<td>9 have seen, and it worked very quickly with the Dunblane</td>
<td>9 are still carrying on.</td>
<td>9 33 of your witness statement you name two,</td>
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<td>10 matter. I apologise for the typographic error.</td>
<td>10 LORD JUSTICE LEVESON: Yes, I noticed that you were planning</td>
<td>10 Night Jack and Girl With A One Track Mind. At paragraph</td>
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<tr>
<td>11 LORD JUSTICE LEVESON: No, no, no.</td>
<td>11 to do a further statement.</td>
<td>11 34, you also mention Belle Du Jour. In your exhibits, you've</td>
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<td>12 MR BARR: Do you think that there's a need for any further</td>
<td>12 A. It's just that I was given so much information on</td>
<td>12 also shown us the comments you've had about the Night Jack</td>
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<td>13 regulation of the mainstream media in its use of social</td>
<td>13 examples of how social media helps improve media and</td>
<td>13 story?</td>
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<td>14 media or do you think that the existing definitions in</td>
<td>14 abuses, it seemed to me best to do a short initial</td>
<td>14 A. Yes.</td>
</tr>
<tr>
<td>15 the PCC code are sufficient to cover the abuses that</td>
<td>15 witness statement for the purposes of today, and then to</td>
<td>15 Q. And your work to try and establish how the exposure of</td>
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<td>16 you've come across?</td>
<td>16 follow that up with detailed examples in a further</td>
<td>16 Night Jack's identity came about.</td>
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<td>17 A. The best way of approaching that question is to draw to</td>
<td>17 witness statement.</td>
<td>17 A. Yes.</td>
</tr>
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<td>18 the Inquiry's attention the use tabloids are now</td>
<td>18 1. I've shown you before you started giving evidence</td>
<td>18 Q. I've shown you before you started giving evidence</td>
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<td>19 routinely making of photographs taken from Facebook and</td>
<td>19 a letter that the Inquiry has received from the Times,</td>
<td>19 from the editor Mr Harding, dated 19 January this year,</td>
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<td>20 Flickr. Because it is casual, it is routine, they take</td>
<td>20 that's last Thursday, after he gave evidence, which</td>
<td>20 21. It's not last Thursday, after he gave evidence, which</td>
</tr>
<tr>
<td>21 a view on the risk. They have no right to use that</td>
<td>21 contains some further information about what the Times</td>
<td>21 says about this matter. I'll read it out. It says:</td>
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<td>22 photograph for that purpose, it seems to me. They know</td>
<td>22 exhibits, you've also shown us the comments you've had about</td>
<td></td>
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<td>23 that they're probably infringing copyright in so,</td>
<td>23 social media platform is causing the outrage, it's just</td>
<td>23 &quot;In June 2009, we published a story in what we</td>
</tr>
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<td>24 but they've taken a view on the risk that they won't</td>
<td>24 disproportionate and you do think why are so many people</td>
<td>23 strongly believed was of public interest. When the</td>
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<td>25 face any legal action.</td>
<td>25 outraged? All that is happening, it isn't that the</td>
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They certainly wouldn't use photographs taken from a picture agency in that way. It's a form of free content.

The reason why I highlight those points to the Inquiry is I think that is to an extent broadly analogous with what the culture of phone hacking or email hacking was five or six years ago. I do not think many journalists actively decided to break the law, they had the means to do so and views were taken on whether laws would be enforced or not.

So to hear that tabloids realise that they shouldn't have been doing telephone and email hacking when they are routinely misusing on a day-to-day basis photographs taken to which I don't think they are entitled I think is a way of seeing how regulation works even now, because they shouldn't be infringing copyright in that way but they routinely do.

And the people whose photographs are taken from their Facebook account and published to the world with sensational copy and published on the Internet, it's traumatic and humiliating to the individuals involved.

I understand the Inquiry are going to have somebody to follow that up with detailed examples in a further statement detailing these.

The best way of approaching that question is to draw to the Inquiry's attention the use tabloids are now routinely making of photographs taken from Facebook and Flickr. Because it is casual, it is routine, they take a view on the risk. They have no right to use that photograph for that purpose, it seems to me. They know that they're probably infringing copyright in so, but they've taken a view on the risk that they won't face any legal action.

A. It's just that I was given so much information on examples of how social media helps improve media and abuses, it seemed to me best to do a short initial witness statement for the purposes of today, and then to follow that up with detailed examples in a further witness statement.

A. Yes.
reporter informed his managers that in the course of his investigation he had, on his own initiative, sought unauthorised access to an email account, he was told that if he wanted to pursue the story, he had to use legitimate means to do so. He did, identifying the person at the heart of the story, using his own sources and information publicly available on the Internet.

"On that basis, we made the case in the High Court that the newspaper should be allowed to publish in the public interest. After the judge ruled that will could publish in the public interest, we did.

"We also addressed the concern that had emerged about the reporter's conduct, namely that he had used a highly intrusive method to seek information without prior approval. He was formally disciplined. The incident has also informed our thinking in putting in place an effective audit trail to ensure that in the future we have an adequate system to keep account of how we make sensitive decisions in the news-gathering process.

