

<p>1 Monday, 30 January 2012 2 (10.00 am) 3 LORD JUSTICE LEVESON: Yes, Mr Jay. 4 MR JAY: The first witness today is Mr Toulmin, please. 5 MR TIMOTHY JAMES TOULMIN (sworn) 6 Questions by MR JAY 7 MR JAY: Make yourself comfortable, please, Mr Toulmin, and 8 provide us with your full name. 9 A. Timothy James Toulmin. 10 Q. Thank you. Mr Toulmin, there's a row of files and paper 11 in front of you. With luck, you'll find a file which is 12 section A, with your witness statement in it. 13 LORD JUSTICE LEVESON: Yes. Before starting Mr Toulmin's 14 evidence, I'd like to say that I'm grateful to him for 15 recently reminding me that both in 2006 and 2009 I was 16 one of a group of judges that met with a number of 17 editors at an evening event hosted by the Press 18 Complaints Commission and I'm happy to make the fact of 19 my attendance at those meetings clear. Thank you. 20 MR JAY: Your witness statement is under tab 4 of that 21 substantial file. It's dated 16 September of last year 22 and signed by you. When you get to it, I'm going to 23 invite you to take it out of that file. 24 A. Yes. 25 Q. This is your formal evidence to the Inquiry, Mr Toulmin;</p> <p style="text-align: center;">Page 1</p>	<p>1 I think, taken with the very name of the organisation, 2 which is Press Complaints Commission, it's establishing 3 the fact that this is a service that deals with 4 complaints about the conduct of the press, and it does 5 have some sort of regulatory functions in that it takes 6 complaints under a set of rules known as the code of 7 practice and has some, albeit limited sanctions, in that 8 it issues rulings against newspapers and it builds up 9 a sort of caselaw of acceptable press practice and 10 news-gathering and what's published in regards to 11 privacy and so on. 12 So I think that self-regulation is a sort of 13 reasonably well-established concept, where an industry 14 comes together and establishes a mechanism by which it 15 will be externally regulated, if that's the word you 16 want to use. But I just don't think it is a regulator 17 because I think that conveys something different. That 18 implies some -- 19 LORD JUSTICE LEVESON: I'm sorry, Mr Toulmin. I don't 20 understand that. It's either a regulator or isn't 21 a regulator. Do you think it's a regulator? 22 A. I think it's a complaints body and I think I'd prefer 23 to -- I've always preferred to think of it, really, as 24 I've explained to Parliament and up in other places, as 25 a sort of ombudsman. It's an industry coming together</p> <p style="text-align: center;">Page 3</p>
<p>1 is that right? 2 A. Yes. 3 Q. I'm first of all going to go through your statement and 4 then ask you some further questions. Mr Abell, of 5 course, is the current director of the PCC, so he'll be 6 dealing in detail with many issues which you cover less 7 fully, but to be clear, you were the director of the 8 Press Complaints Commission between March 2004 9 and December 2009; is that correct? 10 A. That's correct, yes. 11 Q. And you started working at the PCC in 1996, after 12 leaving university? 13 A. Mm-hm. 14 Q. And now you have your own media relations firm? 15 A. That's right. 16 Q. Some questions on your witness statement. 17 Paragraph 2.5, first of all. This is our page 02127. 18 You point out that the PCC, in your view, has no legal 19 powers and is not a regulator but the term 20 "self-regulation" is often applied in relation to the 21 PCC. What do you mean by the term "self-regulation"? 22 A. I think the -- "self-regulation" does have a virtue as a 23 description, in that it explains to the public that the 24 industry is behind what's going on. It's not making any 25 claim to be a sort of formal statutory regulator.</p> <p style="text-align: center;">Page 2</p>	<p>1 to create a complaints scheme, really, I think, and so 2 I don't think it's a regulator, no. 3 MR JAY: Could we try and break that down? There are two 4 possible issues here. First of all, there's the source 5 of power. The source of power, is that right, is based 6 on consent of the industry; is that correct? 7 A. Yes. 8 Q. Does it flow from that that the PCC cannot impose 9 standards on the industry because it depends ultimately 10 on the voluntary participation and consent of the 11 industry? 12 A. Well, the starting point is the industry. The industry 13 came together in 1991 in rather different circumstances 14 and agreed that there would be this body. It sort of 15 gave up some of its sort of right to freedom of 16 expression, I suppose, and agreed to fund it and so -- 17 and it agreed a sort of limited remit for the PCC. The 18 starting point is the industry, yes, and it does carry 19 out its functions with the consent of the industry, and 20 I think one of the main problems at the moment that 21 you're seeing is that that sort of consensus around it 22 has obviously been fractured and that you have a major 23 group outside the system. 24 Q. That's one of the issues, and obviously one that needs 25 to be addressed, but to continue through your statement,</p> <p style="text-align: center;">Page 4</p>

<p>1 before possibly coming back to that theme,                  2 paragraph 3.1 -- you have on an already said this -- the                  3 bulk of the PCC's work is the handling of complaints,                  4 but it does have a role in advertising, in training                  5 journalists. This is 3.2.                  6 Paragraph 4, please. You make the point expressly                  7 in 4.3:                  8 "There is currently no single organisation                  9 responsible for regulating the UK press -- and there                  10 never has been."                  11 Could you elaborate on that, please, Mr Toulmin?                  12 A. Well, I think the point here really is that the press                  13 and editorial content in the press is subject to                  14 a number of different rules and laws. There's the code                  15 of practice, which is voluntary, as you say. There is                  16 the Data Protection Act, which the                  17 Information Commissioner is responsible for, obviously                  18 the laws of libel, which the civil courts attend to and                  19 the criminal matters of phone hacking and payments to                  20 police and so on.                  21 So there are a number of laws which regulate what                  22 the press can do, and then there is the PCC over and                  23 above that, if you like, which is concerned with those                  24 other issues that the press has sort of imposed on                  25 itself.</p> <p style="text-align: center;">Page 5</p>	<p>1 Q. What would you use fairly to describe or explain the                  2 PCC's activity in relation to the News of the World in                  3 2007? If it wasn't an investigation, what was it?                  4 A. It was an exercise, really, and -- it was an exercise to                  5 produce a forward-looking report to try and establish                  6 some principles, probably by which sort of internal                  7 governance could be enhanced in order that these sorts                  8 of unsatisfactory things didn't happen anywhere else.                  9 Q. An exercise in what though?                  10 A. An exercise in establishing existing degrees of                  11 governance around the industry, to draw lessons from                  12 them, to make recommendations to the industry to ensure                  13 that such matters wouldn't be repeated, because it                  14 seemed like a sort of -- I suppose a sort of                  15 a governance problem, really, at the News of the World.                  16 Something had happened which gave rise to this situation                  17 between Goodman and Mulcaire. The PCC went into this                  18 exercise in the expectation that the police had                  19 uncovered the extent of it, and I think -- you know,                  20 obviously, subsequently that turned out to be not the                  21 case, but at the time that the PCC started this in 2007,                  22 it was thinking, you know, what could it do usefully in                  23 the public interest to ensure that people had taken the                  24 right lessons from this.                  25 Q. So was it, in any sense, an exercise in seeking to</p> <p style="text-align: center;">Page 7</p>
<p>1 Q. Is it really over and above, or rather to the side but                  2 not in fact regulating in the strict sense of the term?                  3 A. Yes, I'd think that's right, yeah.                  4 Q. In paragraph 5, phone hacking -- again, I'll come back                  5 to this, but in your view, in 2007, was there an                  6 investigation by the PCC into phone hacking at the                  7 News of the World and possibly elsewhere?                  8 A. No, there wasn't, and we all took very great care,                  9 I think, to explain what was going on at that stage.                  10 The PCC has absolutely no powers to be investigating                  11 whether there were other instances of phone hacking.                  12 The PCC was faced with a decision, in the face of                  13 quite a lot of scrutiny about this subject, about                  14 whether to do nothing on the grounds that the police had                  15 looked at the matter, and that it was in fact a criminal                  16 matter which was best dealt with by the police, or                  17 whether it could -- given that this incident seemed to                  18 suggest, at least on the face of it, that there was                  19 a sort of attempt to subvert the code and the law at the                  20 News of the World by outsourcing this sort of activity                  21 to third parties, whether it could -- the PCC was in                  22 a position to establish what was going to be done to                  23 make sure that that situation wouldn't arise again, and                  24 the whole industry took note of that and to set down                  25 recommendations to ensure that wouldn't happen again.</p> <p style="text-align: center;">Page 6</p>	<p>1 ascertain what had happened at the News of the World?                  2 A. We weren't going over the facts of the Mulcaire/Goodman                  3 case, which had been dispensed with by the court, but                  4 I think there were questions about how that situation                  5 had arisen, again in terms of sort of culture and so on.                  6 Q. Okay. Again, we'll come back to that. In section 6,                  7 Mr Toulmin, you deal with the strengths and weaknesses                  8 of the PCC, and you point out quite succinctly in 6.1:                  9 "The strengths and weaknesses of the PCC are two                  10 sides of the same coin. Its lack of a statutory basis                  11 means that it can act quickly and flexibly when issues                  12 arise ... without getting bogged down ... but it also                  13 means that the system is, ultimately, voluntary ..."                  14 Can I just understand the first part of this,                  15 linking the lack of a statutory basis with the                  16 proposition that it act quickly and flexibly. Why are                  17 those two notions joined in any way?                  18 A. I think that if the -- it's a completely non-legal                  19 system, so it's accessible -- there's no reference to                  20 the law. Members of the public can use the system and                  21 engage with it and get things resolved very quickly, on                  22 the hop. You can see something on the newspaper website                  23 today and phone up and it can be resolved this                  24 afternoon. It's a very quick system, and I think --                  25 I just think that the PCC can adapt as well structurally</p> <p style="text-align: center;">Page 8</p>

<p>1 very quickly because it's about discussing with the 2 subscribers of the code, the industry, about how it can 3 change, and you've seen this in regard to changes in its 4 remit and so on. So it's by no means a sort of 5 criticism of the -- of any legal system. It's just that 6 if -- because it doesn't have a statutory basis, there 7 needs to be no reference to Parliament or anywhere else 8 in order to take it forward.</p> <p>9 Q. You're almost suggesting though that the absence of 10 a statutory basis means that there aren't constraints on 11 its ability to act. It's almost as if it has greater 12 power than if there were a statutory basis. You're not 13 saying that though, are you, Mr Toulmin?</p> <p>14 A. No, I'd prefer really what I have said, which is that 15 it's flexible. It can react quickly to either 16 complainants or to events.</p> <p>17 Q. Because of course the legal position in relation to the 18 PCC -- it's a company limited by guarantee, isn't it?</p> <p>19 A. Mm-hm.</p> <p>20 Q. I'm going to do this quite briefly but can I ask you, 21 please, to look at bundle B, section 1.</p> <p>22 A. 1B1?</p> <p>23 Q. Yes. Under tab 5, I hope you'll find the memorandum and 24 articles of association of the PCC. The PCC obviously 25 has statuses in law. It's a company limited by</p> <p style="text-align: center;">Page 9</p>	<p>1 fit from time to time in relation to the foregoing and 2 for the effective discharge of its functions ..."</p> <p>3 Then it continues: 4 "... for the purpose of ensuring that the press of 5 the United Kingdom maintains the highest professional 6 standards and having regard to generally established 7 freedoms, including freedom of expression and the 8 public's right to know and defence of the press from 9 improper pressure."</p> <p>10 So the PCC's powers are basically found there, 11 aren't they? Would you agree?</p> <p>12 A. Yes.</p> <p>13 Q. Then there are various ancillary powers. For example, 14 in A, power to publish an annual report, B, to accept 15 subscriptions, and then M, at 33914 -- one often sees 16 this: 17 "To do all such other lawful things as may be 18 incidental or conducive to the objects of the Commission 19 and/or shall further the above objects or any of them."</p> <p>20 So the position is if one wants to see what the 21 vires is or are of the PCC, one really needs to look no 22 further than clause 3, I suppose read in conjunction 23 with clause 53 of the articles, the current version of 24 which is under tab 11, I think. Just bear with me. 25 Sorry, no, it is under tab 6.</p> <p style="text-align: center;">Page 11</p>
<p>1 guarantee, incorporated under the Companies Act 1985. 2 If one wants to ascertain the source of its powers, it's 3 really in clause 3, isn't it, Mr Toulmin, which sets out 4 the objects of the company? Do you see that? 5 Page 33911. Are you with me?</p> <p>6 A. Oh right, okay. Yeah, I have -- which page is it the 7 articles are on? Oh, you're there.</p> <p>8 Q. It's the memorandum of association.</p> <p>9 A. Yes, I have those up. Which paragraph of those are you 10 on?</p> <p>11 Q. It's article 3, 33911, the objects of the company.</p> <p>12 A. Oh yeah, yeah. Yes, exactly.</p> <p>13 Q. Quite wide: 14 "... are to consider, adjudicate, conciliate and 15 resolve or settle by reference to the code of practice 16 promulgated by PressBoF, for the time being in force, 17 complaints from the public of unjust or unfair treatment 18 by newspapers, periodicals or magazines and of 19 unwarranted infringements of privacy through material 20 published [I paraphrase there] or in connection with the 21 obtaining of such material and to publish or procure the 22 publication of any findings of its adjudication ..."</p> <p>23 An amendment was subsequently introduced, which I'll 24 read out: 25 "... and to establish such procedures as it may see</p> <p style="text-align: center;">Page 10</p>	<p>1 A. 6.</p> <p>2 Q. Do you have that?</p> <p>3 A. That's right, yes.</p> <p>4 Q. These are the articles of association, the latest 5 version. I understand they haven't been amended since 6 2006. If you look at clause 4, the objects clause, at 7 34555: 8 "The Commission is established for the objects 9 expressed in this memorandum of association." 10 We've looked at the key provision of the memorandum 11 of association. That's clause 3. 12 There are various positions which follow which deal 13 with membership, which I'm going to ask Mr Abell to 14 address. 15 Clause 53 may be of particular interest at 34564. 16 Do you have that?</p> <p>17 A. Mm.</p> <p>18 Q. 53.1: 19 "The primary function of the Commission shall be to 20 consider and adjudicate, conciliate and resolve or 21 settle by reference to the press code of practice 22 promulgated by PressBoF, for the time being enforced, 23 complaints from the public of unjust or unfair treatment 24 by the press [I paraphrase] and of unwarranted 25 infringements of privacy through material published in</p> <p style="text-align: center;">Page 12</p>

<p>1 the press or in connection with the obtaining of such                  2 material but shall not consider complaints of any other                  3 nature."                  4 So the starting point is clause 53.1 broadly                  5 reflects article 3 of the memorandum. The primary                  6 function is to adjudicate and sort out disputes by                  7 reference to the code of practice. The code of practice                  8 fully sets out the relevant standards, doesn't it?                  9 A. Mm, it does.                  10 Q. And the relevant standards, as we well know, cover                  11 issues such as accuracy, privacy, harassment,                  12 subterfuge, all calibrated or most calibrated -- save,                  13 of course, for accuracy -- against the issue of the                  14 public interest; is that right?                  15 A. Mm.                  16 Q. So the powers are fairly wide, aren't they, at least in                  17 terms of the conciliation and adjudication function,                  18 would you agree?                  19 A. Yeah.                  20 Q. Can I ask you about 53.1(a), which was introduced in                  21 1994?                  22 A. Yes.                  23 Q. "It will shall also be the function of the Commission to                  24 consider and pronounce on issues relating to the code of                  25 practice, which the Commission in its absolute                  Page 13</p>	<p>1 Q. By which I mean ascertaining relevant facts and then                  2 drawing inferences and conclusions depending on whatever                  3 findings of fact are reached?                  4 A. I think it's right to say that's not how it has been                  5 taken and that the purpose of that clause, which I think                  6 was -- it was before my time, but I think it was                  7 inserted at the request of the Commission, which was                  8 finding its remit rather limited, was to be able to                  9 articulate thoughts about the code of practice and about                  10 the complaints it had been receiving, hence the                  11 development of a system of guidance notes around the                  12 particular clauses of the code of practice.                  13 Q. That would certainly be within 53.1(a) -- general                  14 pronouncements of standards, as a matter of language, is                  15 in 53.1(a) -- but also, I would suggest to you, it would                  16 be capable of catching an investigation into either the                  17 specific issue or a generic issue, such as subterfuge                  18 or, more particularly, one manifestation of subterfuge,                  19 namely phone hacking. Would you accept that?                  20 A. Well, I'm not sure, really, and I think if that had been                  21 put to me at the time, I would have wanted to have taken                  22 some legal advice.                  23 LORD JUSTICE LEVESON: Well, what does it mean then?                  24 A. As I've explained, I think it means that the PCC has --                  25 and certainly that's what the motivation was, from my                  Page 15</p>
<p>1 discretion considers to be in the public interest."                  2 I think that should probably say "interest" but that                  3 doesn't matter.                  4 A. Mm.                  5 Q. Was this not the source of the power which was exercised                  6 in relation to the "phone-hacking investigation" in                  7 2007?                  8 A. That's right, yes.                  9 Q. The use of the verb "consider", that would be wide                  10 enough, wouldn't it, to embrace an investigation; would                  11 you agree?                  12 A. An investigation into phone hacking itself or the                  13 exercise the PCC carried out?                  14 Q. The exercise that the PCC is carrying out as part of its                  15 functions, because we're looking at 53.1 (a), includes                  16 the ability to investigate because "investigate" is                  17 accommodated by the verb "to consider"; would you agree                  18 with that?                  19 A. I'd certainly agree that that clause was what the PCC                  20 was relying on when it embarked on that exercise, yes.                  21 Q. Well, would you agree that the verb "to consider" is                  22 capable of accommodating an investigation?                  23 A. Well, the --                  24 Q. Can I be clear?                  25 A. Yeah.                  Page 14</p>	<p>1 understanding -- was to be able to talk about issues                  2 around the code that didn't necessarily relate to an                  3 actual complaint but that were firmly rooted in the                  4 code, and hence the provision of guidance notes and so                  5 on, and the sort of training things that you've heard                  6 about elsewhere.                  7 MR JAY: Sometimes, though, it's necessary to find out what                  8 happened or is still happening in order to make                  9 a relevant pronouncement, and that's what you were                  10 doing, weren't you, in 2007, in relation to phone                  11 hacking, would you accept?                  12 A. Well, I think the phone-hacking exercise sort of speaks                  13 for itself, in a way. It's -- all the questions that                  14 the PCC asked have been well established in the public                  15 domain and I think it was very much, as I said before,                  16 with the sort of general public interest in mind, that                  17 the sort of public had a right to know that these things                  18 weren't ongoing or going on elsewhere and that sort of                  19 lessons would be learnt more broadly.                  20 Q. Well, in the end it's a legal point what this means, but                  21 it's also worthy of note that whoever drafted this                  22 wanted to confer the Commission with as wide a power as                  23 possible, because we see the phrase "in its absolute                  24 discretion".                  25 A. Well -- and in the Commission's discretion, I mean,                  Page 16</p>