"This was an isolated incident and I have no knowledge of any else like it. If the Inquiry has any further questions about it I would, of course, be happy to answer them."

The whole of this letter will in due course be published on the Inquiry's website.

Q. Last Thursday.

A. That letter was dated?

Q. If I could just stop you there, does it come to this, that there may still be an unanswered question about the reporter's conduct, namely that he had used a highly intrusive method to seek information without prior approval? And was this your concern or somebody else's -- that the research had been done backwards.

A. Yes. When I first came across this story in 2009 I wrote about it and I thought it was a spectacular piece of detective work to have worked out Night Jack's identity from the information on his blog. It just seemed an astonishingly good piece of journalism to have actually achieved that.

It always struck me that it was a very, very neat explanation for how it was done, which was perfect, and I've seen the witness statement of the journalist and it reads like a detective novel. It's a great piece of journalism. But I just thought I'm not quite convinced.

There must have been some sort of other ways in which information was verified.

But I didn't give it a second thought really for two years because it had come and gone and the Times had assured the court that it was done entirely on publicly available information.

And then as I've set out there was a witness statement from the interim head of legal just mentioning it. It was the first of the witness statements to be published. I didn't know if there were going to be other witness statements published at all, whether it was going to be mentioned. But I noticed it because it was reported by the Press Gazette and that's the only reason I noticed it and they didn't make anything big of it and it wasn't featured in any of the other papers to any great extent. Not that I saw anyway.

Q. If I could just stop you there, does it come to this, that there may still be an unanswered question about whether anything that was gained from the email hacking in fact was used to assist the identification?

A. I've not made that allegation, but it just seems an artificial exercise to separate out --

Q. I'm not suggesting you made the allegation, but I am asking: is that still the unanswered question?
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<th>Page 90</th>
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<tbody>
<tr>
<td>1 A. It seems to me that if you have used an email hack as</td>
<td>1 way of writing.</td>
<td>1 think I mentioned Sir David Eady once or criticised him</td>
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<td>2 part of an investigation, you can't artificially pretend</td>
<td>2 I contact those involved, I ask for press</td>
<td>2 once.</td>
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<td>3 you never did that. You will use that information as</td>
<td>3 LORD JUSTICE LEVESON: All right, I understand the point.</td>
<td>3 LORD JUSTICE LEVESON: All right, I understand the point.</td>
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<td>4 part of solving the puzzle which you have set yourself.</td>
<td></td>
<td>4 MR BARR: Thank you. Two more short points. You are making</td>
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<td>5</td>
<td></td>
<td>5 the point in your witness statement that people</td>
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<td>6 What seems to me to have gone wrong is that at the</td>
<td>6 shouldn't come to sweeping stereotypes about who</td>
<td>6 bloggers are, and point out that there are a lot of very</td>
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<td>7 time it wasn't very clear to the managers the role --</td>
<td>7</td>
<td>7 eminent people doing a lot of very positive blogging</td>
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<td>8 the hacking had taken place and the Times has said</td>
<td>8</td>
<td>8 work in many fields.</td>
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<td>9 itself in fact they are unclear as to the actual role</td>
<td>9</td>
<td>9 A. Yes.</td>
</tr>
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<td>10 although they are assured that the identification had</td>
<td>10</td>
<td>10 Q. The other point, a technical one, paragraph 53 of your</td>
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<td>11 been above board.</td>
<td>11</td>
<td>11 witness statement, where you tell us in fact you have no</td>
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<td>12 My concern is this should have been before the court</td>
<td>12</td>
<td>12 idea where the servers of the website which hosts your</td>
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<tr>
<td>13 at the injunction application.</td>
<td>13</td>
<td>13 blog are located.</td>
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<tr>
<td>14 Q. Thank you. You go on in your witness statement to tell</td>
<td>14</td>
<td>14 A. No. I could find out if I so wished, but it's not an</td>
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<td>15 us about the positive aspects of social media.</td>
<td>15</td>
<td>15 important issue for me. I'm just using a platform which</td>
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<tr>
<td>16 A. Yes.</td>
<td>16</td>
<td>16 is available to any citizen, you just type into a box</td>
</tr>
<tr>
<td>17 Q. We have the statement, which is taken as read, so</td>
<td>17</td>
<td>17 and it's then published, and anybody can do that.</td>
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<tr>
<td>18 I needn't ask you to develop it at any length.</td>
<td>18</td>
<td>18 Q. You're using one of two --</td>
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<td>19 LORD JUSTICE LEVESON: Just before you pass on, I mean your</td>
<td>19</td>
<td>19 A. Main ones.</td>
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<td>20 real point, which is I think the value of going down</td>
<td>20</td>
<td>20 Q. -- principal routes of blogging?</td>
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<td>21 this line as a general illustration, is that the power</td>
<td>21</td>
<td>21 A. Yes, there's Wordpress and there's Blogger, and people</td>
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<td>22 of those who comment on blogs and who write blogs is</td>
<td>22</td>
<td>22 who either are not part of a mainstream site or haven't</td>
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<td>23 potentially very great because of the use that had been</td>
<td>23</td>
<td>23 built their own website will tend to just open a blog</td>
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<td>24 made of legitimately available information but by many</td>
<td>24</td>
<td>24 account and it's as easy to open as an email account and</td>
</tr>
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<td>25 people.</td>
<td>25</td>
<td>25 to have been brought against Simon Singh and I don't</td>
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<tr>
<td>25 A. Yes.</td>
<td></td>
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</table>