<p>1 whatever that means -- and you're right, there's a sort 2 of legal point there -- whatever it means, on this 3 occasion it was taken by the PCC in a particular way to 4 carry out the exercise that it did.</p> <p>5 Q. It's not in its "reasonable discretion" but in its 6 "absolute discretion". We see that, don't we? Okay. 7 53.3. This is the issue of complaints: 8 "A complaint may be made by an individual or body of 9 persons but in addition to the requirements of 53.1, 10 shall only be entertained or its consideration proceeded 11 with if it appears to the Commission that (a) the 12 complaint is made by the person affected or by a person 13 authorised by him --"</p> <p>14 That's defined in 53.9(b): 15 "The person affected means, in relation to any such 16 unjust or unfair treatment, the person named or 17 identified in the relevant material though was the 18 subject of that treatment."</p> <p>19 A. Mm-hm.</p> <p>20 Q. So the person has to be specifically identified, and 21 again, in relation to privacy, a person whose privacy 22 was infringed. So that appears to be quite narrow, 23 doesn't it? 24 A. Yeah.</p> <p>25 Q. Although 53.4, on the next page:</p> <p style="text-align: center;">Page 17</p>	<p>1 Kingdom, unless in the particular circumstances it is 2 appropriate for the Commission to consider a complaint 3 about it."</p> <p>4 So is the way that works as follows: if in fact the 5 complainant has already brought proceedings, then the 6 starting point is that the Commission does not entertain 7 a complaint; is that correct?</p> <p>8 A. Well, if they've brought proceedings, it would be likely 9 to fall outside the time limits imposed, I think, by 10 these anyway, by this --</p> <p>11 Q. Is that right, Mr Toulmin? You have two months, on my 12 understanding. You can bring proceedings for privacy 13 almost immediately after the alleged infringement.</p> <p>14 A. Ah, but would they be settled within that time?</p> <p>15 Q. I think that's, if I may say so, a red herring. Assume 16 a timeous legal action. If the complainant has brought 17 an early claim in the High Court, that means that the 18 starting point for the Commission is that the complaint 19 won't be entertained; is that correct?</p> <p>20 A. If it's currently the subject of proceedings, it 21 wouldn't be entertained, yes.</p> <p>22 Q. Then there's a related point, that if a matter could be 23 the subject of proceedings, the Commission does not 24 entertain the complaint, on the language of (c), because 25 that person has a remedy, unless in the particular</p> <p style="text-align: center;">Page 19</p>
<p>1 "Notwithstanding the provisions of article 53.3, the 2 Commission shall have discretion to consider any 3 complaint from whatever source that it considers 4 appropriate to the effective discharge of its function."</p> <p>5 So that immediately loosens, doesn't it, the effect 6 of 53.3(a), that even if you are not the person 7 affected, as defined in 53.9, you have a discretion -- 8 or the Commission, rather, has a discretion -- to 9 consider a complaint if it considers that appropriate to 10 the effective discharge of its functions. Are we agreed 11 about that?</p> <p>12 A. Yeah.</p> <p>13 Q. So the issue of third-party complaints, which appears to 14 be somewhat of a self-denying ordinance, there's always 15 a power to break free of the shackles which appear to be 16 located in 53.3, isn't there?</p> <p>17 A. Yeah.</p> <p>18 Q. Then there's a further point on 53.3. It's (b) and (c), 19 the power to entertain a complaint: 20 "If it appears to the Commission that ... (b) the 21 matter complained of is not the subject of proceedings 22 in a court of law or tribunal in the United Kingdom and 23 (c) where the matter complained of is a matter with 24 respect to which the person affected has a remedy by way 25 of proceedings in the court of law in the United</p> <p style="text-align: center;">Page 18</p>	<p>1 circumstances it's appropriate for the Commission to 2 consider a complaint.</p> <p>3 A. Mm-hm.</p> <p>4 Q. Is that correct?</p> <p>5 A. That's right.</p> <p>6 Q. Virtually any privacy complaint under the code -- 7 indeed, I would suggest every privacy complaint under 8 the code -- could also be the subject of legal action, 9 couldn't it?</p> <p>10 A. I think that's right. Now, certainly. But when these 11 were drafted, of course, it was before the Human Rights 12 Act was in force. But you're quite right, that 13 certainly overtook it. I think this is one of the 14 reasons why it's very timely to be looking at all these 15 arrangements.</p> <p>16 Q. Yes.</p> <p>17 A. Because clearly things have moved on considerably.</p> <p>18 Q. This version has been unamended probably since the 19 start. In 1991 --</p> <p>20 A. Yeah.</p> <p>21 Q. -- privacy wasn't substantially part of the common law.</p> <p>22 A. That's right.</p> <p>23 Q. But of course accuracy and misinformation are Venn 24 diagrams with quite a lot of common ground in the 25 middle?</p> <p style="text-align: center;">Page 20</p>

5 (Pages 17 to 20)

<p>1 A. I think so, and I suspect that's what they were more 2 concerned about.</p> <p>3 Q. I'm not quite sure, though, how this would work. What 4 is the starting point then? Is the starting point: 5 well, given that there is likely to be a remedy in the 6 court for an accuracy complaint, the Commission needs to 7 find a special reason to investigate the complaint? Or 8 is it the starting point that this clause was somewhat 9 out of date by the time you were on the scene in 2004, 10 so you don't really apply it? How do it operate?</p> <p>11 A. In my recollection, maybe once or twice a year only -- 12 it was rare -- there would be a complaint of accuracy 13 which struck the office of the PCC as being more suited 14 to remedy through a complaint of libel. In conjunction 15 with the Commission's lawyers, the Commission would 16 consider whether that was the case and the PCC might 17 decide not to entertain a complaint on that basis. But 18 it was very rare. I mean, maybe twice a year is putting 19 it too high. It hardly ever happened.</p> <p>20 Q. Of course, each of these subclauses or subparagraphs can 21 be disapplied in view of 53.4. That's also right, isn't 22 it?</p> <p>23 A. Yes, that's right, and I think everyone at the PCC tried 24 to interpret these things in as broad a way as possible 25 in order to accommodate the complaints from the public.</p> <p style="text-align: center;">Page 21</p>	<p>1 into this. I don't really remember this clause, 2 particularly. I mean, the code of practice, really, 3 contains the relevant sort of balancing issues in terms 4 of freedom of expression and then the restrictions that 5 are put on that voluntarily by the code. That sets out 6 the fact that there is a public interest in freedom of 7 expression, and then sets out a series of limitations, 8 but I don't think the PCC really, certainly whilst I was 9 there, had reference to this clause that talks about the 10 defence of the press from improper pressure. It wasn't 11 something that sort of shot through the Commission's 12 thinking in any way whilst I was there, certainly.</p> <p>13 Q. If you were to ask any of the editors who were members 14 of the PCC or the editors who were on the Code Committee 15 and you drew this clause to their attention, they would 16 say, "Absolutely", wouldn't they?</p> <p>17 A. I'm sure they would be very pleased to see it, yes.</p> <p>18 Q. Can I ask you, though, in relation to the lay members, 19 or, as described here, the public members, to use their 20 precise designation -- do you think most of the public 21 members would have been in favour of this clause?</p> <p>22 A. Well, I think it would be difficult to be a member of 23 the PCC without having regard to the sort of fundamental 24 importance of the free press but -- it's probably not 25 for me to speak for them. I don't think, though, that</p> <p style="text-align: center;">Page 23</p>
<p>1 Of course, those were the people that we were set up to 2 help.</p> <p>3 Q. Because the way a regulator would operate is it wouldn't 4 necessarily be troubled by the fact that there were 5 proceedings elsewhere because it's a question of 6 imposing appropriate standards on the person regulated, 7 although it's true that a regulator, if aware that 8 criminal proceedings, for example, were taking place, 9 would await the outcome of those criminal proceedings 10 before wading in. The PCC's philosophy appears to be 11 different. Would you agree with that?</p> <p>12 A. Yes.</p> <p>13 Q. Can I ask you, please, about 53.7, which we saw, of 14 course, in the memorandum: 15 "Carrying out its functions in relation to 16 complaints, the Commission shall have regard to 17 generally established freedoms, including freedom of 18 expression and the public's right to know and defence of 19 the press from improper pressure." 20 I mean, that would appear to be placing Article 10 21 considerations and almost constitutional rights on 22 a particularly high platform, almost above Article 8 and 23 privacy rights. Would you agree with that?</p> <p>24 A. Well, it's interesting, looking at that clause, and 25 I just -- it leapt out at me before when you first went</p> <p style="text-align: center;">Page 22</p>	<p>1 they would regard -- have regarded their role as 2 defending the press. I think everyone there was most 3 motivated by helping the public remedy problems they had 4 with a free press, and that obviously goes hand in hand 5 with having a free press and being a supporter of it.</p> <p>6 Q. But would you agree that the general thrust of clause 53 7 is to place freedom of the press, freedom of expression, 8 as the first right, but then to say that if there is 9 a breach of Article 8, that may be a justification for 10 departing from the first right, which is the right of 11 freedom of expression? Do you see the point?</p> <p>12 A. I do see the point. I can honestly tell you it's not 13 something I've ever considered. I think, however, at 14 the heart of this system is the importance of the 15 freedom of the press.</p> <p>16 Q. When we're talking about the consent of the press, of 17 course the whole philosophy of the press, 18 unsurprisingly, is to be found in 53.7, isn't it?</p> <p>19 A. Yes.</p> <p>20 Q. Because that's what they're there for, and it would be 21 unsurprising if any editor were to say otherwise; would 22 you agree?</p> <p>23 A. I would agree, and of course these articles -- you know, 24 the starting point of this system is the press. So the 25 press would have had a very considerable amount to do</p> <p style="text-align: center;">Page 24</p>

<p>1 with drafting these articles.</p> <p>2 Q. Thank you.</p> <p>3 The mission statement, if I could briefly cover</p> <p>4 that. This is tab 13 of this same bundle, page 42676 in</p> <p>5 the middle of the page:</p> <p>6 "The PCC acts by ..."</p> <p>7 There's a series of bullet points:</p> <p>8 "... negotiating remedial action."</p> <p>9 Is it an accident that that comes first or are these</p> <p>10 in no particular order?</p> <p>11 A. I don't know. I'm not sure -- I think -- I didn't</p> <p>12 create this document, so I can't really answer that.</p> <p>13 Q. Okay.</p> <p>14 "Issuing rulings, using published rulings as a means</p> <p>15 of guiding newsroom practice, publicly censoring editors</p> <p>16 for breaches of the code ..."</p> <p>17 Is that separate from issuing adjudications against</p> <p>18 newspapers?</p> <p>19 A. No, that's the same thing.</p> <p>20 Q. Passing on pre-publication concerns, passing on requests</p> <p>21 to desist -- I paraphrase -- issuing formal guidance,</p> <p>22 then the next one:</p> <p>23 "Instigated its own investigations under the code in</p> <p>24 the public interest where appropriate."</p> <p>25 Do you see the use of the term "investigations"</p> <p style="text-align: center;">Page 25</p>	<p>1 A. It might do. I can't remember what this was created</p> <p>2 for, whether it was for this Inquiry or whether it was</p> <p>3 taken from the website or something else.</p> <p>4 Q. I don't think it was created for the Inquiry. Can I ask</p> <p>5 you, please, about the next page, 42677, "Sanctions".</p> <p>6 Negotiation and agreed remedy, publication of a critical</p> <p>7 adjudication, and then a letter of admonishment from the</p> <p>8 chairman to the editor. So that's separate from the</p> <p>9 adverse adjudication, on my understanding. How often</p> <p>10 were letters of admonishment sent to editors?</p> <p>11 A. Maybe half a dozen times a year.</p> <p>12 Q. Can you assist as to the context, what sort of</p> <p>13 situations?</p> <p>14 A. Letters of -- they would be when perhaps the editor had</p> <p>15 delayed dealing with the PCC, which obviously would be</p> <p>16 to the detriment of the complainant. They might be</p> <p>17 where the editor had not published a ruling with</p> <p>18 sufficient prominence. Those sorts of things.</p> <p>19 Q. Is this right, usually in the context of the newspaper's</p> <p>20 dealing or handling of a particular complaint; is that</p> <p>21 right?</p> <p>22 A. That would -- that's certainly my recollection, yes.</p> <p>23 Q. May I draw your attention now to another document, which</p> <p>24 might indicate your approach to these powers. It's in</p> <p>25 section 4 of the B bundles, under tab 4. Do you have</p> <p style="text-align: center;">Page 27</p>
<p>1 there?</p> <p>2 A. Yes, under the code, yes.</p> <p>3 Q. That must lock into 53.1(a), mustn't it?</p> <p>4 A. I don't have that any longer, but yes, I think so,</p> <p>5 probably. It's important here, I think, to explain</p> <p>6 this, probably, which is that under the code there are</p> <p>7 about three clauses where the people who were aware of</p> <p>8 the breach of the code would not complain because they</p> <p>9 would have benefited from the breach of the code. For</p> <p>10 instance, payments to criminals, payments to witnesses</p> <p>11 in trials and so on, and that will capture those</p> <p>12 instances where there is an apparent breach of code that</p> <p>13 no one else is responsible for looking into, where the</p> <p>14 PCC may, of its own volition, investigate the matter,</p> <p>15 and I think the PCC probably -- there certainly were</p> <p>16 a number of examples of that.</p> <p>17 Q. Yes. We're going to just have to skim-read the rest of</p> <p>18 this. This is an important document because it</p> <p>19 encapsulates, as it were, the mission statement. We</p> <p>20 don't have a date for it but are you able to assist at</p> <p>21 all when it might have been published?</p> <p>22 A. I think Mr Abell might be better able to help. I don't</p> <p>23 know when this was pulled together and I don't think</p> <p>24 I've seen it before.</p> <p>25 LORD JUSTICE LEVESON: Do you think this might postdate you?</p> <p style="text-align: center;">Page 26</p>	<p>1 tab 4?</p> <p>2 A. I do, yes.</p> <p>3 Q. It's a letter to the editor of the Guardian from you,</p> <p>4 21 February 2005. Of course, I don't think -- indeed</p> <p>5 I know we don't have Mr Rusbridger's letter to you, but</p> <p>6 it's pretty clear what he was saying from the second</p> <p>7 paragraph:</p> <p>8 "You have taken the position that the PCC should be</p> <p>9 investigating allegations or suggestions [I should be</p> <p>10 giving the page number here; it's 42422], that some</p> <p>11 editors have been employing clandestine and illegal</p> <p>12 means of getting stories, such as bugging telephones and</p> <p>13 intercepting mail or otherwise obtaining documents such</p> <p>14 as medical records which are confidential. I want to</p> <p>15 explain the PCC's position in relation to this."</p> <p>16 Then you refer to the constitutional position and</p> <p>17 these are the documents we've looked at.</p> <p>18 "When the PCC was set up as successor to the Press</p> <p>19 Council, it was entirely confined to dealing with</p> <p>20 complaints which were made to it -- although it could</p> <p>21 take up complaints of its own accord in specified</p> <p>22 circumstances. This was deliberately intended to avoid</p> <p>23 the Commission becoming a talking shop or involving</p> <p>24 ourselves in fruitless fishing expeditions."</p> <p>25 What did you mean by "talking shop" there,</p> <p style="text-align: center;">Page 28</p>

<p>1 Mr Toulmin?</p> <p>2 A. I don't know. This is a while ago. I think it's --</p> <p>3 I think that what that probably captures is the idea</p> <p>4 that the PCC needed a complaint. It needed the</p> <p>5 engagement of a person to tell them why something was</p> <p>6 wrong and set off an investigation as to whether there</p> <p>7 had been a breach of a code, rather than spotting</p> <p>8 something that might have looked, on the face of it, to</p> <p>9 be -- to raise issues but without the involvement of the</p> <p>10 people ending up just sort of talking around in circles</p> <p>11 and speculating about what had happened. I suspect</p> <p>12 that's what it means, but without sort of being aware of</p> <p>13 everything, the concept at the time --</p> <p>14 Q. Of course, that's what regulators do, isn't it? Even if</p> <p>15 there isn't a complaint, they're proactive because</p> <p>16 they're looking for issues as they're thrown up from</p> <p>17 time to time --</p> <p>18 A. I think the PCC certainly talked about issues and was as</p> <p>19 proactive as it possibly could be, given the limitations</p> <p>20 put on it that we've talked about already.</p> <p>21 LORD JUSTICE LEVESON: I'm sorry? It was as proactive as it</p> <p>22 possibly could be?</p> <p>23 MR JAY: What about the fishing expeditions? What idea were</p> <p>24 you hoping to capture by expressing yourself in that</p> <p>25 way?</p> <p style="text-align: center;">Page 29</p>	<p>1 Q. Even where there isn't a complaint, there's power to</p> <p>2 ask, isn't there?</p> <p>3 A. I suppose the PCC could have asked, yes, but what this</p> <p>4 is saying is that it's likely in those circumstances,</p> <p>5 whatever they are, to have ended up being fruitless.</p> <p>6 Q. But why? Would the editor's default position have been</p> <p>7 in relation to the PCC: "You're asking but I'm</p> <p>8 refusing"? Would it have been that?</p> <p>9 A. I'm afraid I think it depends on the specifics of</p> <p>10 whatever the PCC was meant to be asking.</p> <p>11 Q. If the PCC is carrying out an exercise within its</p> <p>12 powers -- your term "exercise", my term</p> <p>13 "investigation" --</p> <p>14 A. Mm.</p> <p>15 Q. -- the editor couldn't say to the PCC: "You're acting</p> <p>16 outside your powers", but could, I suppose, say, "I'm</p> <p>17 refusing to co-operate with the PCC"; that's possible,</p> <p>18 isn't it?</p> <p>19 A. Indeed, and that's what we saw in relation to phone</p> <p>20 hacking, because the PCC obviously did ask those</p> <p>21 questions and they were answered in a certain way.</p> <p>22 Q. I think you're making a different point. You are</p> <p>23 suggesting that the answer you got may not have been the</p> <p>24 full truth, but there's no evidence, is there, that the</p> <p>25 News of the World refused to co-operate?</p> <p style="text-align: center;">Page 31</p>
<p>1 A. I can't really remember. It's seven years ago and it</p> <p>2 would have had a particular, I suppose, relevance to the</p> <p>3 letter that was incoming, but probably related to the</p> <p>4 PCC, which had no powers, obviously, no legal powers, to</p> <p>5 require the discovery of documents and so on, asking</p> <p>6 about -- asking newspapers about their compliance with</p> <p>7 the law and so on, where they would have just said,</p> <p>8 "Well, we can't -- we're not going to help you."</p> <p>9 Q. They would fob you off?</p> <p>10 A. Exactly. I think that's pretty much --</p> <p>11 Q. Can I just deal with the point "no legal power to</p> <p>12 require newspapers to provide you with documents".</p> <p>13 I just question, with respect, whether that's right. If</p> <p>14 you look at the memorandum, as we've done, and the</p> <p>15 articles, there is power to require a newspaper to</p> <p>16 provide you with documents because that's one of</p> <p>17 ancillary powers which flows from article 3 in</p> <p>18 particular of the memorandum. I think your point is</p> <p>19 there's no power to compel the newspaper. There's power</p> <p>20 to ask, isn't there?</p> <p>21 A. Certainly power to ask and certainly, obviously and</p> <p>22 particularly, in relation to complaints about breaches</p> <p>23 of the code of practice, and I think this is about</p> <p>24 something that doesn't involve a complaint and does</p> <p>25 involve a legal problem.</p> <p style="text-align: center;">Page 30</p>	<p>1 A. That's right.</p> <p>2 Q. Yes. Did you ever test --</p> <p>3 A. Actually, maybe they could have done. The PCC wouldn't</p> <p>4 have had -- this is the point -- the power to have</p> <p>5 compelled them to answer.</p> <p>6 Q. I just wonder what situation might arise. The PCC is</p> <p>7 carrying out an investigation within its powers. The</p> <p>8 editor says, "No, I'm not going to co-operate." What's</p> <p>9 the next stage, do you think, Mr Toulmin?</p> <p>10 A. Well, I don't think that ever happened, and so --</p> <p>11 Q. But you never tried, did you?</p> <p>12 A. Well ...</p> <p>13 Q. Test it this way. Was there ever a case where the PCC</p> <p>14 asked an editor to provide documents or to attend for</p> <p>15 interview and the editor or the journalist said, "No,</p> <p>16 I'm not doing that"?</p> <p>17 A. I think there certainly were cases where we asked</p> <p>18 questions in relation to specific complaints where it</p> <p>19 became apparent that there was legal action under way,</p> <p>20 for instance, where they would not -- where they would</p> <p>21 say, "This is being -- this is a matter of litigation</p> <p>22 and we aren't going to co-operate with you", and that</p> <p>23 was the correct order of things.</p> <p>24 Q. Save in a case where the editor could say, "Because the</p> <p>25 matter is, in effect, privileged" -- because anything</p> <p style="text-align: center;">Page 32</p>

8 (Pages 29 to 32)

<p>1 that the editor shares with you would have to be shared 2 to the complainant and one could see why they might not 3 want to do that -- I'm talking more generally. You're 4 carrying out an investigation, imagine, where there 5 isn't an extant legal complaint. You ask for documents 6 or you ask for an editor to attend for interview, and 7 the editor refuses to comply with your reasonable 8 request. Did that ever happen? 9 A. No. 10 Q. So these issues were never tested, were they? If it 11 never happened, you never tested the boundaries of your 12 powers, did you? 13 A. I think -- I think we certainly did test the boundaries 14 of the powers in relation to phone hacking, and I think 15 this is -- 16 Q. Mm. 17 A. -- talking about the motivation of why the industry set 18 up the PCC in a particular way, which obviously predates 19 my involvement with the Commission. 20 Q. But you're making it sound as if there's almost an 21 expectation that the PCC would pull its punches and not 22 test the limits of its powers. You're not seeking to 23 create that impression, are you? 24 A. No. Well, no, I think I've just said the opposite, that 25 the PCC did test limits of its powers.</p> <p style="text-align: center;">Page 33</p>	<p>1 "Another problem is the law of contempt." 2 And towards the end of that paragraph, in the middle 3 of the page: 4 "There have been occasions in the past where we've 5 been threatened with the possibility of contempt 6 proceedings if we proceeded with an investigation." 7 Could you tell us a little bit about that? 8 A. I'm afraid I can't at all. 9 Q. Okay. 10 A. This letter was clearly drafted with the help of the 11 PCC's lawyer and it goes into matters that I have no 12 recollection of whatsoever and that's one of them. 13 LORD JUSTICE LEVESON: It's rather interesting. You speak 14 about defamation proceedings, but there must be 15 a qualified privilege to any defamation proceedings, if 16 you're investigating in the context of your powers, 17 mustn't there? 18 A. Well, as I say, I mean this is -- there must be. But 19 this letter -- 20 LORD JUSTICE LEVESON: And qualified privilege would only be 21 defeated by malice. Well, it would be something quite 22 outstanding to be suggesting the PCC were guilty of 23 malice, wouldn't it? 24 A. I would think -- I would hope so, yes. 25 MR JAY: The whole tone of this letter betokens, I would</p> <p style="text-align: center;">Page 35</p>
<p>1 Q. To continue with this document, can I paraphrase the 2 point you make at 42422 at the bottom of the page. 3 A. Mm. 4 Q. You're making it clear that your powers were expanded, 5 and this is a reference, although it's not an express 6 reference, to article 53.1(a). We've seen what that 7 says. 8 A. Yeah. 9 Q. That's clear from the second and third lines on the top 10 of the next page. In the next main paragraph: 11 "There are other restraints on our capacity to act. 12 We are generally not allowed to deal with matters which 13 are better able to be dealt with by courts. As you will 14 know, we interpret this provision in a very liberal 15 fashion, especially in respect of privacy cases, but 16 there may be some situations where it is more 17 appropriate for the potential complainant to take court 18 proceedings rather than come to us." 19 I think you're saying there that in relation to 20 privacy you would apply a liberal approach, but you've 21 also said in relation to accuracy there may well be 22 situations where the PCC felt that litigation was more 23 appropriate; is that correct? 24 A. Yeah. 25 Q. Then you say:</p> <p style="text-align: center;">Page 34</p>	<p>1 suggest, a restrictive approach to the PCC's powers 2 under article 53 in particular, rather than an expansive 3 approach and one which doesn't wish to test the 4 boundaries. Would you agree with that observation or 5 not? 6 A. Well, I think what this letter is clearly about is 7 a suggestion that without a complaint the PCC should go 8 into issues that are covered by the law, and I think 9 it's an explanation of why those things are difficult 10 for the PCC to get into. 11 Q. Okay. 12 A. But obviously it was written some time ago and 13 subsequent to that there was the -- what the PCC did try 14 to do in relation to phone hacking, which seems in 15 hindsight to have actually been too much. 16 Q. Well, we'll come to that in due course. I ask you now 17 some general questions about the PCC. Do you feel that 18 sufficient prominence to the existence of the PCC and 19 its powers was given by newspapers during your time as 20 director? 21 A. No, I don't. 22 Q. Why do you say that? 23 A. Because one of the things that used to strike me and 24 upset me, in a way, was hearing from members of the 25 public who had a perfectly reasonable complaint to make</p> <p style="text-align: center;">Page 36</p>

<p>1 or we could have helped in some way stopping harassment 2 or helping them with their difficulty and they'd never 3 heard of the PCC, and I think that was a matter of 4 regret, because although it does have quite high name 5 recognition, it's by no means universal, and the 6 newspaper and magazine industry is in a very good 7 position to be able to refer prominently to the 8 existence of this organisation, and whilst they did do 9 some good work and they published numerous free adverts 10 at obviously expense to themselves, their regular 11 references to the PCC were much less impressive, 12 I thought, than they could have been.</p> <p>13 Q. Of course, we know from the statistics that the volume 14 of complaints have consistently increased. That may be 15 attributable to a number of factors. It may be because 16 the behaviour of newspapers has deteriorated but that, 17 statistically, would be a wrong inference without other 18 evidence, because on analysis it's really a neutral 19 factor. It may be down to the fact that with electronic 20 communication, it's far easier to complain by email 21 et cetera. Do you feel that that I may be the real 22 explanation?</p> <p>23 A. I think that's a major part of it, because obviously the 24 articles were replicated online and it's just a question 25 of pasting a link and sending an email. In the olden Page 37</p>	<p>1 important and they stamp their authority and they are 2 the public face of the Commission, but a considerable 3 amount of work and input is carried out by individual 4 commissioners as well.</p> <p>5 Q. Yes. Some people have suggested -- indeed, 6 Mr Alastair Campbell has made this explicit because it's 7 covered by his evidence -- that there were two key 8 players. One of them is still a key player, 9 Mr Paul Dacre, and at the relevant time, Mr Les Hinton, 10 who was chair of the Editors' Code Committee between 11 1999 and 2008. If you wanted to see where power 12 resided, one needed to look little further than those 13 two men acting in conjunction with Sir Christopher 14 Meyer. Would you agree with that observation or not?</p> <p>15 A. I think what I'd say is that the PCC is operationally 16 independent in the sort of administration of complaints. 17 So there was never any interference from those two men, 18 or indeed anyone else in the industry, about what the 19 PCC should say about individual complaints. That was 20 entirely up to the PCC.</p> <p>21 But the PCC, as we've established, is 22 self-regulatory and the starting point is the industry. 23 The industry funds, at arm's length, the operation of 24 the PCC. So obviously those two figures are significant 25 people in the industry and responsible for their Page 39</p>
<p>1 days, we used to expect someone to cut out an article 2 and write a letter and put it in the post. That's how 3 things were conducted before email and the Internet.</p> <p>4 Q. Yes.</p> <p>5 A. So certainly that's a major factor.</p> <p>6 Q. Another general question: where do you think real power 7 lay in the PCC? For example, did it lie in the 8 personality of the chairman, who for the majority of 9 your time, as we know, was Sir Christopher Meyer. He 10 was chairman when you arrived and he left six or seven 11 months before you left.</p> <p>12 A. Yes, that's right. When you say "power", what do you 13 mean? In terms of sort of driving forward policy or on 14 the complaints and --</p> <p>15 Q. Both, I think, Mr Toulmin.</p> <p>16 A. Well, the personality of the chairman -- obviously, he's 17 the main figure and they have their own ideas for 18 reform. Christopher Meyer had a comprehensive set of 19 proposals to take it forward and so did Baroness 20 Buscombe. But the role of the PCC as a board shouldn't 21 be underestimated. There are 17 people. They all have 22 a say and a vote, and matters of complaints and the 23 particular rulings, of course, were decided collectively 24 by that bunch of people.</p> <p>25 So obviously the personality of the chairman is very Page 38</p>	<p>1 companies' commitment to the system, but they never, 2 a single time -- neither of them would phone me up, or 3 anybody at the PCC, as far as I know, and suggest we 4 should behave in a certain way.</p> <p>5 Q. I doubt whether the influence would have been exercised 6 quite through that route. It might have been -- correct 7 me if I'm wrong, and you might not know -- through 8 contacts with his Christopher Meyer. The power would 9 have operated in that way, a tripartite access: Hinton, 10 Dacre, Meyer. Is that how it operated?</p> <p>11 A. I'm not sure how that -- how this curious sort of 12 arrangement would have worked and nobody else be aware 13 of it. There were -- the PCC, which is, incidentally, 14 a very small organisation -- all these thousands of 15 complaints it gets is -- you know, there are only five 16 complaints officers working on these things and they're 17 dealing with the bulk of the complaints, resolving them, 18 producing draft recommendations and so on. I'm not sure 19 how this influence at the top would have managed to have 20 been effective without reference to the actual people 21 who were doing all the work on the complaints. So 22 I don't buy that at all. It sounds like a bit of a sort 23 of absurd conspiracy theory, really.</p> <p>24 Q. Your clear evidence is that in relation to the way 25 complaints were handled, there was no influence of the Page 40</p>

10 (Pages 37 to 40)

<p>1 sort that might be suggested?</p> <p>2 A. Absolutely, and it would have been very obvious,</p> <p>3 because -- I think you've seen and the Inquiry have seen</p> <p>4 the relationship between the office of the PCC and the</p> <p>5 board of commissioners, and they were a clearly</p> <p>6 independent-minded people who came together to make</p> <p>7 judgments, and if that sort of subversive relationship</p> <p>8 had been going on at that level, I think everyone would</p> <p>9 have spotted it. Members of staff, members of the</p> <p>10 Commission. So it clearly wasn't there.</p> <p>11 Q. We know almost by definition that the press members of</p> <p>12 the PCC, and of course of the Editors' Code Committee,</p> <p>13 would have been fully signed up to the conjoined notion</p> <p>14 of self-regulation and the importance of freedom of the</p> <p>15 press, but do you think that the public members were</p> <p>16 wedded to that idea as well, perhaps in the way that</p> <p>17 they were chosen?</p> <p>18 A. To the concept of the freedom of the press?</p> <p>19 Q. Yes.</p> <p>20 A. Yes.</p> <p>21 Q. Why do you say that?</p> <p>22 A. Well, because one of the -- I think one of the</p> <p>23 requirements of -- that was in the job description was</p> <p>24 that you had to buy into the principles of</p> <p>25 self-regulation and agree with the sort of fundamental</p> <p style="text-align: center;">Page 41</p>	<p>1 Q. So when it came to decision-making perhaps in the more</p> <p>2 difficult complaints, the more controversial ones, is it</p> <p>3 your evidence that the editors' agenda, so far as there</p> <p>4 was one, did not overbear free debate and the views of</p> <p>5 the public members? Is that the position?</p> <p>6 A. That's right, and they did have a very useful role.</p> <p>7 I know obviously people are very interested in what sort</p> <p>8 of role serving editors could have on this type of body</p> <p>9 going forward, and I think that they were an incredibly</p> <p>10 useful resource because of course they would bring that</p> <p>11 professional knowledge of how problems could arise.</p> <p>12 They would also be able to easily spot an editor who was</p> <p>13 coming up with a -- you know, sort of rather specious</p> <p>14 defence and so on. And also, when there were complaints</p> <p>15 upheld and criticisms, it was the presence of the</p> <p>16 editors that gave bite to it, because if you're having</p> <p>17 a sort of self-regulatory group system, the element of</p> <p>18 peer pressure actually is quite powerful. When editors</p> <p>19 lost rulings, they would frequently phone me up, often</p> <p>20 quite agitated, and the thing they would want to know</p> <p>21 was did the editors agree with the criticism, because</p> <p>22 that was the sort of professional, you know, judgment of</p> <p>23 their peers.</p> <p>24 So yes, that's being looked at, and it's important</p> <p>25 to look at it, but they were there for a reason.</p> <p style="text-align: center;">Page 43</p>
<p>1 importance of the freedom of the press.</p> <p>2 Q. Because you, as director, probably weren't directly</p> <p>3 involved in the selection of the public members, were</p> <p>4 you?</p> <p>5 A. No, not in terms of choosing them but obviously in terms</p> <p>6 of administering the system by which they would have</p> <p>7 seen the job advert, for instance. You know, that would</p> <p>8 have been run through my office.</p> <p>9 Q. Maybe this is an unfair question, but if it is, you'll</p> <p>10 tell me. Did you feel that the public members were</p> <p>11 chosen because of their commitment to a particular</p> <p>12 philosophy; in other words, to put it very crudely, they</p> <p>13 would be toeing the line? Or do you feel they were</p> <p>14 chosen for their free-spirited independence and prepared</p> <p>15 to consider both sides of the arguments?</p> <p>16 A. I think if you look at the list of people who served on</p> <p>17 the Commission, it's an impressive list of people who</p> <p>18 have either spent a life in public service or politics</p> <p>19 or they've done -- they've excelled in their field in</p> <p>20 one way or another. These aren't patsies at all.</p> <p>21 Obviously, I was in every single Commission meeting</p> <p>22 whilst I was a director and there would be some</p> <p>23 excellent knock-about debates. So these weren't people</p> <p>24 who were in any way cowed by the presence of a few</p> <p>25 editors, no.</p> <p style="text-align: center;">Page 42</p>	<p>1 Q. Yes. The issue of independence is one I need to</p> <p>2 address, but you're right to point out that regardless</p> <p>3 of presence or absence of independence, when you do have</p> <p>4 a criticism from within your peer group, that is all the</p> <p>5 more powerful. That's the point you're making, isn't</p> <p>6 it?</p> <p>7 A. Exactly.</p> <p>8 Q. Can I move off that topic to a different one, which is</p> <p>9 the --</p> <p>10 LORD JUSTICE LEVESON: Just before you do, one might ask</p> <p>11 this question, which is slightly different to the ones</p> <p>12 that Mr Jay has been asking: one of the criticisms that</p> <p>13 is made about the PCC by those who have been the victim,</p> <p>14 as they believe, of intrusive press behaviour is that</p> <p>15 there is nobody there on the PCC representing their</p> <p>16 interests, representing their line. It's all editors or</p> <p>17 persons who have been selected very much who buy into</p> <p>18 the principle of the importance of the freedom of the</p> <p>19 press. Therefore there's no balance. What do you say</p> <p>20 to that criticism?</p> <p>21 A. Well, people who work at the PCC, whether they're on the</p> <p>22 board or the full-time staff, are motivated by trying to</p> <p>23 assist people who are having difficulties with the</p> <p>24 press, particularly those vulnerable people who perhaps</p> <p>25 can't afford a lawyer and so on. But it would be</p> <p style="text-align: center;">Page 44</p>

11 (Pages 41 to 44)

<p>1 impossible to, I think, work there if you took the view 2 that there should be no free press and I think it would 3 have been difficult to find anybody, really, to have 4 served anyway on the PCC that took that view, that the 5 press perhaps was always in the wrong. 6 LORD JUSTICE LEVESON: That wasn't quite what I asked. It's 7 whether there is anybody not who is going to say the 8 press are always in the wrong but actually stand up for 9 those who are critical of the press conduct. 10 A. Well, I think the PCC as a board has been critical of 11 press conduct. If you look at some of the rulings it's 12 made against editors on particular complaints, it's 13 clear that it's critical, and you'll have seen a lot of 14 evidence about how the PCC tried to reach out and 15 anticipate where complaints might come from, 16 particularly in vulnerable groups, in order to help them 17 to get a fairer deal. 18 MR JAY: Okay. I just want to look at a couple of the 19 annual reviews, Mr Toulmin. You go back to section 1 of 20 the B bundle, which is where we were with the memorandum 21 and articles of association, please. At tab 29, you'll 22 find the 2006 review. This presumably is a document 23 which you assisted in the preparation of. 24 A. Yes, it would have been, yeah. 25 Q. Can I ask you, please, just a couple of points. If you</p> <p style="text-align: center;">Page 45</p>	<p>1 effectively subcontracting breaches of the code and the 2 law and that was the concern that refers to. 3 Q. Of course, Mr Goodman himself was committing breaches of 4 the code rather than subcontracting them, wasn't he? 5 A. Yes, but the Mulcaire situation, I think, particularly 6 suggested that there may have been a subcontracting of 7 breaches as well. 8 Q. In the next paragraph you say -- I paraphrase -- that 9 you were minded to ask questions of Mr Coulson. He 10 resigned and it followed that such an inquiry was no 11 longer appropriate. Are you saying it was outside your 12 powers to ask questions of Mr Coulson? 13 A. The PCC did discuss whether it should ask him any 14 questions, and my recollection is that the PCC's powers 15 being rooted in the consent of the industry and the 16 powers given to it by the industry wouldn't have had any 17 traction with him. Subsequently I said to Parliament 18 that I think that was a mistake, and that at least the 19 PCC should have been seen to ask him, even if he'd said, 20 "No, I'm not helping you." 21 LORD JUSTICE LEVESON: That would have been tremendously 22 powerful, wouldn't it? 23 A. Yes. 24 LORD JUSTICE LEVESON: If he refuses to speak to the PCC. 25 A. Exactly, and this is why it wasn't my decision. It was</p> <p style="text-align: center;">Page 47</p>
<p>1 could look at 36319, the issue of phone tapping. 2 A. Mm. 3 Q. Level with the lower hole punch: 4 "This case illustrates the relationship between the 5 Commission and the law, and how they can work well 6 together to achieve different objectives. It also 7 highlighted something that is often overlooked -- that 8 although there is, rightly, no restrictive legislation 9 aimed directly at journalists, newspapers and magazines 10 remain subject to the general law." 11 Then you say there are some exceptions. The 12 objectives of the criminal law are, of course, obvious. 13 What were the objects of the Commission which were being 14 referred to there? 15 A. Which -- sorry? In that paragraph there, you mean? 16 Q. Yes. 17 A. Well, the very last phrase. The Commission -- it goes 18 back to what I was saying earlier about the Commission 19 was concerned that the case suggested that there was 20 a sort of broader attempt to -- whilst the 21 News of the World was apparently abiding by the code 22 and, indeed, regularly phoning us up for advice on the 23 application of the code and giving the appearance that 24 the code was being abided by, that actually the 25 Mulcaire/Goodman situation suggested that they were</p> <p style="text-align: center;">Page 46</p>	<p>1 the decision of the PCC but I personally have accepted 2 that. 3 MR JAY: It might be said, again, to be taking a somewhat 4 restrictive and timorous approach, that you don't go 5 down a certain road because you feel your powers may not 6 permit it but you never try and see what happens, 7 because Mr Coulson could have said no and he would have 8 been within his rights to have done so, but that itself, 9 the act of saying no, might have created certain 10 ramifications for him, wouldn't it? 11 A. Absolutely. No, I accepted that some time ago, and 12 obviously, as I said, that was the decision that the PCC 13 made at that time. 14 Q. Yes. Are you suggesting it wasn't your decision, it was 15 made at board level or -- 16 A. I wasn't a member of the board; I was just the secretary 17 of the board. I think that's important to bear in mind. 18 None of these decisions were mine. 19 Q. Okay. 20 I haven't dealt with the bit in bold higher up that 21 column, Mr Toulmin. You say, five lines from the 22 bottom: 23 "At all times it made clear that phone message 24 tapping was totally unacceptable unless there was 25 a clear public interest reason for carrying it out."</p> <p style="text-align: center;">Page 48</p>

12 (Pages 45 to 48)

<p>1 Of course, under the relevant statute, which you 2 refer to a bit higher up, there isn't a public interest 3 defence, is there? 4 A. No, I think that's right, and I suspect what this means, 5 without having reference to what was said, was that 6 phone message tapping was a breach of the law and the 7 code, and I think that there was some discussion about 8 that clause of the code, actually, containing a public 9 interest exception. 10 Q. It's clause 10, isn't it? Clause 10 covers all 11 subterfuge, including phone hacking, and suggests, 12 indeed states, that there's a public interest defence in 13 terms of the code throughout. 14 A. Mm. 15 Q. But of course under the criminal law there isn't always 16 a public interest defence. There is in relation to data 17 protection but not phone hacking, isn't there? 18 A. Mm. 19 Q. Was any consideration given to amending the code to make 20 that clear, clause 10? 21 A. I can't remember. I mean, that will obviously be 22 a question for the Code of Practice Committee, which 23 will have all the relevant minutes and what was 24 discussed, you know, as a result of all this. 25 Q. Can I look at the next page, Data Protection Act. The Page 49</p>	<p>1 itself next to where the editors were standing? 2 A. I think it must do that, yes. 3 LORD JUSTICE LEVESON: But would you say that in every 4 single situation? Let's assume that there is wholesale 5 industrial invasion of people's privacy through data 6 protection breaches. Why does potentially imposing 7 a custodial sentence on such a person send out 8 a worrying signal? 9 A. Well, all I can say in relation to that, I think, is 10 that obviously at the time, however many years ago it 11 was, the board of the Commission had met and discussed 12 what it wanted to say, and that's what it was. I mean, 13 I don't personally feel equipped to get into those sorts 14 of discussions at the moment, given that I'm just 15 a private citizen. The Commission wanted to -- that was 16 what the Commission wanted to say about it. 17 MR JAY: Then the second point: 18 "The evidence is some years old and incomplete. No 19 assessment as to current practice, which would measure 20 the success of the Information Commissioner's 21 awareness-raising activities, has been undertaken." 22 The suggestion being that the 23 Information Commissioner should be making that 24 assessment; is that right? 25 A. Is that -- it just says -- I think it just says that Page 51</p>
<p>1 point that's made here is that the Commission and the 2 Information Commissioner work in complementary fashion. 3 The Information Commissioner is responsible for 4 regulation of data protection; that's right, isn't it? 5 A. Yes. 6 Q. Then you say, or rather the document says, towards the 7 bottom of the passage in the middle of the page: 8 "However, it also believes that ..." 9 That's the Commission? 10 A. Oh yes. 11 Q. "... the proposal to jail journalists for breaking the 12 Act is disproportionate and would send out a worrying 13 signal. In any case, the argument in favour of such 14 a move has not been made out." 15 There the Commission is adopting a specific position 16 on a point of politics or principle, isn't it? 17 A. It seems to be, yes. 18 Q. It is siding clearly with the press on the amendment to 19 Section 55, isn't it? 20 A. I can imagine that that was the press' position as well, 21 yeah, absolutely. 22 Q. It was very strongly the press' position. 23 A. Yeah. 24 Q. Does that give us any insight as to the philosophy of 25 the Commission, that it was keen publicly to place Page 50</p>	<p>1 there's been no assessment. 2 Q. I just wonder whether this whole issue, namely current 3 practice and assessing current practice, was not 4 something which fell within the bailiwick of the PCC, in 5 addition to whatever powers the Information Commissioner 6 might have had? 7 A. I think this goes back to the articles again. The 8 Commission's clearly defined role is to consider 9 complaints about the code of practice, so I don't think 10 that would have been appropriate. 11 Q. Why was it said that the evidence was incomplete? Can 12 you remember? 13 A. I'm afraid I can't remember that, no. Possibly because 14 the -- as, of course, has been well established, the 15 identities of the people involved were never 16 forthcoming. 17 Q. The 2007 review under tab 32. Can I deal with the issue 18 of prominence, 36360. This is the prominence of 19 publishing corrections, apologies and adjudications. 20 We know that the code of practice was amended 21 in January 2011 to insist that the location of 22 publications had to be agreed with the PCC, which wasn't 23 the clause when you were the director. 24 A. Yeah. 25 Q. Is this right: that if we're talking about the agreed Page 52</p>