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| 1 LORD JUSTICE LEVESON: That's the real point behind all | 23 (Pages 89 to 92) | 1 LORD JUSTICE LEVESON: That's the real point behind all |
| this, isn't it? | | this, isn't it? |
| 3 A. Yes. That's the point I want to make. | | 3 A. Yes. That's the point I want to make. |
| 4 LORD JUSTICE LEVESON: Yes. | | 4 LORD JUSTICE LEVESON: Yes. |
| 5 A. I would say that social media and active citizenship | | 5 A. I would say that social media and active citizenship |
| using social media platforms is part of the solution to | | using social media platforms is part of the solution to |
| how we can have a better mainstream media in this | | how we can have a better mainstream media in this |
| country. It isn't as if that is part of the problem to | | country. It isn't as if that is part of the problem to |
| be solved, I think it's actually part of how we can go | | be solved, I think it's actually part of how we can go |
| about getting better news, better analysis. | | about getting better news, better analysis. |
| 11 There are a number of bloggers out there who do | | 11 There are a number of bloggers out there who do |
| exactly the same as what I have done on other subjects. | | exactly the same as what I have done on other subjects. |
| 12 I just happen to have covered Night Jack and other media | | 12 I just happen to have covered Night Jack and other media |
| law stories. | | law stories. |
| 15 LORD JUSTICE LEVESON: Yes. You make the point in relation | | 15 LORD JUSTICE LEVESON: Yes. You make the point in relation |
| to your own blogging about how you use your blog to | | to your own blogging about how you use your blog to |
| expose decisions, explain them, challenge them and | | expose decisions, explain them, challenge them and |
| comment as you feel appropriate. | | comment as you feel appropriate. |
| 19 A. Well, typically I see something in the news, it's what | | 19 A. Well, typically I see something in the news, it's what |
| 20 I call a bad law story, where either there has been some | | 20 I call a bad law story, where either there has been some |
| very bad journalism or there has been an abuse of power. | | very bad journalism or there has been an abuse of power. |
| 22 But the usual thing is that the law is an ass. You see | | 22 But the usual thing is that the law is an ass. You see |
| these stories all the time, they are a staple. And | | these stories all the time, they are a staple. And |
| sometimes the law is an ass and needs to be exposed as | | sometimes the law is an ass and needs to be exposed as |
| such but sometimes it's just that this is a formulaic | | such but sometimes it's just that this is a formulaic |
| | | | |
then you can just publish to the world.

Q. The question which arises from that: if someone does post something which is objectionable, if the server
are outside the jurisdiction, and I use the word if advisedly, it makes it very difficult, doesn't it, if
the blogger refuses to take down the post?
A. Yes. But I personally think blogging in terms of formal
reasons, but because they want to be part of a civic
most people who use blogging don't do it for financial
because you want to participate to a public debate.
years. You don't do it to earn money. You do it
important position because it's fine for you to say I'm
defame somebody, they can sue me, but that's because they know your name.

LORD JUSTICE LEVESON: I understand. But that's quite an
or has become popular, you can publish stuff and it
whether a blog -- make money or
does it not make money?
A. I think I've probably earned, which I've never claimed,
Google AdWords. Most of the adverts are for
calculating practices which I find quite amusing
because that's the main case I wrote about for two
years. You don't do it to earn money. You do it
because you want to participate in a public debate.
On the New Statesman I'm paid as a freelancer, but
some bloggers are able to gain income from traffic. But
most people who use blogging don't do it for financial
reasons, but because they want to be part of a civic
society. Somebody has to pay to host it, and that's why

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won't get noticed necessarily unless it's picked up by
somebody else. It's easy to publish, but it's not that
easy to popularise something. That does take somebody
give an anonymous
website and publish to the world and expect the world to
notice.

MR BARR: Thank you. Those are all my questions.

LORD JUSTICE LEVESON: I have one other set of questions,
please, Mr Green.

Without being too inquisitive, how does a blog
--

how is affected knows the identity of the person who is
writing the blog. If you blog in an adopted name, and
do not disclose who you are, then --

A. That is a problem, but it's also quite difficult to see
what a solution to that problem would be now that
anybody can just publish on the Internet.

LORD JUSTICE LEVESON: I understand. But that's quite an
important position because it's fine for you to say I'm
subject to the law of the land and if I defame somebody,

and their commercial model may well be they just want to
get somebody onto their platform so they can promote
their platform as having such-and-such content.

The starting point is not how do you earn money out
of blogging but how can you participate in the debate.

LORD JUSTICE LEVESON: Should there be a difference between
those who commercialise their use of social media by
encouraging advertisements or whatever, and those who
are doing no more than just speaking loudly actually to
the world at large rather than to their next door
neighbour?