<p>1 resolution of a complaint, that ultimately it would be 2 for the editor to decide, perhaps in negotiation with 3 the complainant, exactly where any correction or apology 4 would be published in his newspaper; is that correct? 5 A. I think at the time it was a little more rigid than 6 that, in that there was a requirement in the code of 7 practice that such things would be published with what 8 they called due prominence, and that, of course, could 9 be a matter of interpretation. So if someone said it 10 had been published with due prominence, that could give 11 rise to further complaint. Those sorts of things 12 happened, where a complaint would then be upheld because 13 a correction hadn't been published sufficiently 14 prominently. 15 But I think that what you've just said strikes me as 16 being a very sensible development. It would have made 17 all our lives much easier if we'd just been able to 18 direct editors as to where to publish corrections and so 19 on, but that wasn't the case at the time. 20 Q. During the course of a negotiation or conciliation of 21 a complaint, was it the practice of the complaints 22 officer to give advice to editors as to what "due 23 prominence" meant in a particular case and what the 24 PCC's view was as to where particular apology should be 25 published and in what size?</p> <p style="text-align: center;">Page 53</p>	<p>1 to brook no suggestion or argument about it"? 2 A. I agree -- 3 Q. Why not? 4 A. I agree it would be fantastic, but the system was set up 5 differently and the code of practice which covers these 6 rules didn't allow us to do that. But I agree, that 7 would be great. I think that's actually changed there 8 now since I left. 9 Q. I just wonder whether that wasn't already built into the 10 system. Couldn't the PCC say, as part and parcel of its 11 adjudication: "We think that what due prominence 12 requires in this case, in the context of our 13 adjudication, is that the adjudication must be published 14 on page 1 or page 2 in a certain place"? Did you ever 15 try that? 16 A. We -- the Commission -- obviously, the code of practice 17 at the time gave the editor that discretion. So the 18 Commission didn't explicitly say that. As I say, we, 19 the sort of officers of the PCC, were very keen to 20 ensure that these things were as prominently published 21 as possible and there would be a period of discussion 22 afterwards to try and encourage editors to do what. 23 Q. How often in your time were offending articles published 24 on the front page, if I can put it in those terms, which 25 attracted a complaint and a successful resolution or</p> <p style="text-align: center;">Page 55</p>
<p>1 A. Well, yes, because our interest was very much in getting 2 these things as prominently published as possible, 3 because it was one means by which the Commission's 4 performance was judged and it was only fair to the 5 complainant. So those conversations would go on and 6 there would be a period of negotiation, where we would 7 try and make them publish it as prominently as possible, 8 often. 9 Q. In relation to adjudications, of which there are very 10 few in one year -- I think it's usually less than 20 -- 11 again, would it be for the editor to decide what "due 12 prominence" meant in the context of where to publish an 13 adverse finding, an adverse adjudication? 14 A. It was the same principle that I've just outlined. 15 There would be discussions sometimes, but yes, the 16 editor had the discretion within that sort of concept of 17 due prominence about where exactly to put it. 18 Q. But isn't it rather anomalous in a situation where the 19 matter has proceeded to an adjudication, the 20 self-regulator, the PCC, has ruled adversely, but then 21 there has to be another negotiation with the editors as 22 to exactly where the adverse ruling or adjudication is 23 to be published. Why doesn't the PCC say, "We've ruled 24 against you, and by the way, you must publish this in 25 a particular place on a particular page, and we're going</p> <p style="text-align: center;">Page 54</p>	<p>1 adjudication -- how often was the apology published on 2 the front page? 3 A. Well, it certainly did happen. I mean one of the myths 4 is that it never happened. It did happen. The number 5 of times I've no idea. That would be one for the PCC 6 archivist to go and have a look at. 7 Q. In terms of your impression, are we talking a handful of 8 times or not? 9 A. Well, I can't remember the number of front-page articles 10 that were complained about and I can't remember whether 11 it was the headline or the bit of the text on the third 12 paragraph or whatever, so I'm afraid I just can't recall 13 that. But, look, the point about prominence is we 14 wanted to -- we recognised this was an issue and tried, 15 within the bounds of our powers, to persuade the press 16 as far as possible to make these things more prominent 17 because it was ultimately in their own interests, the 18 complainant's interests and the PCC's interests. 19 I thought there was always more they could have done. 20 Things should have been much more prominent to my mind 21 but progress was made, and if you look back at this, 22 there is a history of improvement and that was based on 23 powers of persuasion, really. 24 Q. It would be understandable that the press wouldn't 25 necessarily want these things published as prominently</p> <p style="text-align: center;">Page 56</p>

14 (Pages 53 to 56)

<p>1 as you might, but did you feel there was a culture of 2 resistance by the press to publishing apologies or, more 3 importantly, even adjudications as prominently as you 4 would have wished?</p> <p>5 A. I was at the PCC for a number of years. It 6 definitely -- certainly improved, and I think if you -- 7 and improved considerably, and if you went -- I'm not 8 taking personal credit for that, but I think the 9 system -- that it did, and I think, you know, you have 10 this evidence in the annual reports which -- because it 11 was monitored. But I think at the start, then I think 12 that the press probably was, if you are talking in total 13 generalities, eager to publish these things with less 14 prominence than they should have had, yeah.</p> <p>15 LORD JUSTICE LEVESON: Maybe you should take credit for it.</p> <p>16 MR JAY: We're moving on to statistics. May we break just 17 for five minutes?</p> <p>18 LORD JUSTICE LEVESON: That's a very good idea. Thank you. 19 Seven minutes. 20 (11.39 am) 21 (A short break) 22 (11.46 am)</p> <p>23 MR JAY: Statistics now, Mr Toulmin. Page 36363. We see 24 the numbers for the year 2007, don't we?</p> <p>25 A. Mm-hm.</p> <p style="text-align: center;">Page 57</p>	<p>1 A. Yes, or to explain why it doesn't breach the code. So 2 that would be sort of a ruling under the code, if the 3 complaint was framed under the code of practice. The 4 Commission would also look at all of the other types of 5 complaint, in terms of there being a list and an 6 explanation of what they were, because of course all 7 decisions are made ultimately by the PCC, even the most 8 sort of technical minor ones, about whether they fall in 9 or out of the code.</p> <p>10 Q. Yes. If the complaint is then investigated because it 11 might raise an issue under the code -- so in other 12 words, it's got past the prima facie test case -- then 13 the newspaper has seven days in which to respond but at 14 the same time a process of mediation starts. Because 15 that's really the first principle: let's see if we can 16 resolve the complaint. Is that correct?</p> <p>17 A. Yes.</p> <p>18 Q. It's only, is this right, that if the process of 19 mediation breaks down, that the Commission is asked to 20 adjudicate on the complaint and the formal adjudication 21 must take place by the Commission? It can't take place 22 by head of complaints, you or anybody else. That is 23 usually done by email or by formally by post; is that 24 correct?</p> <p>25 A. There are two different things here. There's the Page 59</p>
<p>1 Q. 4,340 complaints, 1,229 rulings. Let's see if I can 2 summarise the system. I'm going to cover this in more 3 detail with Mr Abell, but can I encapsulate it in this 4 way and you tell me whether you agree.</p> <p>5 There are really two sifts, aren't there? The first 6 sift is the complaint comes in and the head of 7 complaints or his delegate will decide whether it falls 8 within the code at all, whether it relates to 9 a different regulator or whether it so clearly relates 10 to a matter of taste and decency that it doesn't engage 11 an issue under the code; is that right?</p> <p>12 A. Yes.</p> <p>13 Q. And about 50 per cent of all complaints disappear at 14 that point; is that correct?</p> <p>15 A. That sounds very high to me. I'm not sure -- maybe that 16 is right. Mr Abell will be better placed.</p> <p>17 Q. Yes. Then there's a second stage where the complaint is 18 looked at in a little bit more detail. The complainant 19 is asked for information, if necessary, to clarify the 20 nature of the complaint, and then a decision is made as 21 to whether it raises a prima facie issue under the code, 22 and if it's decided that it does not or the information 23 supplied by the complainant is inadequate, then 24 a decision is put up to the Commission to rule the 25 complaint out; is that right?</p> <p style="text-align: center;">Page 58</p>	<p>1 interaction with the members of the Commission by the 2 office, which is done by email, and there are rulings 3 that are approved or made through correspondence. But 4 actual adjudications where you're discussing whether to 5 uphold or not uphold the complaint, they would all be 6 done at an actual board meeting where the papers would 7 be sent to the Commissioners a week in advance and then 8 they would consider their view on the matter and then 9 discuss it.</p> <p>10 Q. Yes. So if you're looking at the right-hand side 11 page of 36364, under the heading "Rulings". Decisions 12 on whether there's no breach of the code, that can be 13 done by post or email, but if you get to the two bottom 14 points, adjudication upheld or not upheld, those take 15 place at formal meetings?</p> <p>16 A. That's right.</p> <p>17 Q. So it's very few in any one year get to the adjudication 18 stage. In the year 2007, we have 32 which reached the 19 adjudication stage, don't we?</p> <p>20 A. Yes.</p> <p>21 Q. But 483 are resolved to the satisfaction of the 22 complainant. Sufficient remedial action offered by the 23 newspaper -- to be clear, if negotiations break down and 24 the Commission is asked to adjudicate, it's open to the 25 Commission to say, "What was offered by the newspaper by Page 60</p>

15 (Pages 57 to 60)

<p>1 way of remedial action or settlement was sufficient or 2 adequate, so whether or not there's a breach of the 3 code, we're not going to uphold the complaint"; is that 4 right? 5 A. Yes, and those cases would be where there was a breach 6 of the code but the response was considered to be 7 a proportionate remedy, so the complainant would be 8 urged to take it up, and there would, of course, in some 9 of these upheld complaints, be cases where the remedy 10 was not regarded as being sufficient, if a remedy had 11 been offered, which would happen. 12 Q. Certainly. So would it be fair to say that there was 13 a huge incentive on newspapers to try and settle cases 14 to avoid the possibility of adverse adjudications? 15 A. Certainly the editors and newspapers were encouraged to 16 try and settle something that would be in the interests 17 of the complainant and that was proportionate to any 18 breach of the code, yes. 19 Q. Was there a sense, you felt, that experienced newspapers 20 would play out a war of attrition, such that a point 21 would be reached after a period of time where the 22 complainant would, in the end, give in and accept the 23 terms offered by the newspaper because the energy had 24 been drawn out of the complaint and the matter had 25 already been going on for some time? Page 61</p>	<p>1 the Commission. 2 Q. Some the evidence we've heard which suggests: well, all 3 the PCC did was to act as the net between two ping-pong 4 players or as a postbox. That would be unfair, would 5 it? 6 A. I think it depends. I know you've taken a broad range 7 of evidence from people going back 20 years in some 8 cases, and I think it would depend on when those 9 criticisms related to. I think it probably was 10 a feature earlier on and it's something that we tried to 11 become alive to. 12 Q. Another point that's been made elsewhere is that there's 13 inequality of arms because the newspapers, often with 14 legal advice, know the PCC jurisprudence -- most of that 15 is collected in Mr Abell's statement -- whereas 16 complainants don't, so in terms of how to play the 17 system, the newspapers are already several points up. 18 Is there any validity in that observation, do you think? 19 A. I think I'd say two things: the fact that there are, as 20 you've pointed out here, a number of examples where the 21 Commission did find a breach of the code -- I mean, 22 there are several hundred of them in this report -- and 23 the fact that the complaints officers saw their role not 24 as getting the newspaper off the hook but quite the 25 contrary, to get the best outcome, really, for the Page 63</p>
<p>1 A. I think that's a risk with any complaints system, to be 2 honest with you. I think that that was something we 3 were aware of, and certainly when a degree of external 4 scrutiny was brought to it under the Meyer reforms, that 5 was one of the things that I think Sir Brian Cubbon 6 highlighted. I wouldn't say it was a cultural thing, 7 but I think it probably did happen and we were alive to 8 it in order to protect the interests of the complainant. 9 I think when it did happen and they were strung out, 10 then that would be a frowned for criticism of the 11 editor. 12 Q. During the mediation process, was it often the practice 13 of the PCC complaints handler to express a view to the 14 newspaper as to whether or not, in his or her opinion, 15 there was likely to be or was a breach of the code, or 16 did the PCC simply act as go-between or intermediary 17 between the complainant and the newspaper? 18 A. No, the complaints officer obviously would have had 19 a degree of experience that the complainant didn't have, 20 and they would see it as their role, if there was 21 a breach of the code, to try and obtain as good an 22 outcome for the complainant as possible, and that would 23 involve saying to the editor: "We think there's a breach 24 of the code", if that were the case, but obviously with 25 the proviso that the final decision is for the board of Page 62</p>	<p>1 complainant. So there was an attempt to deal with that 2 inevitable imbalance internally by appointing 3 a dedicated complaints person to help the complainant 4 through the process. 5 Q. Thank you. How were disputes of fact resolved, to the 6 extent to which they arose, in the context of a system 7 where, on my understanding, the burden of proof lies on 8 the editor? 9 A. Well, the code of practice -- the first article relates 10 to the accuracy. It doesn't expect newspapers to be 11 totally accurate. It says, I think -- I haven't looked 12 at it for a while, actually, but it's something like: 13 "The press should take care not to publish 14 inaccuracies", or something like that, and so the burden 15 is on the newspaper editor, when challenged by 16 a complainant, to -- over the accuracy, to demonstrate 17 that they had taken care not to publish inaccurate 18 material, but they're also, of course, allowed quite 19 a broad leeway in terms of being partisan and so on. 20 Q. I'm not sure that quite addresses the question. In 21 terms of comment and conjecture and speculation, huge 22 amount of leeway because that isn't fact, but in a case 23 which does turn on fact and where there's a dispute 24 which might arise in an accuracy case and might 25 occasionally arise even in a privacy case, how well are Page 64</p>

16 (Pages 61 to 64)

<p>1 disputes of fact resolved?</p> <p>2 A. Structurally, you mean?</p> <p>3 Q. Yes.</p> <p>4 A. Exactly in the same way as other things. The</p> <p>5 complainant would -- there's an article which is the</p> <p>6 starting point, which allegedly includes an inaccuracy.</p> <p>7 The complainant would say, "This is not correct", and as</p> <p>8 you say, the burden of proof is on the editor rather</p> <p>9 than the complainant, so the PCC would go to the editor</p> <p>10 and say, "The complainant is saying this is not</p> <p>11 correct", and then it would be down to the newspaper to</p> <p>12 show what grounds they had for publishing the piece and</p> <p>13 if the PCC didn't think that they were sufficient</p> <p>14 grounds, then obviously that would give rise to a breach</p> <p>15 of the code. Sometimes, of course, where there were no</p> <p>16 grounds, then there would be no argument about it. The</p> <p>17 corrections would appear straight away.</p> <p>18 Q. But in a system -- you mentioned the word</p> <p>19 "structurally" -- where there are no oral hearings, or</p> <p>20 arguably there's power to have them but on my</p> <p>21 understanding that power's never been exercised, you</p> <p>22 might have a situation where the newspaper says one</p> <p>23 thing and the complainant says another thing which is</p> <p>24 flat contrary.</p> <p>25 A. Mm.</p> <p style="text-align: center;">Page 65</p>	<p>1 that. They wouldn't see what the -- what the sort of</p> <p>2 recommendations were from the office, and then when the</p> <p>3 agenda item arose, as you suggest, they would get up and</p> <p>4 leave the room. Sometimes it would be -- the discussion</p> <p>5 would be brief, and other times it would be very lengthy</p> <p>6 and they could be out for a considerable time whilst the</p> <p>7 PCC discussed all these things. What they did outside</p> <p>8 the room, I've no idea. I was never with them.</p> <p>9 Q. Never a sense of embarrassment when the person comes</p> <p>10 back and on we go with the next case? Slightly tense</p> <p>11 situation?</p> <p>12 A. I think if an editor had just been criticised by his</p> <p>13 peers or her peers on the PCC, then perhaps we did feel</p> <p>14 a little -- you know, there's a little frisson, perhaps.</p> <p>15 Q. There's a structural issue about independence which I am</p> <p>16 going to take up with Mr Abell in due course, but I'm</p> <p>17 not going to make the same point twice.</p> <p>18 Discrete issues on the code. In the 2008 review,</p> <p>19 there's reference to the Burrell case.</p> <p>20 A. Oh, yes. Which section is this?</p> <p>21 Q. Tab 37 at page 36407. I think we all remember this one.</p> <p>22 Do you have it there, the headline, "world exclusive"?</p> <p>23 A. You'll have to remind me as to which --</p> <p>24 Q. 36407, under tab 37.</p> <p>25 A. Okay, yes. It's very bad copy, I'm afraid.</p> <p style="text-align: center;">Page 67</p>
<p>1 Q. You then have a decision to be made. I think the</p> <p>2 question was more directed to how that decision is made.</p> <p>3 If you're left in a state of confrontation, of</p> <p>4 proposition A against proposition B, does it follow that</p> <p>5 the complaint is rejected or what?</p> <p>6 A. There's a rare category of ruling called "no finding",</p> <p>7 which occasionally the PCC would deploy in those</p> <p>8 circumstances, but almost always it was possible to</p> <p>9 reach an outcome whereby, if there was something wrong,</p> <p>10 it would be put right.</p> <p>11 Q. Okay. In cases -- and this would be situations where</p> <p>12 there's a formal adjudication, so there's a meeting of</p> <p>13 the Commission and the publication concerned may well be</p> <p>14 represented on the Commission, so the editor leaves the</p> <p>15 room. What actually happens in practice? The editor</p> <p>16 just leaves the room, has a cup of coffee and you go on</p> <p>17 and decide? Doesn't it create a slightly embarrassing</p> <p>18 situation or not?</p> <p>19 A. Well, possibly for the editor, but that's not</p> <p>20 necessarily a bad thing. What would happen is that the</p> <p>21 PCC secretariat would prepare the papers for a board</p> <p>22 meeting, all the information relating to a complaint.</p> <p>23 They would be sent out a week in advance. But, of</p> <p>24 course, if it related to the paper of an editor who was</p> <p>25 serving on the Commission, they would not see any of</p> <p style="text-align: center;">Page 66</p>	<p>1 Q. I'm sorry.</p> <p>2 A. What I mean is I can't quite read --</p> <p>3 LORD JUSTICE LEVESON: You can probably see the headline</p> <p>4 A. Yes, I can.</p> <p>5 MR JAY: I think we all remember that headline. "World</p> <p>6 exclusive" and "sex" I think were in red in the original</p> <p>7 but not in this copy. It related to a claim that</p> <p>8 Mr Burrell had made in 1993 based on the</p> <p>9 brother-in-law's recollection of a conversation.</p> <p>10 I think that's, broadly speaking, right.</p> <p>11 A. Yes.</p> <p>12 Q. You upheld the complaint on the basis that the newspaper</p> <p>13 should have put the allegation to Mr Burrell. Is this</p> <p>14 also right?</p> <p>15 A. I haven't read this ruling for a while, but I think from</p> <p>16 recollection it was upheld as being highly misleading</p> <p>17 and the failure to put to him, give him the opportunity</p> <p>18 to deny it, was the aggravating feature because there</p> <p>19 was no denial published in the story, so readers were</p> <p>20 very likely to be misled that Mr Burrell didn't dispute</p> <p>21 this story.</p> <p>22 Q. The substantial basis, on my understanding, of the</p> <p>23 complaint being upheld was that although there wasn't</p> <p>24 a general requirement of prior notification, it was</p> <p>25 misleading in this case because Mr Burrell's denial, had</p> <p style="text-align: center;">Page 68</p>

17 (Pages 65 to 68)