A. Yes, but a blog will not gain any traction just because
of its advertising. So you may try and use that as

a means of regulating some blogs and not others, but I'm
struggling for the moment to think of a way that could
be converted into meaningful regulatory action.

LORD JUSTICE LEVESON: I wasn't necessarily doing that.

I was just trying to understand how and why it works.

A. Yes. I personally don't like the word "blogging" and

I do try and avoid it as much as possible, but whenever

I try to use a synonym I'm mocked so I have to stick to

I am a blogger.

But it isn't a category of activity which is very
tight. It's just writing for the Internet on things

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Q. Were you at Press Association before --
A. Yes. Before that I joined as a reporter in 1979.
Q. Can we firstly explore, please, what the Press Association is. You explain at the second paragraph of your statement that the Press Association was founded in 1868 and you say that it is the national news agency of the United Kingdom. Why have you chosen that phrase?
A. I think it's really as a statement of fact. There are other agencies but they operate more on a regional basis. We are the only national news agency that has reporters both in London -- reporters, photographers both in London and across the rest of the country.
Q. You explain in the same paragraph that you provide a service to every media organisation covering broadcast, print and online. How many staff do you employ?
A. If we look at our news wire, we have something in the region of about 100 sharp-end news reporters. More widely across the whole of the Press Association, we probably have in excess of 600 people engaged in editorial-related business. For example, we provide listings information for our customers. We produce ready-made newspaper pages for them as well.
Q. You've touched on what you provide but am I right in saying that essentially you provide news stories through the wire service, photographs and video content? Would that be right?
A. That's right.
Q. Let's concentrate on how you aim to achieve such high standards. I'm going to deal first with stories and then photographs. Let's start with sources. On page 24, for example, if we put out a news alert on the wire, then they will pick that up and use it straight away. They may attribute it to the Press Association, but they will use it straight away.
Q. I'll come back to whether or not they have to make any further checks. I just want to finish on the statement of editorial values. If we look at the fourth paragraph, we can see that you state in simple terms that you do not have any political views. You write no opinionated editorials or editorials of any kind whatsoever. You don't campaign or crusade. You simply gather news and pictures and distribute them as fast as modern communication systems will allow. Is that still a fair and accurate representation of what you aim to do?
A. Absolutely, and it has been ever since we were founded in 1868. The PA isn't for anyone or against them. We simply try to provide straight reporting. Fair, impartial reporting.
Q. Can I turn to how you maintain the standards. You explain at the second paragraph of your statement that the Press Association was founded in 1868. The PA isn't for anyone or against them. We simply try to provide straight reporting. Fair, impartial reporting.
A. That's right.
Q. You put those burdens on yourself but you've already touched on this. You also say that your customers must be able to use a PA story without making any further checks. Does that mean that you wouldn't expect someone buying your story to need to check the accuracy of it at all?
A. That is the arrangement that we have with our customers. Of course they can develop stories, they can go out and expand on them, many of them do, but we undertake that the material that we provide on the wire can be used as it is.
Q. So the responsibility for the accuracy of your story remains with you, in your view?
A. Well, I always take the responsibility for providing accurate content. We say that we're fast, fair and accurate. Of course, the most important one of those is that we're accurate. It's good to be first with a story, but first you have to be right. And those are the sort of guiding principles that have stood us in good stead over the years.
Q. Let's concentrate on how you aim to achieve such high standards. I'm going to deal first with stories and then photographs. Let's start with sources. On page 2 of the statement you say:
A. Yes. I mean, the bond of trust that we have with our customers means that they have to be able to use anything that we provide them without making any further checks. If you watch breaking news on Sky or BBC News 24, for example, if we put out a news alert on the wire, then they will pick that up and use it straight away. They may attribute it to the Press Association, but they will use it straight away.
Q. I'll come back to whether or not they have to make any further checks. I just want to finish on the statement of editorial values. If we look at the fourth paragraph, we can see that you state in simple terms that you do not have any political views. You write no opinionated editorials or editorials of any kind whatsoever. You don't campaign or crusade. You simply gather news and pictures and distribute them as fast as modern communication systems will allow. Is that still a fair and accurate representation of what you aim to do?
A. That's right.
A. Yes.
Q. I want to understand how that protects you. Is one source sufficient or is one named source sufficient in your view?
A. The reason why, for example, the BBC and Sky, ITN and other broadcasters, online services would be able to use PA without making further checks is because it's not us saying something has happened, it's a named source that's saying something has happened. All of our stories have an attributable source, often -- usually on the record, almost always named as well, so that provides protection for us and for our customers at the same time.

It is a fact that if we're quoting an organisation, if an organisation has put out a statement, I can actually verify the truth of what they're saying, but what I can say is that they've said it and I can attribute it to them, so that provides a measure of protection for the Press Association that we're providing an accurate reporting service, and our customers are able to use the material knowing that they can attribute it to a named source.

LORD JUSTICE LEVESON: Would you be troubled if the named source had given you a story but which itself was defamatory of a third person?
A. Yes.