<p>1 he been asked for it, might have put a different gloss 2 on the story. 3 A. Mm. 4 Q. But that would always be so, wouldn't it, in a case 5 where there hasn't been the opportunity given to someone 6 in Mr Burrell's situation, the subject matter of the 7 article, to put his or her side of the story; wouldn't 8 you agree? 9 A. I think that's exactly what the PCC is saying. In these 10 circumstances, where the allegations were so extreme and 11 old and so on, that people would be misled without 12 the -- without access to a denial from the 13 complainant -- from the subject of the article, yes. 14 Q. But what's the difference between this case and any 15 other case which raises the issue of prior notification? 16 It might always be said, "You didn't go to the subject 17 matter of the article. Had you done so, the subject 18 matter may well have put forward his or her account, so 19 failure to put that forward in your article is 20 misleading", and therefore it might follow that prior 21 notification is always required. What is special about 22 this case? 23 A. Well, this case was extremely unusual. Normally 24 newspapers do go to people in these circumstances for 25 their comments. So they didn't, I can't remember why</p> <p style="text-align: center;">Page 69</p>	<p>1 the PCC in these circumstances. 2 But from recollection, as well, I think the 3 Commission did set out in a paragraph when the prior 4 notification should occur or that it wasn't always 5 required. 6 Q. Okay. The Inquiry has received evidence of those who 7 have complained about misleading headlines. Is it the 8 PCC's policy or was it the PCC's policy to say that the 9 headline should really be read with the accompanying 10 text to see whether the overall impression is misleading 11 or is the headline considered in isolation? 12 A. It wasn't considered in isolation. The -- certainly 13 when I arrived at the PCC, the policy was very much that 14 it should be read in conjunction with the text, which 15 actually followed, I think, a legal ruling involving 16 the -- from the early 1990s involving Madge Bishop from 17 Neighbours, the actress who played her -- I can't 18 remember her name. Anne Charleston, I think. And there 19 was a celebrated case where -- something involving Madge 20 and Harold having sex or something in a headline and 21 they sued and it gave rise to this legal ruling on 22 headlines being read in conjunction with the text. 23 The PCC ran with this, and I think still does, but 24 did get more -- did get tighter on headlines over time, 25 not least because, I think, some of the documents you've</p> <p style="text-align: center;">Page 71</p>
<p>1 they didn't but -- 2 Q. Didn't want to be sued, I think, is the usual -- 3 A. Oh, they were worried about an injunction, were they? 4 LORD JUSTICE LEVESON: Yes, well, the last sentence of the 5 thing that is visible in white, "Lesson", rather gives 6 that suggestion, doesn't it? 7 A. Oh yes, quite, exactly, and I think the PCC disregarded 8 that. If the News of the World ran that defence, then 9 we said that's not relevant, and in this case it was 10 a glaring omission. 11 MR JAY: I'm not sure I'm getting my point across as well as 12 it perhaps ought to be put. What I'm suggesting is that 13 this case might be said to lay down a general principle 14 which would always require prior notification and I'm 15 not quite sure that that's the PCC's position, is it? 16 A. It didn't. I don't think it does. It says: in these 17 circumstances where these -- again, I haven't seen this 18 ruling for a while, so forgive me if I'm not capturing 19 it properly. I think it was saying in these 20 circumstances, where the claims are extreme and the 21 complainant -- the subject matter of the article is 22 likely to dispute them and the person making the 23 allegations is recalling a very old conversation, that 24 it would have misled readers not to include the denial, 25 and that concerns about an injunction are irrelevant to</p> <p style="text-align: center;">Page 70</p>	<p>1 seen -- the sort of independent reviewer that was 2 introduced was very keen on making sure that the PCC was 3 as rigid as possible on that in order to defend the 4 complainants' interests. 5 Q. Has the PCC, to your knowledge, issued a policy or 6 guidance note about headlines and accuracy in the 7 context of clause 1 of the code? Because I haven't seen 8 any. 9 A. Well, I think possibly not, but it would be -- the PCC's 10 approach obviously would be sort of articulated through 11 its rulings on headlines and so on, and of course these 12 do change over time, depending on the particular cases. 13 Mr Abell will also be able to update you. 14 Q. Can I ask you to deal with the issue of third-party 15 complaints. The best place maybe to look at this is 16 tab 15 of the bundle you already have open, Mr Toulmin, 17 which is a paper which may well have been written by 18 Mr Abell in September 2007. If you look at the last 19 page, 30176, that may tell us that. 20 A. Yes. 21 Q. Is that right? 22 A. Yes. 23 Q. As it falls within your time period, can we just see if 24 we can summarise the position. If you look at 38174, 25 first of all. The general rule is that the PCC does not</p> <p style="text-align: center;">Page 72</p>

18 (Pages 69 to 72)

<p>1 consider complaints from third parties about cases 2 involving specific individuals, because -- 3 I paraphrase -- that may be an invasion of their privacy 4 and also it may not be possible to obtain the 5 individual's version, if, by definition, that individual 6 is not complaining; is that correct? 7 A. Yes. Yes, it is, yes. 8 Q. Then the first bullet point in the middle of the page: 9 "It would be an oversimplification to suggest that 10 the Commission declines to deal with all complaints from 11 those who are not specifically involved in a case." 12 Then the next example: 13 "For example, in regards to complaints about matters 14 of general fact under clause 1 ... where there are no 15 obvious first parties cited in the article ... the 16 Commission will always consider complaints from any 17 concerned reader." 18 So is this sort of to cover the situation where 19 there might be scientific inaccuracy, there's no 20 individual complainant by definition, but the issue of 21 inaccuracy will be considered if someone comes along as 22 a concerned reader or as a pressure group or whoever? 23 Is that correct? 24 A. That's an example. Also matters of historical fact that 25 journalists get wrong, if someone said the Second World Page 73</p>	<p>1 article not to complain. 2 I think what's important here is that -- this 3 third-party thing does come up quite a lot. The 4 position, as it seems to me, is that the PCC pretty much 5 takes all complaints but where there is a first party, 6 their engagement is required. The saga of -- very much 7 in the early days of the PCC, where Lord McGregor made 8 statements about Princess Diana and so on based on an 9 understanding -- a sort of public outrage about how she 10 was being treated, was very much seared on the 11 consciousness of the Commission for years to come, which 12 is that it is impossible to really take a view about the 13 merits under the code of particular articles unless you 14 have the involvement of the person concerned. 15 But what we tried to do was not use this rule as an 16 excuse but to reach out to people that we could see 17 might be having some problems and try and get them to 18 complain and come to us, and rather than taking a sort 19 of third party's submission as the basis of the 20 complaint, actually see if the people that were being 21 complained -- you know that, were being referenced in 22 the third-party complaint wanted to complain. So we 23 tried to push it as far as we could to get people's 24 involvement, but if people don't want to complain to 25 a complaints commission, to a complaints body, then Page 75</p>
<p>1 War started in 1943 or something. You know, it could 2 be -- there was a picture that, I remember one time, 3 a newspaper put on its front page and said it was of 4 a particular place and they'd got the wrong place. 5 Those sorts of things, really. So they weren't about 6 a living individual who would complain and the PCC took 7 the view that those matters would be considered. 8 Q. Yes. Then the next example is one you've already 9 covered, the financial examples, and you've explained 10 why. 11 A. Oh yeah. 12 Q. Can I ask you about the opposite page, 38175 and the 13 last bullet point there. It's rightly said: 14 "Of course, the Commission has an absolute 15 discretion about whether or not to investigate any 16 complaint." 17 We've seen that from 53.4, I think, of the articles. 18 "If, therefore, there appeared to be an exceptional 19 public interest in accepting a complaint from a third 20 party concerning a named individual, then it would 21 instruct the office to do so. This is very rare indeed 22 for the reasons outlined above." 23 Why so rare, Mr Toulmin? Do you know? 24 A. Because -- well, as it says, for the reasons outlined 25 above about respecting the rights of the people in the Page 74</p>	<p>1 ultimately that was what had to be respected. 2 Q. But isn't the right approach possibly this one: the 3 Commission has an absolute discretion. Are we agreed? 4 A. Yes. 5 Q. If the individual person named in the "offending" piece 6 does not complain, then it may well be that the 7 Commission's investigation into the complaint will be 8 less thorough because it may not be possible to obtain 9 the "non-complainant's" version, but it's still possible 10 for the Commission to reach a conclusion even on 11 evidence which is not complete; would you agree? 12 A. I'm not sure I would agree. I think you do need the 13 involvement of the person to say where something's 14 wrong, for instance, and I think there are occasions 15 where the Commission could discover something that would 16 embarrass the person involved in the article. For 17 instance, they might be complicit with an article that 18 otherwise appears to be intrusive. 19 Q. Okay. Another general issue in relation to 20 discrimination, which I think is clause 12 of the code: 21 the Commission's position is that general discriminatory 22 statements fall outside the code but a discriminatory 23 statement which relates to an individual falls within 24 the code; is that right? 25 A. Pretty much, as far as I remember, yes. Page 76</p>

<p>1 Q. Unless the general discriminatory statement is 2 inaccurate; is that correct? 3 A. Yeah. 4 Q. Do you happen to know why, as a matter of policy, the 5 Commission has taken that position? 6 A. It's not the Commission that's taken that position. 7 That's the position that the Code of Practice Committee 8 asks the Commission to consider. So that would -- the 9 whole history of that would be, I think, better directed 10 towards them. 11 LORD JUSTICE LEVESON: Is the Commission bound by that? 12 A. Are they bound by it? 13 LORD JUSTICE LEVESON: Yes. 14 A. They're bound by the terms of the code of practice. 15 MR JAY: You see, you have a situation where it is 16 permissible within the code of practice to make 17 a general statement about someone's race or gender which 18 would be regarded as discriminatory and which the PCC 19 would itself regard as discriminatory but could do 20 nothing about it, unless or until that discriminatory 21 statement was made in the context of a particular 22 individual, when suddenly the jurisdiction of the PCC 23 would be engaged; is that right? 24 A. I think -- yes, I think generally speaking the point of 25 the code, really, so far as it protects the public, is</p> <p style="text-align: center;">Page 77</p>	<p>1 jokes about women or whatever, and I think that's what 2 it's designed not to let the PCC intrude into. You 3 know, there was a column in the -- it probably sounds 4 a little brutal, but let me explain what I have in mind. 5 The Sun and the Mirror used to have their female 6 columnists, Jane Moore and Sue Carroll -- they always 7 used to have these little jokes, a joke about a man and 8 a joke about a woman, and all that sort of thing, which 9 probably would be regarded by some people as being 10 offensive and discriminatory but the sort of thing that 11 the code wasn't designed to capture. 12 Q. Maybe it locks into the third-party complaint point, 13 because again, it requires an individual to be at the 14 centre of the dispute rather than the PCC being 15 concerned with maintaining overall standards in the 16 industry, because after all, discriminatory language and 17 content is a lapse from a standard, isn't it? 18 A. Yes, I think very much the point of the PCC is to give 19 people -- individuals who are in the news a way of 20 complaining about things when they go wrong. 21 LORD JUSTICE LEVESON: But the facts might also be distorted 22 about a group. 23 A. Well, in that case the code would be engaged, 24 absolutely. 25 LORD JUSTICE LEVESON: But it wouldn't be engaged if it was</p> <p style="text-align: center;">Page 79</p>
<p>1 about the people who are in the newspapers and 2 magazines, people who are in the media. It's about 3 protecting their rights, and I think actually on that 4 clause, a huge amount of good was done in terms of 5 eliminating pejorative references to people's sexuality 6 or race, and actually you could see how these things 7 were improving over time. For instance, not very long 8 ago, it was quite commonplace for people to be ridiculed 9 on the basis of gender dysphoria, and that's something 10 that the Code Committee recognised needed to change and 11 they changed the rules and you just don't see it any 12 more. 13 Q. If the PCC is concerned with upholding and improving 14 standards, could it not be said that discriminatory 15 articles and language is objectionable per se, it's 16 a standard which has not been attained or has rather 17 been violated by the newspaper, and it doesn't matter, 18 for that purpose, whether or not a particular individual 19 is named? Do you see that point? 20 A. Well, I think that -- I think the industry would say -- 21 I think the newspapers would say, look, you know, there 22 is a -- we have a -- under the umbrella of freedom of 23 expression, we have a broad discretion to say all sorts 24 of things, make jokes, for instance, about different -- 25 write provocative pieces about nationalities, write</p> <p style="text-align: center;">Page 78</p>	<p>1 only about a group. 2 A. Sorry? 3 LORD JUSTICE LEVESON: If the facts distort in relation to 4 a group, for example a religious group, a general 5 complaint would prima facie be inadmissible. 6 A. No, we would take complaints about matters of fact 7 relating to group. 8 Q. But under clause 1, not clause 12? 9 A. Exactly. 10 Q. You have to bring it into the accuracy. 11 A. Yes. 12 Q. You don't leave it within discrimination; it has to be 13 massaged into an accuracy complaint? 14 A. That's how -- indeed, how the PCC tried to deal with 15 this, so that these matters were dealt with, yeah. 16 Q. You I don't think were involved in any way with perhaps 17 the most controversial piece which confronted the PCC 18 over the last ten years, namely Jan Moir's piece in the 19 Daily Mail involving the death of Stephen Gately; is 20 that right? 21 A. That article was published whilst I was still at the PCC 22 but on the way out, and it was handled and adjudicated 23 separately, so I can't comment -- 24 Q. I'll ask others about that one, but it involves acutely 25 the issues which arise under clause 1 and clause 12,</p> <p style="text-align: center;">Page 80</p>

<p>1 I think.</p> <p>2 Can I ask you a general guess question about</p> <p>3 something different: privacy.</p> <p>4 A. Mm-hm.</p> <p>5 Q. Just to get a flavour of the privacy complaints which</p> <p>6 you are or were aware of. Did the majority come from</p> <p>7 what might be called celebrities or did they come from</p> <p>8 a wider group?</p> <p>9 A. No, the majority would come certainly from a wider</p> <p>10 group, from ordinary members of the public, and they</p> <p>11 would arise from all sorts of issues. Things that have</p> <p>12 been ventilated in court, perhaps, or something unusual</p> <p>13 that had happened to them, an unusual death in the</p> <p>14 family, something of that nature.</p> <p>15 Q. The second general point is: did you get the impression</p> <p>16 that the PCC was being asked to deal with what might be</p> <p>17 called the smaller claims which it will probably</p> <p>18 wouldn't be worth suing over?</p> <p>19 A. Well, there certainly were a lot of those, but also</p> <p>20 issues that people probably could sue over and chose,</p> <p>21 for whatever reason, to come to the PCC. And actually,</p> <p>22 often, as time went on, the industry, through the PCC</p> <p>23 and I think at our encouragement, would start to</p> <p>24 compensate for breaches of privacy financially.</p> <p>25 Q. Can I move off those matters to deal now with Operation</p> <p style="text-align: center;">Page 81</p>	<p>1 LORD JUSTICE LEVESON: What was the date of it again?</p> <p>2 MR JAY: You were asked, Mr Toulmin, by Sir Christopher</p> <p>3 Meyer to resurrect the issue of a guidance note. If you</p> <p>4 look at bundle 4, tab 3, it's referred to there.</p> <p>5 A. Yes.</p> <p>6 Q. So we're clear, from evidence we've heard from</p> <p>7 Mr Thomas, that there was a meeting in November 2003,</p> <p>8 before your time, at least as director, and I think</p> <p>9 Mr Black was present, as he then was, Mr Thomas and</p> <p>10 Sir Christopher Meyer and various things were discussed</p> <p>11 and information shared. Then you arrive on the scene</p> <p>12 the following year and you are asked to prepare</p> <p>13 a guidance note, which you did prepare, and it's under</p> <p>14 tab 5 of this bundle, page 42024.</p> <p>15 A. Yeah.</p> <p>16 Q. Were you aware of the scale of the activity which</p> <p>17 newspapers and journalists were involved at this point?</p> <p>18 A. Well, all I can do is refer to that minute that you've</p> <p>19 been presented with, I think, by Richard Thomas.</p> <p>20 I can't remember exactly what terms he set out, why this</p> <p>21 was necessary.</p> <p>22 Q. Okay. In the guidance note, which it says is being put</p> <p>23 together with the help of the</p> <p>24 Information Commissioner -- this, of course, is going</p> <p>25 out generally to editors and journalists -- there's no</p> <p style="text-align: center;">Page 83</p>
<p>1 Motorman. When were you first aware of the existence of</p> <p>2 Operation Motorman and the issues which it disclosed?</p> <p>3 Can you remember?</p> <p>4 A. Well, Richard Thomas had been to see my predecessor and</p> <p>5 Christopher Meyer in 2003. I wasn't, I don't think,</p> <p>6 particularly aware then. And then, early in my</p> <p>7 directorship, he came back or we met him somewhere and</p> <p>8 he was talking to us about the issues, which I think</p> <p>9 you've seen a number of minutes relating to. I don't</p> <p>10 actually have any recollection of that meeting but I've</p> <p>11 seen the minutes, and that looks about like the type of</p> <p>12 thing we would have been saying.</p> <p>13 And then, of course, in the published reports that</p> <p>14 he made, which was after that in 2006, I think.</p> <p>15 Q. I'm just trying to find the relevant document. My note</p> <p>16 is faulty. There was certainly a lunch which you,</p> <p>17 I think, attended in the back end of 2004.</p> <p>18 A. That's right, yes.</p> <p>19 Q. Bear with me while I try and find it. The page is</p> <p>20 00365. It is not in file 10.</p> <p>21 A. Bundle 4, perhaps, I have.</p> <p>22 Q. That may be right.</p> <p>23 LORD JUSTICE LEVESON: It's on the screen.</p> <p>24 MR JAY: Yes. Most of the correspondence is in bundle 4,</p> <p>25 isn't it?</p> <p style="text-align: center;">Page 82</p>	<p>1 reference, I believe, to Operation Motorman, is there?</p> <p>2 A. Well, I'll take your word for it, because it's -- I'm</p> <p>3 sure there isn't, no.</p> <p>4 Q. Journalists and editors are not being warned, for</p> <p>5 example: "Look what happened" -- I think the term used</p> <p>6 by Mr Thomas subsequently was an Aladdin's cave of</p> <p>7 illegal activity. Of course, he was using that not just</p> <p>8 in terms of the press but more widely, but the press was</p> <p>9 certainly there with a considerable, vast number,</p> <p>10 indeed, of potentially unlawful transactions. Would you</p> <p>11 agree there was no attempt by the PCC in 2005, through</p> <p>12 its guidance, specifically to warn the press of what</p> <p>13 they should do in the future by reference to what they</p> <p>14 might have done in the past?</p> <p>15 A. I would agree with that. I think this guidance note was</p> <p>16 what we were asked to do by the</p> <p>17 Information Commissioner.</p> <p>18 Q. Did not the PCC form its own view as to what might be</p> <p>19 appropriate, given what the Information Commissioner was</p> <p>20 saying about the scale of the activity, namely what</p> <p>21 warnings should be given?</p> <p>22 A. Well, this was regarded to be appropriate. There are</p> <p>23 arguments about whether it should even have done this,</p> <p>24 given that it was a complaints body looking at breaches</p> <p>25 of the code of practice rather than the Data Protection</p> <p style="text-align: center;">Page 84</p>

<p>1 Act, but it did want to be helpful and this was the 2 outcome.</p> <p>3 Q. Were there any internal discussions at this stage -- and 4 this is before the 2006 reports -- as to the need to 5 find out from the newspaper editors themselves as to 6 what might have been going on in the context of 7 Operation Motorman? For example, calling in editors to 8 discuss the matter with them, asking the editors to 9 provide information pursuant to any specific requests. 10 Was any consideration given to that?</p> <p>11 A. Well, I -- I'm not sure. I doubt it. But I think there 12 was certainly a discussion about -- there was 13 definitely a discussion at the board of the Commission 14 about Richard Thomas' approach to because this obviously 15 is not -- production of a guidance note on compliance 16 with the Data Protection Act does not relate to 17 a complaint under the code of practice, and as such is 18 pretty much outside the PCC's remit, so the PCC board 19 met to discuss Richard Thomas' request and obviously 20 authorised for this to happen, so whatever else was 21 discussed -- and we are talking about eight years ago 22 here -- the PCC will have in a minute, I should think, 23 if you want to ask them for it. I can't remember 24 anything specific about the discussions which arose as 25 a result of the board of the Commission.</p> <p style="text-align: center;">Page 85</p>	<p>1 given to that issue?</p> <p>2 A. As I say, I think Christopher's going to be a better 3 witness for you there. I can't remember.</p> <p>4 Q. Okay. There was a meeting in which you were involved 5 after the publication of the first of the 2006 reports. 6 This time it is in bundle 10, under tab 16. It's 7 page 00389. Do you see this meeting, 13 July 2006, and 8 you attended it?</p> <p>9 A. Yes.</p> <p>10 Q. This is not your note; it's the 11 Information Commissioner's note. Do you see that?</p> <p>12 A. Mm-hm.</p> <p>13 Q. Do you see, under "Specifics", the first bullet point, 14 the last sentence: 15 "He [that's Richard Thomas] expressed some 16 disappointment that the PCC had not been forthright in 17 its condemnation of the activity."</p> <p>18 A. Yeah.</p> <p>19 Q. He was guilty of understatement there, wasn't he?</p> <p>20 A. Well, that's a matter of opinion, I suppose.</p> <p>21 Q. If you were to differentiate between fact and comment, 22 as one might do for clause 1 purposes, and to ask the 23 question: "Well, what condemnation had there been, as 24 a matter of fact?" the answer would have been: none, 25 wouldn't it?</p> <p style="text-align: center;">Page 87</p>
<p>1 Q. But don't we have a situation here where the 2 Information Commissioner had uncovered serious 3 breaches -- prima facie breaches; doesn't matter which, 4 really, for these purposes -- of the Data Protection 5 Act, and the PCC taking the view: "Well, there isn't 6 a specific complaint here, therefore our powers aren't 7 engaged and we're only going to take second place to the 8 Information Commissioner, who is the real regulator in 9 this area"? Was that, by way of summary, the PCC's 10 stance, at least to your understanding?</p> <p>11 A. I think that was probably the right approach, yes. And 12 of course, there was no -- Richard Thomas had all the 13 information. He came and said, "This is what's been 14 going on", but there was no -- there was no detail to it 15 at all.</p> <p>16 Q. Yes. Was any consideration given at this stage as to 17 whether Mr Thomas should be asked to provide more 18 information to the PCC?</p> <p>19 A. Well, you're probably better off talking to Christopher 20 Meyer about this tomorrow because I think he had 21 a number of discussions with Richard Thomas and my 22 recollection is he did ask for more information and it 23 was not forthcoming.</p> <p>24 Q. After 2006, the evidence is that the information was not 25 forthcoming, but before 2006s was any consideration</p> <p style="text-align: center;">Page 86</p>	<p>1 A. I think by this stage there had been. I think 2 Christopher Meyer had taken the opportunity to raise 3 awareness of this in a way that expressed a disapproval 4 about it. There was never any question that what 5 Richard Thomas was saying was the right thing to say. 6 Everyone agreed that the Data Protection Act should not 7 be being breached by journalists. The question was, 8 I think, where the different responsibilities lay. The 9 PCC, as a platform for discussing the behaviour of 10 journalists and so on in another context, which was 11 about the application of the code of practice, was happy 12 also to say, "By the way, Richard Thomas has this 13 campaign about the Data Protection Act and he's right to 14 do so", but beyond that, it was difficult really to know 15 what the PCC could do. I think that the condemnation 16 was fairly forthright, but that came from Christopher.</p> <p>17 Q. There may be questions to be put to Sir Christopher 18 tomorrow. It's right that I only ask you questions 19 about what you said at the meeting. We can see that 20 from the next page, 00390, the third and sixth bullet 21 points. Do you see that? TT?</p> <p>22 A. Yes.</p> <p>23 Q. "... stressed the role of the PCC, in particular the 24 need for consent from the industry in the form of a Code 25 of Practice Committee for the publication of any</p> <p style="text-align: center;">Page 88</p>