Q. Can you tell us two things. First, in what way is it independent? Secondly, what's it's role?
A. It was set up about three years ago to provide some kind of oversight of the editorial operation. I report to them twice a year. I submit a written report to them twice a year, and we have a meeting at least twice a year, where they're able to talk to me about the work of the agency. Of course, I tell them about the good things that we do, but I also tell them about the mistakes that we've made and if any lessons can be drawn from those mistakes, what I'm doing to and what I and my team are doing to change our editorial procedures, to tighten up, to try and make sure that they don't happen again.

As I understand it, the Trust or the Consultative Committee, I think is its formal title, is independently constituted and it submits a report to the main board of the Press Association in time for the annual report, to report on our editorial activities.

As I say, it's been in existence for about three years. I think it probably was a foresighted decision to set it up. It certainly has, I think, been able to provide reassurance to our customers about the quality of the editorial service and also reassurance to the journalists who work at the PA as well. And it's been very useful for me as well because it does mean that of necessity I have to focus on editorial standards, and when things go wrong, I have to consider what I'm going to tell them about it and what I need to do about it to make sure things like that don't happen again.

LORD JUSTICE LEVESON: It's a separate body, it's the board...
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<td>of the Press Association --</td>
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<td>A. It is a separate body.</td>
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<td>3</td>
<td>LORD JUSTICE LEVESON: -- a trust?</td>
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<td>A. It is a separate body. Three people sit on it, three</td>
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<td>distinguished journalists sit on it, and they provide</td>
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<td>their report, which they submit to our main board.</td>
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<td>7</td>
<td>LORD JUSTICE LEVESON: So that's entirely editorial,</td>
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<td>journalistic?</td>
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<td>A. They're not employed by the PA. They are -- one is --</td>
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<td>I think two of them are former newspaper editors, the</td>
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<td>other is a former distinguished BBC journalist.</td>
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<td>12</td>
<td>MS PATRY HOSKINS: You also tell us that journalists are all</td>
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<td>instructed to operate within the terms of the Editors'</td>
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<td>Code.</td>
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<td>15</td>
<td>A. Yes.</td>
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<td>16</td>
<td>Q. And also that everyone is meant to be alert to</td>
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<td>17</td>
<td>&quot;unintentional breaches&quot;. What do you mean by</td>
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<td>18</td>
<td>&quot;unintentional breaches&quot;?</td>
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<td>19</td>
<td>A. From my experience, you find that most things that go</td>
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<td>20</td>
<td>wrong in editorial operations happen by accident. The</td>
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<tr>
<td>21</td>
<td>story that you've been asked to scrutinise in depth is</td>
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<td>never the one that's going to land you in legal trouble.</td>
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<td>The one that lands you in legal trouble is the one that</td>
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<td>somehow slipped beneath the radar.</td>
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<td>25</td>
<td>(inaudible) the code, it is, as in most other</td>
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<td>26</td>
<td>newspapers rooms, you'd hope, the cornerstone of our</td>
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<td>27</td>
<td>journalism. All the staff have a copy of it. They're</td>
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<td>28</td>
<td>reminded about its existence -- when there are important</td>
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<td>29</td>
<td>adjudications issued by the PCC, we'll draw them to the</td>
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<td>attention of our staff so that they can learn any</td>
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<td>31</td>
<td>lessons that need to be learnt from that.</td>
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<td>32</td>
<td>More broadly, on a day-to-day basis, in addition</td>
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<td>33</td>
<td>to -- the people who work on our news desk and our</td>
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<td>34</td>
<td>picture desk would be expected to know how the code</td>
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<td>35</td>
<td>operates, but they'd also be expected to be aware of all</td>
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<td>36</td>
<td>the other legal pitfalls that editorial content can be</td>
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<td>37</td>
<td>prone to and to watch out for them and to try and make</td>
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<td>38</td>
<td>sure that we don't supply them to our customers.</td>
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<td>39</td>
<td>Q. We'll come onto some examples of unintentional breaches</td>
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<td>40</td>
<td>in a moment. Before I move away from stories, you may</td>
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<td>41</td>
<td>be aware that two witnesses from press agencies came to</td>
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<td>42</td>
<td>give evidence to this Inquiry back at the end of</td>
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<td>43</td>
<td>December, Mr Bell and Mr Johnson from NAPA. They</td>
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<td>suggested that there had been an increasing demand over</td>
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<td>45</td>
<td>the years for stories about celebrities and</td>
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<td>46</td>
<td>showbusiness. Has that been your experience?</td>
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<td>47</td>
<td>A. Yes, absolutely the case. There was a time, perhaps at</td>
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<td>48</td>
<td>the early part of my career at PA, where showbusiness</td>
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<td>49</td>
<td>wouldn't have featured very heavily in our output. Now</td>
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<td>50</td>
<td>we have several members of staff who are dedicated to</td>
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<td>51</td>
<td>preserve of other specialist picture agencies?</td>
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<tr>
<td>52</td>
<td>A. No, we do take pictures of celebrities. They're</td>
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<td>53</td>
<td>usually, as I say, taken in the sort of circumstances</td>
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<td>54</td>
<td>where they're making themselves available to be</td>
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<td>55</td>
<td>photographed.</td>
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<td>56</td>
<td>Q. Do you employ staff photographers?</td>
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<td>57</td>
<td>A. We do. Almost all of them -- sorry.</td>
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<td>58</td>
<td>Q. Almost all?</td>
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<td>59</td>
<td>A. Almost all of the stories that we run on the wire and</td>
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<td>60</td>
<td>almost all of the pictures that we run on the wire are</td>
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<td>61</td>
<td>taken by -- are written or taken by our own staff.</td>
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<td>62</td>
<td>Q. Do you ever purchase photographs from paparazzi or</td>
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<td>63</td>
<td>freelance photographers?</td>
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<tr>
<td>64</td>
<td>A. Not that I'm aware of. We may buy some pictures from</td>
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<td>65</td>
<td>freelance photographers. I mean, that's in the nature</td>
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<td>66</td>
<td>of the sort of agency business. But the overwhelming</td>
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<td>67</td>
<td>majority of the material that we produce -- that we send</td>
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<td>68</td>
<td>to our customers, has been produced ourselves.</td>
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<td>69</td>
<td>Q. We've heard evidence from editors about the contacts</td>
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<td>70</td>
<td>that they have with agencies when they're purchasing</td>
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<td>71</td>
<td>a photograph. Is it your experience that editors will</td>
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<td>72</td>
<td>come to you and ask you about the circumstances in which</td>
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<td>73</td>
<td>a particular photograph of a celebrity was taken? For</td>
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<td>74</td>
<td>example, to ascertain whether or not that photograph was</td>
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<td>75</td>
<td>taken in a situation which might be considered to be</td>
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<td>76</td>
<td>it. We cover a lot of showbusiness stories, we take</td>
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<td>77</td>
<td>a lot of pictures relating to showbusiness and shoot</td>
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<td>78</td>
<td>quite a lot of video as well.</td>
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<td>79</td>
<td>Q. Given the potential for the privacy of a celebrity to be</td>
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<td>80</td>
<td>invaded when such a story is obtained, has this</td>
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<td>81</td>
<td>presented any challenges in maintaining your high</td>
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<td>82</td>
<td>standards?</td>
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<td>83</td>
<td>A. I don't think that we've found that to be the case.</td>
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<td>84</td>
<td>Most of the stories, I suppose, that we do about</td>
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<td>85</td>
<td>celebrities, I mean most of the occasions that we run</td>
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<td>86</td>
<td>into celebrities are when they are making themselves</td>
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<td>87</td>
<td>available, so it may well be film premieres in</td>
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<td>88</td>
<td>Leicester Square, the sort of promotional work that they</td>
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<td>89</td>
<td>do when they have a book to sell or a film to promote or</td>
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<td>90</td>
<td>a TV programme to promote.</td>
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<td>91</td>
<td>Q. You say you don't run the type of stories which might</td>
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<td>92</td>
<td>lead to problems?</td>
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<td>93</td>
<td>A. We may follow them up if other people run them, but we</td>
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<td>94</td>
<td>are not usually the original source for them.</td>
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<td>95</td>
<td>Q. Can I ask you about photographs. Does the same</td>
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<td>principle apply to photographs as does with stories:</td>
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<td>97</td>
<td>someone should be able to use your photograph without</td>
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<td>having to make any further checks? Is that --</td>
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<td>99</td>
<td>A. That's right, yes.</td>
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<tr>
<td>100</td>
<td>Q. Do you sell photographs of celebrities or is that the</td>
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invading their privacy?

A. Yes. That does happen, although I think people trust

the PA to supply them with material that can be used

without making any further checks. We do sometimes

receive telephone calls from picture desks who will ask

about the specific circumstances in which a picture may

have been taken.

For example, it might be a celebrity who has been

photographed accompanied by their children. Before we

put that picture out, we would ask those questions about

the circumstances: was the celebrity content for their

children to be photographed? How could we be sure about

that? It might be someone walking through an airport

accompanied by their children. We would then have to

take a decision whether we had the consent or not, and

then if we thought that we didn't, what we would

actually do with the picture. It might well be that in

any case we would pixelate the face of the children or

we might edit the picture so the children aren’t

included in it.

Q. Can I ask you about when things go wrong and a complaint

is received. First of all, can you tell us roughly how

many complaints you get a year, first of all through the

PCC and, secondly, directly to you?

A. It varies year by year, but I would say that in

a typical year we might have between two and four

complaints that would be referred to us by the PCC.

Q. What about directly, people who just complain directly

to you?

A. Often they do. In many ways, we prefer people to

contact us as soon as possible if -- people complain or

make observations about different things. A spin

doctor, for example, might call up to say he or she is

unhappy with the tone that the story takes. We’ll have

a look at that, but we probably wouldn’t necessarily do

anything about changing it unless we felt that we had

been unfair, in which case we recast the story.

If someone contacts us because there’s an inaccuracy

in a story, then we want to take action to correct that

as quickly as possible, because we take the view that

the sooner we can correct the content, the less chance

there is of it being used by one of our customers in

a newspaper when we can stop it spreading too far online

as well.

Q. I want to ask you about one example when it did go badly

wrong. That’s tab 3 in the bundle that you have. I’ll

just explain to the chairman I’m not going to read out

any names or refer to any facts, for obvious reasons.