22 (Pages 85 to 88)

<p>1 guidance."</p> <p>2 So it's a bit of a recurring theme. We saw that in</p> <p>3 the letter perhaps that you wrote to Mr Rusbridger. It</p> <p>4 all depends on consent from the industry, and in this</p> <p>5 case publication of guidance which the industry might</p> <p>6 agree to; is that right?</p> <p>7 A. Well, certainly in this case where the Data Protection</p> <p>8 Act is not a matter for which the PCC is responsible --</p> <p>9 that is rightly the responsibility of the</p> <p>10 Information Commissioner -- and the PCC's powers and</p> <p>11 role is set out as we discussed earlier, and this was</p> <p>12 not one of them -- so in circumstances where someone's</p> <p>13 coming to us and asking us to do something that looks</p> <p>14 like it was outside the Commission's remit -- then it</p> <p>15 would need the industry to agree to do something. And</p> <p>16 I actually think that he probably came to the wrong</p> <p>17 place anyway. I think he's accepted that. He either</p> <p>18 should have gone directly to the industry, the trade</p> <p>19 bodies, or straight to the Code Committee, possibly,</p> <p>20 which is more representative of the industry.</p> <p>21 Q. There are a number of points which flow from that. Can</p> <p>22 I deal with the first one which flows logically. Is it</p> <p>23 right that this is outside the remit of the PCC, this</p> <p>24 issue, given clause 10, which is a general prohibition</p> <p>25 against subterfuge:</p> <p style="text-align: center;">Page 89</p>	<p>1 law says -- sets outs some issues under the Data</p> <p>2 Protection Act that affect journalists and the law sets</p> <p>3 out other things that affect journalists as well, and</p> <p>4 the PCC's job is to take specific complaints about</p> <p>5 issues that arise, and on the back of those issues that</p> <p>6 arise --</p> <p>7 LORD JUSTICE LEVESON: Do you think this is the truth? Do</p> <p>8 you think the truth is that the error everybody has made</p> <p>9 is that in calling the PCC a self-regulating body, it's</p> <p>10 believed that it is a regulator, when it isn't actually</p> <p>11 a regulator at all?</p> <p>12 A. Yes.</p> <p>13 MR JAY: The other thing which flows from this -- and it's a</p> <p>14 point which Mr Thomas made it caused him some</p> <p>15 frustration -- is that he was being told in July 2006,</p> <p>16 in effect: "You've come to the wrong body, you should</p> <p>17 really be going to the Code of Practice Committee, who</p> <p>18 might have the jurisdiction to amend the code", and he</p> <p>19 should have been told that much earlier if that were the</p> <p>20 true position? That was his evidence to the Inquiry.</p> <p>21 Do you feel that he'd been given as transparent an</p> <p>22 explanation as to the apparent restrictive nature of</p> <p>23 your powers on the one hand and the fact that this</p> <p>24 really fell with the bailiwick of a different committee</p> <p>25 on the other hand?</p> <p style="text-align: center;">Page 91</p>
<p>1 "Journalists cannot indulge in subterfuge unless</p> <p>2 it's in the public interest."</p> <p>3 That, as a matter of logic, would include</p> <p>4 journalists acting by agents and would also include the</p> <p>5 blagging activities which were precisely the activities</p> <p>6 which Mr Whittamore and his team were carrying out.</p> <p>7 A. Well --</p> <p>8 Q. So it did fall within the code, didn't it?</p> <p>9 A. It's one of these areas that overlaps, and you're right</p> <p>10 to the extent that a breach of the Data Protection Act</p> <p>11 in this area may well give rise to a breach of the code</p> <p>12 of practice as well, but what we weren't asked to do was</p> <p>13 to talk about the code of practice in relation to clause</p> <p>14 10. This was very specifically about the application of</p> <p>15 the Data Protection Act itself, and I think that's the</p> <p>16 difference there, really.</p> <p>17 LORD JUSTICE LEVESON: I'm sorry, I don't quite understand</p> <p>18 that. If the Data Protection Act renders illegal the</p> <p>19 use of subterfuge to obtain personal data, and the code</p> <p>20 says that is not justifiable except where it's in the</p> <p>21 public interest -- in other words, there's</p> <p>22 a coalescence, a concordance between the law and the</p> <p>23 code -- why on earth isn't it very much a matter for</p> <p>24 you?</p> <p>25 A. The law of the land comes above everything else, and the</p> <p style="text-align: center;">Page 90</p>	<p>1 A. I thought he'd been told what the -- I mean, the PCC's</p> <p>2 role is -- should be fairly obvious from the title of</p> <p>3 the organisation. It's a complaints body, and I'm</p> <p>4 fairly sure we would have explained exactly what the PCC</p> <p>5 does at this first meeting, but within the context of</p> <p>6 that, as I've said before, the PCC agreed with him.</p> <p>7 There's no question that we disagreed with his campaign.</p> <p>8 We agreed with him that journalists shouldn't be</p> <p>9 behaving in this way and therefore, using the platform</p> <p>10 that it had and the profile of the PCC, agreed, subject</p> <p>11 to the Code Committee and others agreeing, that some</p> <p>12 awareness-raising should take place, and we were very</p> <p>13 happy to do that.</p> <p>14 Q. Wasn't there any concern within the PCC that</p> <p>15 a substantial quantity of potential unlawful activity</p> <p>16 which had been unearthed in 2003 might still be</p> <p>17 perpetrated by sections of the press and therefore it</p> <p>18 was necessary for the PCC to get hold of the issue? Was</p> <p>19 that not of concern?</p> <p>20 A. I'm sure it was of concern. I think we tried to support</p> <p>21 Richard Thomas. It was his campaign, and it was -- you</p> <p>22 know, the Data Protection Act was his responsibility and</p> <p>23 we did what we were asked to do by him in furthering</p> <p>24 that campaign.</p> <p>25 Q. The final piece of the jigsaw, but I'm going to have to</p> <p style="text-align: center;">Page 92</p>

<p>1 deal with it quite briefly, in terms of the 2 Information Commissioner, is that evidence was given to 3 the Select Committee on this issue under bundle B1, 4 tab 53. If my recollection is correct, it's evidence 5 that you gave. 6 A. Bundle 1B, file 1? 7 Q. It's going to be file 2, I'm afraid, because tab 53 is 8 in file 2. The first page is 45466. 9 A. Tab 2? 10 Q. Tab 53. Do you have that one? 11 A. Oh, yeah. 12 Q. This is a written submission that was put in. 13 A. Page? Sorry -- 14 Q. 45466. 15 A. Oh yeah. 16 Q. This is a memorandum or part of a memorandum submitted 17 by the PCC, and we can see that from 45461. Presumably 18 you had some input into this; is that right? 19 A. Yeah. 20 Q. Under the heading "Tougher sanctions" -- this is more 21 generally in the context of the PCC -- the argument is 22 put that the power to fine newspapers should not be 23 included within your armoury of powers; is that right? 24 A. Yes, that's the argument set out there. 25 Q. You also make the point -- do you see under Page 93</p>	<p>1 Q. Philosophically, that would have to be the PCC's 2 position in line with the evidence you've given 3 earlier -- 4 A. Exactly. 5 Q. -- about the preeminence of freedom of speech. 6 Then specifically on data protection, if you could 7 move forward to 45476. 8 A. Oh yeah. 9 Q. Under the heading, "Privacy, news gathering and the Data 10 Protection Act", the first point that's made under 11 paragraph 118, you say: 12 "It's a misconception in some quarters that the PCC 13 is the only form of regulation for the press." 14 Well, the real misconception may be that the PCC is 15 a regulator at all, regardless of the position of other 16 possible regulators. Would you agree with that? 17 A. Mm. 18 Q. Then, later on in this submission, the point is strongly 19 made that the power to impose a custodial sanction 20 should not be introduced. Do you recall that? 21 A. Yes. Well, that reflects what you highlighted earlier, 22 doesn't it? 23 Q. It's all part and parcel of the same sort of 24 philosophical coalescence that you would naturally take 25 that position, wouldn't you? Page 95</p>
<p>1 paragraph 28, where you say: 2 "The industry has already, in effect, been pre-fined 3 to the extent of about 1.75 million per annum through 4 the levy that participating companies must pay." 5 A. Yes. 6 Q. Is that a serious argument, Mr Toulmin? 7 A. No, I don't think so. I don't think it's a serious 8 argument. I think it's just making the point, isn't it, 9 that the industry is paying for a free body to enable 10 people to complain without being financially out of 11 pocket. That would be my take on it. 12 Q. Certainly at this stage, the PCC is dead against 13 increasing its powers by whatever means. It could 14 simply be done, actually, by an amendment to the 15 articles of association, but dead against the 16 amplification of its powers to include the ability to 17 fine. That's correct, isn't it? 18 A. That's right, yes. 19 Q. I think under the next section, "What's wrong with the 20 privacy law?" -- do you see that at the bottom? 21 A. Yes. 22 Q. -- the argument is effectively advanced: we shouldn't 23 have a privacy law; is that right? 24 A. It probably would have been. Yes, that would have been 25 the PCC's position on privacy law. Page 94</p>	<p>1 A. Yeah. 2 Q. I think the point is also made in this material, if not 3 elsewhere -- I think we saw it in the 2007 annual 4 report -- that you felt that the 5 Information Commissioner's material was old and 6 incomplete, didn't you? Do you recall that? 7 A. Yeah, we talked about it earlier, didn't we? Yes. 8 Q. So is it fair to say that you, as a Commission, were 9 entirely supportive of the Information Commissioner's 10 stance? 11 A. From what I recall, I think that everybody was 12 supportive of the -- of his campaign's aims, to ensure 13 that journalists abided by the Data Protection Act, and 14 that seems to be reasonably uncontroversial, I think. 15 Q. Okay, well, the conclusions of the Select Committee on 16 this issue I think we can just note. This is 17 paragraph 33 of their report at 45392. They make the 18 point -- and it's really comment only, because what they 19 say this Inquiry doesn't have to agree with: 20 "We find claims that all of the transactions 21 involving journalists were through the obtaining of 22 information through illegal means to be incredible. 23 It's a matter of great concern that the industry has not 24 taken this more seriously." 25 It might be said that you can widen the term "the Page 96</p>

24 (Pages 93 to 96)

<p>1 industry" to include the PCC, mightn't you?</p> <p>2 A. Well, you'd have to ask Mr Whittingdale about that,</p> <p>3 I think.</p> <p>4 Q. Okay.</p> <p>5 A. I don't think it was taken as a particular criticism, at</p> <p>6 the time, of the PCC.</p> <p>7 Q. To be fair, to complete the picture, what did happen --</p> <p>8 I think we can just note this -- was in August 2007</p> <p>9 clause 10 of the code of practice was amended so that</p> <p>10 the words "including agents and intermediaries" were</p> <p>11 inserted into the clause --</p> <p>12 A. Mm.</p> <p>13 Q. -- the anti-subterfuge clause, to make it clear beyond</p> <p>14 peradventure that the activities of private</p> <p>15 investigators and search agencies were embraced.</p> <p>16 Also, as Mr Abell points out -- see paragraphs 607</p> <p>17 and 608 of his witness statement -- letters were written</p> <p>18 on all editors in March and April 2007 asking them</p> <p>19 specifically about their internal controls in respect of</p> <p>20 DPA compliance. Their replies -- I'm not going to take</p> <p>21 the Inquiry to this but just note it -- are to be found</p> <p>22 between paragraphs 397 and 423 of Mr Abell's position.</p> <p>23 That, I think, completes the picture on the Data</p> <p>24 Protection Act. Can I move to phone hacking, finally,</p> <p>25 Mr Toulmin. Here we need to go to bundle B4, first of</p> <p style="text-align: center;">Page 97</p>	<p>1 was that this was an investigation of sorts, wasn't it?</p> <p>2 A. Well, I think you need to read the entire letter to</p> <p>3 understand what the Commission is doing here, and the</p> <p>4 impression that we were giving to him. At the very</p> <p>5 first paragraph, it refers to an exercise.</p> <p>6 Q. Yes.</p> <p>7 A. Then it says -- we recognise that he wasn't the editor</p> <p>8 but nonetheless we want to make sure that they are</p> <p>9 aware, there are no loopholes in their application of</p> <p>10 the code and so on. It was very much based on that</p> <p>11 idea, as I talked about earlier, about this sort of</p> <p>12 subcontracting of breaches of the code, which would</p> <p>13 obviously completely undermine the PCC's work.</p> <p>14 Q. Before you wrote this letter, did you read the</p> <p>15 sentencing remarks of Mr Justice Gross?</p> <p>16 A. I can't remember. Obviously I've seen them because they</p> <p>17 crop up elsewhere in my evidence -- in the evidence you</p> <p>18 sent to me. I can't remember when I first saw them.</p> <p>19 I'm not sure that I had done, actually.</p> <p>20 Q. Because he refers to others at News International,</p> <p>21 doesn't he? You may or may not have seen that at the</p> <p>22 time.</p> <p>23 A. No, I think I saw that later. I think that came up in</p> <p>24 2009. Honestly I can't remember the precise -- I can't</p> <p>25 actually remember what they said, but I obviously have</p> <p style="text-align: center;">Page 99</p>
<p>1 all tab 21, which is an internal paper. Do you see</p> <p>2 that? You wrote it 4 December 2006, dealing with the</p> <p>3 phone-hacking issue. This was after the guilty plea,</p> <p>4 but before sentencing.</p> <p>5 A. Mm.</p> <p>6 Q. Do you follow me? When you suggest what the way forward</p> <p>7 might be. You see paragraph 7. This is our page 40349.</p> <p>8 A. Yes.</p> <p>9 Q. "One approach might be for the Commission to review the</p> <p>10 position following those remarks [that's the sentencing]</p> <p>11 and decide at that point whether to write to the editor</p> <p>12 with further questions."</p> <p>13 Tab 22, the questions you wrote or posed to Mr Myler</p> <p>14 on 7 February 2007. Mr Coulson had departed.</p> <p>15 A decision was made not to pursue him but a number of</p> <p>16 specific questions were proposed of Mr Myler. We've</p> <p>17 seen this letter before because Mr Myler was asked about</p> <p>18 it.</p> <p>19 Can I just ask you about one point, though. At the</p> <p>20 very end of this letter, point 4, do you see that?</p> <p>21 A. Yes.</p> <p>22 Q. "The Commission intends to widen its investigation after</p> <p>23 hearing from you, with a view to establishing whether</p> <p>24 controls across the industry are adequate."</p> <p>25 Certainly the impression you're giving to Mr Myler</p> <p style="text-align: center;">Page 98</p>	<p>1 seen them.</p> <p>2 Q. Mr Myler's reply is under tab 24. We've seen this</p> <p>3 previously. He was saying, quite clearly, that this was</p> <p>4 one rogue reporter, wasn't he?</p> <p>5 A. Yes.</p> <p>6 Q. What happened after that, if I can take it quite</p> <p>7 shortly, is that letters were written to other editors</p> <p>8 inquiring about the internal controls at their papers to</p> <p>9 ensure that there would not be a replication of this</p> <p>10 sort of conduct. The letters start at tab 25. They're</p> <p>11 all written in like form.</p> <p>12 A. Mm-hm.</p> <p>13 Q. And there were a whole series of replies which gave you,</p> <p>14 you felt, the appropriate assurances. The PCC report on</p> <p>15 subterfuge and news-gathering is under tab 40.</p> <p>16 A. That's right.</p> <p>17 Q. We don't have a date on it but I think it's probably May</p> <p>18 2007.</p> <p>19 A. Yeah, that sounds about right.</p> <p>20 Q. We just note a number of points. Paragraph 1.6. The</p> <p>21 point is made -- I think we've covered this -- that</p> <p>22 Mr Coulson was not going to be asked for his account:</p> <p>23 "Given that the PCC does not and should not have</p> <p>24 statutory powers of investigation and prosecution, there</p> <p>25 can be no question of trying to duplicate the lengthy</p> <p style="text-align: center;">Page 100</p>

25 (Pages 97 to 100)

<p>1 police investigation." 2 Of course, by that stage the police investigation 3 had finished, hadn't it? 4 A. It had. 5 Q. There's a difference between a statutory power of 6 investigation, or indeed any power of investigation, and 7 one of prosecution, isn't there? 8 A. Mm. 9 Q. I think we've probably flogged to death the point 10 whether there is a power under the articles of 11 association to investigate in any event, haven't we? 12 A. I think we have. 13 Q. Paragraph 1.8, the second bullet point. It does use the 14 word "inquiry", in the context, though, of ascertaining 15 the extent of internal controls aimed at preventing 16 similar abuses. It may be that this is all a semantic 17 discussion, the difference between "exercise", 18 "inquiry". Maybe we can form our own conclusions as to 19 what it was. 20 Your conclusion, though, in this report at 40469 -- 21 the obvious point is made in 10.1: 22 "This mustn't happen again." 23 10.2: 24 "It is similarly important that the industry guards 25 against overreaction. There is a legitimate place for Page 101</p>	<p>1 letter after lunch, with an indication I have about 15 2 minutes left for Mr Toulmin. 3 LORD JUSTICE LEVESON: As you say, time moves on. 4 2 o'clock. Thank you. 5 (1.01 pm) 6 (The luncheon adjournment) 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 Page 103</p>
<p>1 the use of subterfuge when there are grounds in the 2 public interest to use it and it is not possible to 3 obtain information through other means." 4 Well, that slightly finesses -- maybe more than 5 slightly -- the position in the context of the 2000 Act, 6 doesn't it, because you could never use subterfuge of 7 this sort and be within the criminal law, could you? 8 A. No, but I think that's making a broader point about the 9 code and the use of subterfuge generally and that -- 10 this is, I imagine, designed to send a message about the 11 use of investigative journalism in the public interest. 12 Q. Right, but it's in danger of mixing up a general point 13 about investigative journalism -- or indeed one about 14 the Data Protection Act, where there are public interest 15 defences -- and specific points about phone 16 interception. Would you agree with that? 17 A. Well, I think in the context of these conclusions, we 18 are talking about, in that part, the generalities of 19 subterfuge. There's no there, at that point, to the 20 Act. 21 Q. Okay. Time then moves on. May 2007. The Gordon Taylor 22 litigation is settled confidentially in the summer of 23 2008. All this blows up big time, really, in the 24 Guardian on 9 July 2009, and then Mr Rusbridger writes 25 to you on 10 July. I think possibly we come to that Page 102</p>	