LORD JUSTICE LEVESON: This is -- I think we can probably

take it quite shortly. This is a story -- it’s

a well-known problem in journalism -- where two people

with the same name are -- one behaves in a way that

brings him to adverse attention of the public and it’s

the other one who gets blamed. I think the original

case was called Artemis Jones, but that goes back in my

legal history.

A. Yes. You're not going to talk about that?

MS PATRY HOSKINS: That's what happened here, isn't it?

A. Yes, that's right.

Q. The story went out and it was obvious that you had just

named -- the name was precisely the same, the same

spelling, but you'd just got the wrong person?

A. Yes. It's probably the gravest editorial error that the

PA has made in the whole time that I've been there. We

wrote a story about the wrong person. As soon as it was

drawn to our attention, we corrected it, obviously

apologised for it. I think in the subsequent settlement

it was described as "an honest mistake".

Q. Who described it as "an honest mistake"?

A. I think that was the solicitor who was acting for the

aggrieved party had described it as "an honest mistake".

Q. Right.

A. The error was made by a journalist who had been covering

courts for us for about 30 years, was such a trusted and

reliable member of staff that they actually trained

junior reporters in the arts of court reporting, and the

reporter concerned was so ashamed by what they had done

that they resigned.

You always -- when you news edit or edit, you bear

a thousand tiny scars of the mistakes that you've made,

that's how you gain experience, but I think that this

particular scar is still very red and painful as far as

we're concerned, because it flew in the face of the most

basic thing that we should do, which was to provide an

accurate service.

Q. Can I pick you up on one aspect of this particular

story, which is this: you ended up having to pay this

person a substantial sum in damages, but newspapers who

had picked up the story, based on what you'd said, were

also ordered to pay damages. Given what you said about

the importance that you place on being able to put out

a story that no one else has to check, did this error

affect the relationship that you had with newspapers or

other media organisations?

A. Taken in the long run, no, because I think people

studied the case, realised just that it was

a catastrophic example of human error and not one that

pointed to some systemic failure within the PA editorial

operation. But of course we don't like to -- we felt

terribly embarrassed and angry with ourselves that we
had put our customers in the position where they had printed a really seriously inaccurate story.

Q. Two short questions to ask you. The first is on the issue of pooling. On the second page of your statement, you explain the concept of pooling a story, essentially a situation where it is agreed that the Press Association will attend a particular event, say a funeral, on behalf of the whole media, and then provide one report and that's shared across various media organisations. Can you tell us whether that's a common occurrence and whether, in your view, it's something that could be expanded more widely? The reason I ask is I'm sure there will be people who would say, "I'd love to have had just one reporter and one photographer on my doorstep than the scrum that I had". Is there any scope for expanding that?

A. Just to explain a little bit about pooling, it is common occurrence for the Press Association to provide pooled words and pictures from an event. It might be a visit by the prime minister to somewhere that has restricted access. We provided pooled coverage of Prince Harry when he was in Afghanistan. The PA reporter and photographer went out and spent time with him, representing the interests of all of the British media. I think the point you're making is when ordinary people get drawn into media attention, perhaps for tragic reasons, maybe a member of their family has died in tragic circumstances, and they find themselves the focus of media attention, sometimes you have to say that doesn't necessarily present a problem for them. They're more than happy to speak to anyone who would like to speak to them. But on other occasions, quite understandably, they feel that concerted media attention is intrusive, and although they would like to perhaps make a statement about the member of their family, they don't want to do it to all and sundry repeatedly; that's when the pooling arrangement can be brought into play.

The way that it works typically is that a PA reporter and photographer will meet with the people involved, will write a story, maybe take some pictures, and then we'll supply that content to all of our customers.

In fact, we go further than that, because in those circumstances, if you take on -- I don't know if it's the privilege -- I suppose it's a privilege, to be able to provide that service, there's also a responsibility that the material is supplied as widely as possible, so although we will provide those words and pictures to our -- the customers who pay for the service, we'll also supply them to any other media organisation, perhaps local weekly newspapers, for example, that don't directly pay for the service would also -- we'd also supply that to them.

As to whether it could be more widely used, I guess there would be the opportunity for pooling arrangements to be used more widely. My only concern would be that I wouldn't want the press' operations to be unduly fettered because of that, you know, that it becomes the norm that only one reporter or photographer can work on any particular story. I mean, you know, media organisations should have the freedom to be able to cover stories in the way that they see fit.

Q. My last question is about regulation. There's a short section in your statement which deals with the importance of self-regulation. Given the short time that we had, I'm just going to throw the question open to you. Is there anything that you would like to say about regulation, either to praise the current system of regulation in whatever form you see fit or whether -- or perhaps you'd wish to say a few words as to some of the options that have been discussed at this Inquiry, whether you have any concerns or suggestions for the future.

A. I'm more than happy to deal with it in two minutes, but

I would like to say a word of praise for the Press Complaints Commission. I think that the work that they do in resolving complaints and mediating when complaints are made is really worthwhile.

LORD JUSTICE LEVESON: Do you think it's justifiable that they don't take complaints from third parties?