<b>A</b>						
<b>Abell</b> 2:4 12:13 26:22 58:3,16 67:16 72:13,18 97:16	39:13 90:4	<b>agencies</b> 97:15	<b>answer</b> 25:12 31:23 32:5 87:24	<b>arrive</b> 83:11	<b>attributable</b> 37:15	56:11 58:18 89:2
<b>Abell's</b> 63:15 97:22	<b>action</b> 19:16 20:8 25:8 32:19 60:22 61:1	<b>agenda</b> 43:3 67:3	<b>answered</b> 31:21	<b>arrived</b> 38:10 71:13	<b>attrition</b> 61:20	<b>bite</b> 43:16
<b>abided</b> 46:24 96:13	<b>activities</b> 51:21 90:5,5 97:14	<b>agents</b> 90:4 97:10	<b>anticipated</b> 45:15	<b>article</b> 10:11 13:5 18:1 22:20,22 24:9 30:17 34:6 36:2 38:1 64:9 65:5 69:7,13 69:17,19 70:21 73:15 75:1 76:16,17 80:21	<b>August</b> 97:8	<b>Black</b> 83:9
<b>abiding</b> 46:21	<b>activity</b> 6:20 7:2 83:16 84:7,20 87:17 92:15	<b>aggravating</b> 68:18	<b>anti-subterfuge</b> 97:13	<b>articles</b> 9:24 10:7 11:23 12:4 24:23 25:1 30:15 37:24 45:21 52:7 55:23 56:9 74:17 75:13 78:15 94:15 101:10	<b>authorised</b> 17:13 85:20	<b>blagging</b> 90:5
<b>ability</b> 9:11 14:16 94:16	<b>actress</b> 71:17	<b>agitated</b> 43:20	<b>anybody</b> 40:3 45:3,7 59:22	<b>art</b> 10:11 11:23 12:4 24:23 25:1 30:15 37:24 45:21 52:7 55:23 56:9 74:17 75:13 78:15 94:15 101:10	<b>authority</b> 39:1	<b>blows</b> 102:23
<b>able</b> 15:8 16:1 26:20,22 34:13 37:7 43:12 53:17 72:13	<b>acts</b> 25:6	<b>ago</b> 29:2 30:1 36:12 48:11 51:10 78:8 85:21	<b>anyway</b> 19:10 45:4 89:17	<b>articulate</b> 15:9	<b>avoid</b> 28:22 61:14	<b>board</b> 38:20 41:5 44:22 45:10 48:15,16,17 51:11 60:6 62:25 66:21 85:13,18,25
<b>absence</b> 9:9 44:3	<b>actual</b> 16:3 40:20 60:4,6	<b>agree</b> 11:11 13:18 14:11,17 14:19,21 22:11 22:23 24:6,22 24:23 36:4 39:14 41:25 43:21 55:2,4,6 58:4 69:8 76:11,12 84:11 84:15 89:6,15 95:16 96:19 102:16	<b>apologies</b> 52:19 57:2	<b>articulated</b> 72:10	<b>await</b> 22:9	<b>board</b> 38:20 41:5 44:22 45:10 48:15,16,17 51:11 60:6 62:25 66:21 85:13,18,25
<b>absolute</b> 13:25 16:23 17:6 74:14 76:3	<b>acutely</b> 80:24	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>apology</b> 53:3,24 56:1	<b>ascertain</b> 8:1 10:2	<b>aware</b> 22:7 26:7 29:12 40:12 62:3 81:6 82:1 82:6 83:16 99:9	<b>bodies</b> 89:19
<b>absolutely</b> 6:10 23:16 41:2 48:11 50:21 79:24	<b>adapt</b> 8:25	<b>agrees</b> 11:11 13:18 14:11,17 14:19,21 22:11 22:23 24:6,22 24:23 36:4 39:14 41:25 43:21 55:2,4,6 58:4 69:8 76:11,12 84:11 84:15 89:6,15 95:16 96:19 102:16	<b>apparent</b> 26:12 32:19 91:22	<b>articles</b> 9:24 10:7 11:23 12:4 24:23 25:1 30:15 37:24 45:21 52:7 55:23 56:9 74:17 75:13 78:15 94:15 101:10	<b>awareness</b> 88:3	<b>body</b> 3:22 4:14 17:8 43:8 75:25 84:24 91:9,16 92:3 94:9
<b>absurd</b> 40:23	<b>address</b> 12:14 44:2	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>apparently</b> 46:21	<b>ascertaining</b> 15:1 101:14	<b>awareness-rai...</b> 51:21 92:12	<b>bogged</b> 8:12
<b>abuses</b> 101:16	<b>addressed</b> 4:25	<b>agrees</b> 11:11 13:18 14:11,17 14:19,21 22:11 22:23 24:6,22 24:23 36:4 39:14 41:25 43:21 55:2,4,6 58:4 69:8 76:11,12 84:11 84:15 89:6,15 95:16 96:19 102:16	<b>appear</b> 18:15 22:20 65:17	<b>ask</b> 77:8	<b>bold</b> 48:20	<b>bold</b> 48:20
<b>accept</b> 11:14 15:19 16:11 61:22	<b>addresses</b> 64:20	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>appearance</b> 46:23	<b>asked</b> 16:14 31:3 32:14,17 45:6 58:19 59:19 60:24 69:1 81:16 83:2,12 84:16 86:17 90:12 92:23 98:17 100:22	<b>bottom</b> 34:2 48:22 50:7 60:13 94:20	<b>bottom</b> 34:2 48:22 50:7 60:13 94:20
<b>acceptable</b> 3:9	<b>adequate</b> 61:2 98:24	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>appeared</b> 74:18	<b>asking</b> 30:5,6 31:7,10 44:12 85:8 89:13 97:18	<b>bound</b> 77:11,12 77:14	<b>bound</b> 77:11,12 77:14
<b>accepted</b> 48:1,11 89:17	<b>adjudicate</b> 10:14 12:20 13:6 59:20 60:24	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>appears</b> 17:11,22 18:13,20 22:10 76:18	<b>asks</b> 77:8	<b>boundaries</b> 33:11,13 36:4	<b>boundaries</b> 33:11,13 36:4
<b>accepting</b> 74:19	<b>adjudicated</b> 80:22	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>application</b> 46:23 88:11 90:14 99:9	<b>assessment</b> 51:19,24 52:1	<b>bounds</b> 56:15	<b>bounds</b> 56:15
<b>access</b> 40:9 69:12	<b>adjudication</b> 10:22 13:17 27:7,9 54:13 54:19,22 55:11 55:13,13 56:1 59:20 60:14,17 60:19 66:12	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>applied</b> 2:20	<b>assessing</b> 52:3	<b>breach</b> 24:9 26:8 26:9,12 29:7 49:6 59:1 60:12 61:2,5 61:18 62:15,21 62:23 63:21 65:14 90:10,11	<b>breach</b> 24:9 26:8 26:9,12 29:7 49:6 59:1 60:12 61:2,5 61:18 62:15,21 62:23 63:21 65:14 90:10,11
<b>accessible</b> 8:19	<b>adjudications</b> 25:17 52:19 54:9 57:3 60:4 61:14	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>apply</b> 21:10 34:20	<b>assessing</b> 52:3	<b>breaches</b> 25:16 30:22 47:1,3,7 51:6 81:24 84:24 86:3,3 99:12	<b>breaches</b> 25:16 30:22 47:1,3,7 51:6 81:24 84:24 86:3,3 99:12
<b>accident</b> 25:9	<b>administering</b> 42:6	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>appropriate</b> 18:4 18:9 19:2 20:1 22:6 25:24 34:17,23 47:11 52:10 84:19,22 100:14	<b>assessment</b> 51:19,24 52:1	<b>break</b> 4:3 18:15 57:16,21 60:23	<b>break</b> 4:3 18:15 57:16,21 60:23
<b>accommodate</b> 21:25	<b>administration</b> 39:16	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>approved</b> 60:3	<b>assist</b> 26:20 27:12 44:23	<b>breaking</b> 50:11	<b>breaking</b> 50:11
<b>accommodated</b> 14:17	<b>admonishment</b> 27:7,10	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>April</b> 97:18	<b>assisted</b> 45:23	<b>breaks</b> 59:19	<b>breaks</b> 59:19
<b>accommodating</b> 14:22	<b>adoption</b> 50:15	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>archivist</b> 56:6	<b>association</b> 9:24 10:8 12:4,9,11 45:21 94:15 101:11	<b>Brian</b> 62:5	<b>Brian</b> 62:5
<b>accompanying</b> 71:9	<b>advance</b> 60:7 66:23	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>area</b> 86:9 90:11	<b>assurances</b> 100:14	<b>brief</b> 67:5	<b>brief</b> 67:5
<b>accord</b> 28:21	<b>advanced</b> 94:22	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>areas</b> 90:9	<b>attained</b> 78:16	<b>briefly</b> 9:20 25:3 93:1	<b>briefly</b> 9:20 25:3 93:1
<b>account</b> 69:18 100:22	<b>adverse</b> 27:9 54:13,13,22 61:14	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>arguably</b> 65:20	<b>attended</b> 82:17 87:8	<b>bring</b> 19:12 43:10 80:10	<b>bring</b> 19:12 43:10 80:10
<b>accuracy</b> 13:11 13:13 20:23 21:6,12 34:21 64:10,16,24 72:6 80:10,13	<b>adversely</b> 54:20	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>argument</b> 50:13 55:1 65:16 93:21,24 94:6 94:8,22	<b>attending</b> 82:17 87:8	<b>broader</b> 46:20 102:8	<b>broader</b> 46:20 102:8
<b>accurate</b> 64:11	<b>advert</b> 42:7	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>arguments</b> 42:15 84:23	<b>attended</b> 82:17 87:8	<b>broadly</b> 13:4 16:19 68:10	<b>broadly</b> 13:4 16:19 68:10
<b>achieve</b> 46:6	<b>advertising</b> 5:4	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>arm</b> 63:13	<b>attended</b> 82:17 87:8	<b>brook</b> 55:1	<b>brook</b> 55:1
<b>act</b> 5:16 8:11,16 9:11 10:1 20:12 34:11 48:9 49:25 50:12 62:16 63:3 85:1,16 86:5 88:6,13 89:8 90:10,15 90:18 91:2 92:22 95:10 96:13 97:24 102:5,14,20	<b>adverts</b> 37:9	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>arm's</b> 39:23	<b>attended</b> 82:17 87:8	<b>brother-in-law's</b> 68:9	<b>brother-in-law's</b> 68:9
<b>acting</b> 31:15	<b>advice</b> 15:22 46:22 53:22 63:14	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>arm's</b> 39:23	<b>attended</b> 82:17 87:8	<b>brought</b> 19:5,8 19:16 62:4	<b>brought</b> 19:5,8 19:16 62:4
	<b>affect</b> 91:2,3	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>arise</b> 8:5	<b>attended</b> 82:17 87:8	<b>brutal</b> 79:4	<b>brutal</b> 79:4
	<b>afford</b> 44:25	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>armed</b> 12:5 52:20 97:9	<b>attended</b> 82:17 87:8	<b>bugging</b> 28:12	<b>bugging</b> 28:12
	<b>afraid</b> 31:9 35:8 52:13 56:12 67:25 93:7	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>armoury</b> 93:23	<b>attended</b> 82:17 87:8	<b>builds</b> 3:8	<b>builds</b> 3:8
	<b>afternoon</b> 8:24	<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>arms</b> 63:13	<b>attended</b> 82:17 87:8	<b>built</b> 55:9	<b>built</b> 55:9
		<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>arrangement</b> 40:12	<b>attended</b> 82:17 87:8	<b>bulk</b> 5:3 40:17	<b>bulk</b> 5:3 40:17
		<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>arrangements</b> 20:15	<b>attended</b> 82:17 87:8		
		<b>agreed</b> 4:14,16 4:17 18:10 27:6 52:22,25 76:3 88:6 92:6 92:8,10	<b>attracted</b> 55:25	<b>attended</b> 82:17 87:8		