A. I think that is an area that perhaps would be something that should change in the new system that will come -- because clearly there will be a new system, and the --

I think the flaw in the PCC's operations is actually contained in its name: it's just involved in resolving complaints, and I think where we are going is that whatever replaces the PCC, or whether the PCC's operations are expanded, will have to deal much more with monitoring and maintaining editorial standards.

MS PATRY HOSKINS: Is there anything you'd like to add?

A. I don't think so.

LORD JUSTICE LEVESON: Let me just ask a couple of things.

There is no doubt, as you say in your statement, that the Inquiry will explore the actions of everybody in relation to the phone-hacking incident. You ask the Inquiry to consider the actions of the police and politicians and the reasons why it took so long for the full shocking story to emerge. One could equally ask...
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<td>why it took so long for the press not to pick up on what was going on. The press, after all, hold everybody else to account for what they do, and properly so, but one of the issues of concern is the extent to which the press operate an -- albeit unstated -- agreement that they don't do it themselves. A. I wouldn't necessarily agree that that's the case -- that that would be the case. I think all of us feel regret that this story wasn't pursued more vigorously some years ago. It is, however, difficult to pursue a story vigorously in the face of official denials that anything untoward has occurred, and that effectively is the situation as it was five years ago. I mean, the information that's coming out now has actually been available, it's been in official hands for several years. It's only now that it's actually coming out. LORD JUSTICE LEVESON: In any event, it's not just hacking, is it? If you've paid, as I'm sure you have, attention to the types of conduct and criticisms that have been made from that table over the last three months, it's rather wider than that, isn't it? A. I really don't know whether it's more. Yes, I imagine it is. You will draw your own conclusions regarding that, but I have no special knowledge, I have to say, as to the extent of it. LORD JUSTICE LEVESON: Actually, one of my responsibilities is to think about the customs, practices and ethics of the press. You've spent your life in the press, therefore put hacking to one side, put the interception of calls to one side and all the other criticisms that have been made, did they cause you surprise from your experience of the press? A. It certainly has caused me some surprise, and a great deal of concern. Look, I don't want to present the Press Association as any kind of paragon of journalistic virtue. I think from the questioning that we've had you've been able to prove very successfully that we definitely have feet of clay when it comes to making editorial mistakes, but I have to say that some of the evidence that I have heard during these hearings have represented things that are entirely alien to me as an agency journalist, and I would have thought that the journalists who work with me at the Press Association would equally be -- perhaps not surprised, but would be concerned about it. LORD JUSTICE LEVESON: Of that I have no doubt, but the state of mind I'm trying to drive at is: well, we were conscious that there were some things going on around the fringes; actually it sounds rather worse than we'd imagined. Or: this is quite remarkable, nothing like this had ever come within my contemplation. A. I think it was the latter description, really, for most people who work in newsrooms around the country, and certainly the Press Association newsroom. Part of my job -- as part of my job, I visit our customers, which means I probably visit more newsrooms in a year than anyone else in the country -- LORD JUSTICE LEVESON: It's actually why I was asking you the question. A. Everywhere that I go, I am tremendously impressed by the professionalism of the journalists involved and the everyday determination to adhere to high journalistic standards. LORD JUSTICE LEVESON: And you're talking essentially about the regional press? A. A large part of it would be the regional press, but together with my colleagues I visit national organisations as well. LORD JUSTICE LEVESON: I'm sure. The other question that I wanted to ask you was whether the way in which news is having to be gathered today, where local newspapers are clearly under financial pressure, is putting an additional burden on the Press Association to ensure that it retains local news as an important part of its remit. A. Yes. Providing news from across the country, both for customers to use at a national level but also for customers to use at a regional level, is very important to us. And I agree with you, the difficulties the regional press are -- in fact all of the press, but particularly the regional press are going through at the moment is a genuine cause for concern. LORD JUSTICE LEVESON: Are the Press Association doing more in the regions than they were or the same and we're just suffering a deficit of regional news? A. Our network of regional reporters, because when our customers suffer, we suffer as well, so our network of regional reporters is not as extensive as it would have been a few years ago, but we still maintain a substantial network of regional reporting staff and photographic staff, and providing news, as I say, from the regions for use at a national level and also sometimes by the regional media themselves, likewise the sort of service that we provide from here at the Royal Courts of Justice will resonate with national customers but also a lot of the stories that we do are of critical importance to regional customers as well. LORD JUSTICE LEVESON: All right. Thank you very much indeed. Thank you, Mr Grun.</td>
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A. Thank you.

MS PATRY HOSKINS: Thank you, sir. That concludes the evidence for this morning, you'll be glad to hear.

LORD JUSTICE LEVESON: Yes. We decided to conclude Mr Grun.

We'll start again at 2.15, if that's all right.

I understand that at the very beginning of the morning, the audio feed failed. That was not as a consequence of anything that happened within the Inquiry or indeed as a consequence of the arrangements that were made for Mr Mahmood. I am sorry about it. It was beyond our control, but the audio feed for the first minutes that were missing will be available later today.

Of course, the transcript, I think, is also available.

Thank you.

(1.10 pm)

(The luncheon adjournment)
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