<b>bullet</b> 25:7 73:8 74:13 87:13 88:20 101:13	<b>catching</b> 15:16 <b>category</b> 66:6 <b>caused</b> 91:14 <b>cave</b> 84:6	14:19 15:5 21:8 22:24 23:1,9,15,21 24:6 49:8,10 49:10,20 52:23 72:7 73:14 76:20 78:4 80:8,8,25,25 87:22 89:24 90:13 97:9,11 97:13	34:18 36:16 45:15 75:3,11 75:18 81:6,7,9 81:21 91:16 102:25	20:24 <b>commonplace</b> 78:8	40:16,17,21,25 43:2,14 45:12 45:15 52:9 53:21 58:1,7 58:13 59:22 61:9 62:1,13 62:18 63:23 64:3 72:15 73:1,10,13,16 75:5,25,25 80:6 81:5 84:24 91:4 92:3	80:17 <b>conjecture</b> 64:21 <b>conjoined</b> 41:13 <b>conjunction</b> 11:22 21:14 39:13 71:14,22 <b>connection</b> 10:20 13:1 <b>consciousness</b> 75:11 <b>consensus</b> 4:21 <b>consent</b> 4:6,10 4:19 24:16 47:15 88:24 89:4
<b>bunch</b> 38:24 <b>bundle</b> 9:21 25:4 45:20 72:16 82:21,24 83:4 83:14 87:6 93:3,6 97:25	<b>celebrated</b> 71:19 <b>celebrities</b> 81:7 <b>censoring</b> 25:15 <b>cent</b> 58:13 <b>centre</b> 79:14 <b>certain</b> 31:21 40:4 48:5,9 55:14	<b>clauses</b> 15:12 26:7 <b>clear</b> 1:19 2:7 14:24 28:6 34:4,9 40:24 45:13 48:23,25 49:20 60:23 83:6 97:13 <b>clearly</b> 20:17 35:10 36:6 41:5,10 50:18 52:8 58:9 100:3	<b>comes</b> 3:14 25:9 58:6 67:9 73:21 90:25 <b>comfortable</b> 1:7 <b>coming</b> 3:25 5:1 43:13 89:13 <b>comment</b> 64:21 80:23 87:21 96:18 <b>comments</b> 69:25 <b>commission</b> 1:18 2:8 3:2 11:18 12:8,19 13:23 13:25 15:7 16:22 17:11 18:2,8,20 19:2 19:6,18,23 20:1 21:6,15 22:16 28:23 33:19 39:2 41:10 42:17,21 46:5,13,17,18 50:1,9,15,25 51:11,15,16 55:16,18 58:24 59:4,19,21 60:1,24,25 63:1,21 66:13 66:14,25 71:3 73:10,16 74:14 75:11,25 76:3 76:10,15 77:5 77:6,8,11 85:13,25 96:8 98:9,22 99:3	<b>companies</b> 10:1 40:1 94:4 <b>company</b> 9:18,25 10:4,11 <b>compel</b> 30:19 <b>compelled</b> 32:5 <b>compensate</b> 81:24 <b>complain</b> 26:8 37:20 74:6 75:1,18,22,24 76:6 94:10 <b>complainant</b> 19:5,16 27:16 33:2 34:17 53:3 54:5 58:18,23 60:22 61:7,17,22 62:8,17,19,22 64:1,3,16 65:5 65:7,9,10,23 69:13 70:21 73:20 <b>complainants</b> 9:16 63:16 72:4 <b>complainant's</b> 56:18 <b>complained</b> 18:21,23 56:10 71:7 75:21 <b>complaining</b> 73:6 79:20 <b>complaint</b> 16:3 17:8,12 18:3,9 19:19 19:2,7 19:18,24 20:2 20:6,7 21:6,7 21:12,14,17 27:20 29:4,15 30:24 31:1 33:5 36:7,25 53:1,11,12,21 55:25 58:6,17 58:20,25 59:3 59:5,10,16,20 60:5 61:3,24 66:5,22 68:12 68:23 74:16,19 75:20,22 76:7 79:12 80:5,13 85:17 86:6 <b>complaints</b> 1:18 2:8 3:2,4,6,22 4:1 5:3 10:17 12:23 13:2 15:10 17:7 18:13 21:25 22:16 28:20,21 30:22 32:18 37:14 38:14,22 39:16,19 40:15	<b>completely</b> 8:18 99:13 <b>completes</b> 97:23 <b>compliance</b> 30:6 85:15 97:20 <b>complicit</b> 76:17 <b>comply</b> 33:7 <b>comprehensive</b> 38:18 <b>concept</b> 3:13 29:13 41:18 54:16 <b>concern</b> 47:2 92:14,19,20 96:23 <b>concerned</b> 5:23 21:2 46:19 66:13 73:17,22 75:14 78:13 79:15 <b>concerning</b> 74:20 <b>concerns</b> 25:20 70:25 <b>conciliate</b> 10:14 12:20 <b>conciliation</b> 13:17 53:20 <b>conclusion</b> 76:10 101:20 <b>conclusions</b> 15:2 96:15 101:18 102:17 <b>concordance</b> 90:22 <b>condemnation</b> 87:17,23 88:15 <b>conductive</b> 11:18 <b>conduct</b> 3:4 45:9 45:11 100:10 <b>conducted</b> 38:3 <b>confer</b> 16:22 <b>confidential</b> 28:14 <b>confidentially</b> 102:22 <b>confined</b> 28:19 <b>confrontation</b> 66:3 <b>confronted</b>	<b>consideration</b> 10:14 12:20 13:2,24 14:9,17,21 18:2,9 19:2 20:2 21:16 42:15 52:8 60:8 73:1,16 77:8 <b>considerable</b> 24:25 39:2 67:6 84:9 <b>considerably</b> 20:17 57:7 <b>consideration</b> 17:10 49:19 85:10 86:16,25 <b>considerations</b> 22:21 <b>considered</b> 24:13 61:6 71:11,12 73:21 74:7 <b>considers</b> 14:1 18:3,9 <b>consistently</b> 37:14 <b>conspiracy</b> 40:23 <b>constitutional</b> 22:21 28:16 <b>constraints</b> 9:10 <b>contacts</b> 40:8 <b>containing</b> 49:8 <b>contains</b> 23:3 <b>contempt</b> 35:1,5 <b>content</b> 5:13 79:17 <b>context</b> 27:12,19 35:16 54:12 55:12 64:6 72:7 77:21 85:6 88:10 92:5 93:21 101:14 102:5 102:17 <b>continue</b> 4:25 34:1 <b>continues</b> 11:3 <b>contrary</b> 63:25 65:24 <b>controls</b> 97:19 98:24 100:8 101:15 <b>controversial</b>
<b>Burrell</b> 67:19 68:8,13,20 <b>Burrell's</b> 68:25 69:6 <b>Buscombe</b> 38:20 <b>buy</b> 40:22 41:24 44:17 <b>B1</b> 93:3 <b>B4</b> 97:25	<b>certainly</b> 14:19 15:13,25 20:10 20:13 23:8,12 26:15 27:22 29:18 30:21,21 32:17 33:13 38:5 56:3 57:6 61:12,15 62:3 71:12 81:9,19 82:16 84:9 85:12 89:7 94:12 98:25 <b>cetera</b> 37:21 <b>chair</b> 39:10 <b>chairman</b> 27:8 38:8,10,16,25 <b>challenged</b> 64:15 <b>change</b> 9:3 72:12 78:10 <b>changed</b> 55:7 78:11 <b>changes</b> 9:3 <b>Charleston</b> 71:18 <b>choosing</b> 42:5 <b>chose</b> 81:20 <b>chosen</b> 41:17 42:11,14 <b>Christopher</b> 38:9,18 39:13 40:8 82:5 83:2 83:10 86:19 88:2,16,17 <b>Christopher's</b> 87:2 <b>circles</b> 29:10 <b>circumstances</b> 4:13 19:1 20:1 28:22 31:4 66:8 69:10,24 70:17,20 71:1 89:12 <b>cited</b> 73:15 <b>citizen</b> 51:15 <b>civil</b> 5:18 <b>claim</b> 2:25 19:17 68:7 <b>claims</b> 70:20 81:17 96:20 <b>clandestine</b> 28:11 <b>clarify</b> 58:19 <b>clause</b> 10:3 11:22 11:23 12:6,6 12:11,15 13:4	<b>code</b> 3:6 5:14 6:19 9:2 10:15 12:21 13:7,7 13:24 15:9,12 16:2,4 20:6,8 23:2,5,14 25:16,23 26:2 26:6,8,9,12 29:7 30:23 39:10 41:12 46:21,23,24 47:1,4 49:7,8 49:13,19,22 52:9,20 53:6 55:5,16 58:8 58:11,21 59:1 59:2,3,9,11 60:12 61:3,6 61:18 62:15,21 62:24 63:21 64:9 65:15 67:18 72:7 75:13 76:20,22 76:24 77:7,14 77:16,25 78:10 79:11,23 84:25 85:17 88:11,24 89:19 90:8,11 90:13,19,23 91:17,18 92:11 97:9 99:10,12 102:9 <b>coffee</b> 66:16 <b>coin</b> 8:10 <b>collected</b> 63:15 <b>collectively</b> 38:23 <b>column</b> 48:21 79:3 <b>columnists</b> 79:6 <b>come</b> 6:4 8:6	<b>Commissioner</b> 5:17 50:2,3 51:23 52:5 83:24 84:17,19 86:2,8 89:10 93:2 <b>commissioners</b> 39:4 41:5 60:7 <b>Commissioner's</b> 51:20 87:11 96:5,9 <b>Commission's</b> 16:25 21:15 23:11 52:8 54:3 76:7,21 89:14 <b>commitment</b> 40:1 42:11 <b>committee</b> 23:14 39:10 41:12 49:22 77:7 78:10 88:25 89:19 91:17,24 92:11 93:3 96:15 <b>committing</b> 47:3 <b>common</b> 20:21	<b>commonplace</b> 78:8 <b>communication</b> 37:20 <b>companies</b> 10:1 40:1 94:4 <b>company</b> 9:18,25 10:4,11 <b>compel</b> 30:19 <b>compelled</b> 32:5 <b>compensate</b> 81:24 <b>complain</b> 26:8 37:20 74:6 75:1,18,22,24 76:6 94:10 <b>complainant</b> 19:5,16 27:16 33:2 34:17 53:3 54:5 58:18,23 60:22 61:7,17,22 62:8,17,19,22 64:1,3,16 65:5 65:7,9,10,23 69:13 70:21 73:20 <b>complainants</b> 9:16 63:16 72:4 <b>complainant's</b> 56:18 <b>complained</b> 18:21,23 56:10 71:7 75:21 <b>complaining</b> 73:6 79:20 <b>complaint</b> 16:3 17:8,12 18:3,9 19:19 19:2,7 19:18,24 20:2 20:6,7 21:6,7 21:12,14,17 27:20 29:4,15 30:24 31:1 33:5 36:7,25 53:1,11,12,21 55:25 58:6,17 58:20,25 59:3 59:5,10,16,20 60:5 61:3,24 66:5,22 68:12 68:23 74:16,19 75:20,22 76:7 79:12 80:5,13 85:17 86:6 <b>complaints</b> 1:18 2:8 3:2,4,6,22 4:1 5:3 10:17 12:23 13:2 15:10 17:7 18:13 21:25 22:16 28:20,21 30:22 32:18 37:14 38:14,22 39:16,19 40:15	<b>concerned</b> 5:23 21:2 46:19 66:13 73:17,22 75:14 78:13 79:15 <b>concerning</b> 74:20 <b>concerns</b> 25:20 70:25 <b>conciliate</b> 10:14 12:20 <b>conciliation</b> 13:17 53:20 <b>conclusion</b> 76:10 101:20 <b>conclusions</b> 15:2 96:15 101:18 102:17 <b>concordance</b> 90:22 <b>condemnation</b> 87:17,23 88:15 <b>conductive</b> 11:18 <b>conduct</b> 3:4 45:9 45:11 100:10 <b>conducted</b> 38:3 <b>confer</b> 16:22 <b>confidential</b> 28:14 <b>confidentially</b> 102:22 <b>confined</b> 28:19 <b>confrontation</b> 66:3 <b>confronted</b>	<b>conjecture</b> 64:21 <b>conjoined</b> 41:13 <b>conjunction</b> 11:22 21:14 39:13 71:14,22 <b>connection</b> 10:20 13:1 <b>consciousness</b> 75:11 <b>consensus</b> 4:21 <b>consent</b> 4:6,10 4:19 24:16 47:15 88:24 89:4 <b>consider</b> 10:14 12:20 13:2,24 14:9,17,21 18:2,9 19:2 20:2 21:16 42:15 52:8 60:8 73:1,16 77:8 <b>considerable</b> 24:25 39:2 67:6 84:9 <b>considerably</b> 20:17 57:7 <b>consideration</b> 17:10 49:19 85:10 86:16,25 <b>considerations</b> 22:21 <b>considered</b> 24:13 61:6 71:11,12 73:21 74:7 <b>considers</b> 14:1 18:3,9 <b>consistently</b> 37:14 <b>conspiracy</b> 40:23 <b>constitutional</b> 22:21 28:16 <b>constraints</b> 9:10 <b>contacts</b> 40:8 <b>containing</b> 49:8 <b>contains</b> 23:3 <b>contempt</b> 35:1,5 <b>content</b> 5:13 79:17 <b>context</b> 27:12,19 35:16 54:12 55:12 64:6 72:7 77:21 85:6 88:10 92:5 93:21 101:14 102:5 102:17 <b>continue</b> 4:25 34:1 <b>continues</b> 11:3 <b>contrary</b> 63:25 65:24 <b>controls</b> 97:19 98:24 100:8 101:15 <b>controversial</b>
<b>C</b> <b>c</b> 18:18,23 19:24 <b>calibrated</b> 13:12 13:12 <b>called</b> 53:8 66:6 81:7,17 <b>calling</b> 85:7 91:9 <b>campaign</b> 88:13 92:7,21,24 <b>campaign's</b> 96:12 <b>Campbell</b> 39:6 <b>capable</b> 14:22 15:16 <b>capacity</b> 34:11 <b>capture</b> 26:11 29:24 79:11 <b>captures</b> 29:3 <b>capturing</b> 70:18 <b>care</b> 6:8 64:13,17 <b>carried</b> 14:13 39:3 <b>Carroll</b> 79:6 <b>carry</b> 4:18 17:4 <b>carrying</b> 14:14 22:15 31:11 32:7 33:4 48:25 90:6 <b>case</b> 7:21 8:3 21:16 32:13,24 46:4,19 50:13 53:19,23 55:12 59:12 62:24 64:22,24,25 67:10,19 68:25 69:4,14,15,22 69:23 70:9,13 71:19 73:11 79:23 89:5,7 <b>caselaw</b> 3:9 <b>cases</b> 32:17 34:15 61:5,9 61:13 63:8 66:11 72:12 73:1	<b>catching</b> 15:16 <b>category</b> 66:6 <b>caused</b> 91:14 <b>cave</b> 84:6 <b>celebrated</b> 71:19 <b>celebrities</b> 81:7 <b>censoring</b> 25:15 <b>cent</b> 58:13 <b>centre</b> 79:14 <b>certain</b> 31:21 40:4 48:5,9 55:14 <b>certainly</b> 14:19 15:13,25 20:10 20:13 23:8,12 26:15 27:22 29:18 30:21,21 32:17 33:13 38:5 56:3 57:6 61:12,15 62:3 71:12 81:9,19 82:16 84:9 85:12 89:7 94:12 98:25 <b>cetera</b> 37:21 <b>chair</b> 39:10 <b>chairman</b> 27:8 38:8,10,16,25 <b>challenged</b> 64:15 <b>change</b> 9:3 72:12 78:10 <b>changed</b> 55:7 78:11 <b>changes</b> 9:3 <b>Charleston</b> 71:18 <b>choosing</b> 42:5 <b>chose</b> 81:20 <b>chosen</b> 41:17 42:11,14 <b>Christopher</b> 38:9,18 39:13 40:8 82:5 83:2 83:10 86:19 88:2,16,17 <b>Christopher's</b> 87:2 <b>circles</b> 29:10 <b>circumstances</b> 4:13 19:1 20:1 28:22 31:4 66:8 69:10,24 70:17,20 71:1 89:12 <b>cited</b> 73:15 <b>citizen</b> 51:15 <b>civil</b> 5:18 <b>claim</b> 2:25 19:17 68:7 <b>claims</b> 70:20 81:17 96:20 <b>clandestine</b> 28:11 <b>clarify</b> 58:19 <b>clause</b> 10:3 11:22 11:23 12:6,6 12:11,15 13:4	14:19 15:5 21:8 22:24 23:1,9,15,21 24:6 49:8,10 49:10,20 52:23 72:7 73:14 76:20 78:4 80:8,8,25,25 87:22 89:24 90:13 97:9,11 97:13 <b>clauses</b> 15:12 26:7 <b>clear</b> 1:19 2:7 14:24 28:6 34:4,9 40:24 45:13 48:23,25 49:20 60:23 83:6 97:13 <b>clearly</b> 20:17 35:10 36:6 41:5,10 50:18 52:8 58:9 100:3 <b>coalescence</b> 90:22 95:24 <b>code</b> 3:6 5:14 6:19 9:2 10:15 12:21 13:7,7 13:24 15:9,12 16:2,4 20:6,8 23:2,5,14 25:16,23 26:2 26:6,8,9,12 29:7 30:23 39:10 41:12 46:21,23,24 47:1,4 49:7,8 49:13,19,22 52:9,20 53:6 55:5,16 58:8 58:11,21 59:1 59:2,3,9,11 60:12 61:3,6 61:18 62:15,21 62:24 63:21 64:9 65:15 67:18 72:7 75:13 76:20,22 76:24 77:7,14 77:16,25 78:10 79:11,23 84:25 85:17 88:11,24 89:19 90:8,11 90:13,19,23 91:17,18 92:11 97:9 99:10,12 102:9 <b>coffee</b> 66:16 <b>coin</b> 8:10 <b>collected</b> 63:15 <b>collectively</b> 38:23 <b>column</b> 48:21 79:3 <b>columnists</b> 79:6 <b>come</b> 6:4 8:6	34:18 36:16 45:15 75:3,11 75:18 81:6,7,9 81:21 91:16 102:25 <b>comes</b> 3:14 25:9 58:6 67:9 73:21 90:25 <b>comfortable</b> 1:7 <b>coming</b> 3:25 5:1 43:13 89:13 <b>comment</b> 64:21 80:23 87:21 96:18 <b>comments</b> 69:25 <b>commission</b> 1:18 2:8 3:2 11:18 12:8,19 13:23 13:25 15:7 16:22 17:11 18:2,8,20 19:2 19:6,18,23 20:1 21:6,15 22:16 28:23 33:19 39:2 41:10 42:17,21 46:5,13,17,18 50:1,9,15,25 51:11,15,16 55:16,18 58:24 59:4,19,21 60:1,24,25 63:1,21 66:13 66:14,25 71:3 73:10,16 74:14 75:11,25 76:3 76:10,15 77:5 77:6,8,11 85:13,25 96:8 98:9,22 99:3 <b>Commissioner</b> 5:17 50:2,3 51:23 52:5 83:24 84:17,19 86:2,8 89:10 93:2 <b>commissioners</b> 39:4 41:5 60:7 <b>Commissioner's</b> 51:20 87:11 96:5,9 <b>Commission's</b> 16:25 21:15 23:11 52:8 54:3 76:7,21 89:14 <b>commitment</b> 40:1 42:11 <b>committee</b> 23:14 39:10 41:12 49:22 77:7 78:10 88:25 89:19 91:17,24 92:11 93:3 96:15 <b>committing</b> 47:3 <b>common</b> 20:21	20:24 <b>commonplace</b> 78:8 <b>communication</b> 37:20 <b>companies</b> 10:1 40:1 94:4 <b>company</b> 9:18,25 10:4,11 <b>compel</b> 30:19 <b>compelled</b> 32:5 <b>compensate</b> 81:24 <b>complain</b> 26:8 37:20 74:6 75:1,18,22,24 76:6 94:10 <b>complainant</b> 19:5,16 27:16 33:2 34:17 53:3 54:5 58:18,23 60:22 61:7,17,22 62:8,17,19,22 64:1,3,16 65:5 65:7,9,10,23 69:13 70:21 73:20 <b>complainants</b> 9:16 63:16 72:4 <b>complainant's</b> 56:18 <b>complained</b> 18:21,23 56:10 71:7 75:21 <b>complaining</b> 73:6 79:20 <b>complaint</b> 16:3 17:8,12 18:3,9 19:19 19:2,7 19:18,24 20:2 20:6,7 21:6,7 21:12,14,17 27:20 29:4,15 30:24 31:1 33:5 36:7,25 53:1,11,12,21 55:25 58:6,17 58:20,25 59:3 59:5,10,16,20 60:5 61:3,24 66:5,22 68:12 68:23 74:16,19 75:20,22 76:7 79:12 80:5,13 85:17 86:6 <b>complaints</b> 1:18 2:8 3:2,4,6,22 4:1 5:3 10:17 12:23 13:2 15:10 17:7 18:13 21:25 22:16 28:20,21 30:22 32:18 37:14 38:14,22 39:16,19 40:15	40:16,17,21,25 43:2,14 45:12 45:15 52:9 53:21 58:1,7 58:13 59:22 61:9 62:1,13 62:18 63:23 64:3 72:15 73:1,10,13,16 75:5,25,25 80:6 81:5 84:24 91:4 92:3 <b>complementary</b> 50:2 <b>complete</b> 76:11 97:7 <b>completely</b> 8:18 99:13 <b>completes</b> 97:23 <b>compliance</b> 30:6 85:15 97:20 <b>complicit</b> 76:17 <b>comply</b> 33:7 <b>comprehensive</b> 38:18 <b>concept</b> 3:13 29:13 41:18 54:16 <b>concern</b> 47:2 92:14,19,20 96:23 <b>concerned</b> 5:23 21:2 46:19 66:13 73:17,22 75:14 78:13 79:15 <b>concerning</b> 74:20 <b>concerns</b> 25:20 70:25 <b>conciliate</b> 10:14 12:20 <b>conciliation</b> 13:17 53:20 <b>conclusion</b> 76:10 101:20 <b>conclusions</b> 15:2 96:15 101:18 102:17 <b>concordance</b> 90:22 <b>condemnation</b> 87:17,23 88:15 <b>conductive</b> 11:18 <b>conduct</b> 3:4 45:9 45:11 100:10 <b>conducted</b> 38:3 <b>confer</b> 16:22 <b>confidential</b> 28:14 <b>confidentially</b> 102:22 <b>confined</b> 28:19 <b>confrontation</b> 66:3 <b>confront</b>	

43:2 80:17 <b>conversation</b> 68:9 70:23 <b>conversations</b> 54:5 <b>conveys</b> 3:17 <b>copy</b> 67:25 68:7 <b>correct</b> 2:9,10 4:6 19:7,19 20:4 32:23 34:23 40:6 53:4 58:14 59:16,24 65:7 65:11 73:6,23 77:2 93:4 94:17 <b>correction</b> 53:3 53:13 <b>corrections</b> 52:19 53:18 65:17 <b>correspondence</b> 60:3 82:24 <b>Coulson</b> 47:9,12 48:7 98:14 100:22 <b>Council</b> 28:19 <b>couple</b> 45:18,25 <b>course</b> 2:5 9:17 13:13 20:11,23 21:20 22:1,14 24:17,23 28:4 29:14 36:16 37:13 38:23 41:12 43:10 46:12 47:3 49:1,15 52:14 53:8,20 59:6 61:8 64:18 65:15 66:24 67:16 72:11 74:14 82:13 83:24 84:7 86:12 101:2 <b>court</b> 8:3 18:22 18:25 19:17 21:6 34:17 81:12 <b>courts</b> 5:18 34:13 <b>cover</b> 2:6 13:10 25:3 58:2 73:18 <b>covered</b> 36:8 39:7 74:9 100:21 <b>covers</b> 49:10 55:5 <b>cowed</b> 42:24 <b>co-operate</b> 31:17 31:25 32:8,22 <b>create</b> 4:1 25:12 33:23 66:17 <b>created</b> 27:1,4 48:9 <b>credit</b> 57:8,15 <b>criminal</b> 5:19	6:15 22:8,9 46:12 49:15 102:7 <b>criminals</b> 26:10 <b>critical</b> 27:6 45:9 45:10,13 <b>criticised</b> 67:12 <b>criticism</b> 9:5 43:21 44:4,20 62:10 97:5 <b>criticisms</b> 43:15 44:12 63:9 <b>crop</b> 99:17 <b>crudely</b> 42:12 <b>Cubbon</b> 62:5 <b>cultural</b> 62:6 <b>culture</b> 8:5 57:1 <b>cup</b> 66:16 <b>curious</b> 40:11 <b>current</b> 2:5 11:23 51:19 52:2,3 <b>currently</b> 5:8 19:20 <b>custodial</b> 51:7 95:19 <b>cut</b> 38:1	<b>decide</b> 21:17 53:2 54:11 58:7 66:17 98:11 <b>decided</b> 38:23 58:22 <b>decision</b> 6:12 47:25 48:1,12 48:14 58:20,24 62:25 66:1,2 98:15 <b>decisions</b> 48:18 59:7 60:11 <b>decision-making</b> 43:1 <b>declines</b> 73:10 <b>dedicated</b> 64:3 <b>defamation</b> 35:14,15 <b>default</b> 31:6 <b>defeated</b> 35:21 <b>defence</b> 11:8 22:18 23:10 43:14 49:3,12 49:16 70:8 <b>defences</b> 102:15 <b>defend</b> 72:3 <b>defending</b> 24:2 <b>defined</b> 17:14 18:7 52:8 <b>definitely</b> 57:6 85:13 <b>definition</b> 41:11 73:5,20 <b>degree</b> 62:3,19 <b>degrees</b> 7:10 <b>delayed</b> 27:15 <b>delegate</b> 58:7 <b>deliberately</b> 28:22 <b>demonstrate</b> 64:16 <b>denial</b> 68:19,25 69:12 70:24 <b>deny</b> 68:18 <b>departed</b> 98:14 <b>departing</b> 24:10 <b>depend</b> 63:8 <b>depending</b> 15:2 72:12 <b>depends</b> 4:9 31:9 63:6 89:4 <b>deploy</b> 66:7 <b>describe</b> 7:1 <b>described</b> 23:19 <b>description</b> 2:23 41:23 <b>designation</b> 23:20 <b>designed</b> 79:2,11 102:10 <b>desist</b> 25:21 <b>detail</b> 2:6 58:3 58:18 86:14 <b>deteriorated</b> 37:16 <b>detriment</b> 27:16	<b>development</b> 15:11 53:16 <b>diagrams</b> 20:24 <b>Diana</b> 75:8 <b>difference</b> 69:14 90:16 101:5,17 <b>different</b> 3:17 4:13 5:14 22:11 31:22 44:8,11 46:6 58:9 59:25 69:1 78:24 81:3 88:8 91:24 <b>differentiate</b> 87:21 <b>differently</b> 55:5 <b>difficult</b> 23:22 36:9 43:2 45:3 88:14 <b>difficulties</b> 44:23 <b>difficultly</b> 37:2 <b>direct</b> 53:18 <b>directed</b> 66:2 77:9 <b>directly</b> 42:2 46:9 89:18 <b>director</b> 2:5,7 36:20 42:2,22 52:23 83:8 <b>directorship</b> 82:7 <b>disagreed</b> 92:7 <b>disappear</b> 58:13 <b>disappeared</b> 21:21 <b>disappointment</b> 87:16 <b>disapproval</b> 88:3 <b>discharge</b> 11:2 18:4,10 <b>disclosed</b> 82:2 <b>discover</b> 76:15 <b>discovery</b> 30:5 <b>Discrete</b> 67:18 <b>discretion</b> 14:1 16:24,25 17:5 17:6 18:2,7,8 54:16 55:17 74:15 76:3 78:23 <b>discrimination</b> 76:20 80:12 <b>discriminatory</b> 76:21,22 77:1 77:18,19,20 78:14 79:10,16 <b>discuss</b> 47:13 60:9 85:8,19 <b>discussed</b> 49:24 51:11 67:7 83:10 85:21 89:11 <b>discussing</b> 9:1 60:4 88:9 <b>discussion</b> 49:7 55:21 67:4 85:12,13	101:17 <b>discussions</b> 51:14 54:15 85:3,24 86:21 <b>dispensed</b> 8:3 <b>disproportionate</b> 50:12 <b>dispute</b> 64:23 68:20 70:22 79:14 <b>disputes</b> 13:6 64:5 65:1 <b>disregarded</b> 70:7 <b>distort</b> 80:3 <b>distorted</b> 79:21 <b>document</b> 25:12 26:18 27:23 34:1 45:22 50:6 82:15 <b>documents</b> 28:13 28:17 30:5,12 30:16 32:14 33:5 71:25 <b>doing</b> 16:10 32:16 40:21 99:3 <b>domain</b> 16:15 <b>doubt</b> 40:5 85:11 <b>dozen</b> 27:11 <b>DPA</b> 97:20 <b>draft</b> 40:18 <b>drafted</b> 16:21 20:11 35:10 <b>drafting</b> 25:1 <b>draw</b> 7:11 27:23 <b>drawing</b> 15:2 <b>drawn</b> 61:24 <b>drew</b> 23:15 <b>driving</b> 38:13 <b>due</b> 36:16 53:8 53:10,22 54:11 54:17 55:11 67:16 <b>duplicate</b> 100:25 <b>dysphoria</b> 78:9	66:14,15,19,24 67:12 98:11 99:7 <b>editorial</b> 5:13 <b>editors</b> 1:17 23:13,14 25:15 27:10 28:11 39:10 41:12 42:25 43:3,8 43:16,18,21 44:16 45:12 51:1 53:18,22 54:21 55:22 61:15 83:25 84:4 85:5,7,8 97:18 100:7 <b>editor's</b> 31:6 <b>effect</b> 18:5 32:25 91:16 94:2 <b>effective</b> 11:2 18:4,10 40:20 <b>effectively</b> 47:1 94:22 <b>eight</b> 85:21 <b>either</b> 3:20 9:15 15:16 42:18 89:17 <b>elaborate</b> 5:11 <b>electronic</b> 37:19 <b>element</b> 43:17 <b>eliminating</b> 78:5 <b>email</b> 37:20,25 38:3 59:23 60:2,13 <b>embarked</b> 14:20 <b>embarrass</b> 76:16 <b>embarrassing</b> 66:17 <b>embarrassment</b> 67:9 <b>embrace</b> 14:10 <b>embraced</b> 97:15 <b>employing</b> 28:11 <b>enable</b> 94:9 <b>encapsulate</b> 58:3 <b>encapsulates</b> 26:19 <b>encourage</b> 55:22 <b>encouraged</b> 61:15 <b>encouragement</b> 81:23 <b>ended</b> 31:5 <b>energy</b> 61:23 <b>enforced</b> 12:22 <b>engage</b> 8:21 58:10 <b>engaged</b> 77:23 79:23,25 86:7 <b>engagement</b> 29:5 75:6 <b>enhanced</b> 7:7 <b>ensure</b> 6:25 7:12 7:23 55:20 96:12 100:9 <b>ensuring</b> 11:4 <b>entertain</b> 18:19	19:6,24 21:17 <b>entertained</b> 17:10 19:19,21 <b>entire</b> 99:2 <b>entirely</b> 28:19 39:20 96:9 <b>equipped</b> 51:13 <b>error</b> 91:8 <b>especially</b> 34:15 <b>establish</b> 6:22 7:5 10:25 <b>established</b> 11:6 12:8 16:14 22:17 39:21 52:14 <b>establishes</b> 3:14 <b>establishing</b> 3:2 7:10 98:23 <b>et</b> 37:21 <b>evening</b> 1:17 <b>event</b> 1:17 101:11 <b>events</b> 9:16 <b>everybody</b> 91:8 96:11 <b>evidence</b> 1:14,25 31:24 37:18 39:7 40:24 43:3 45:14 51:18 52:11 57:10 63:2,7 71:6 76:11 83:6 86:24 91:20 93:2,4 95:2 99:17,17 <b>exactly</b> 10:12 30:10 44:7 47:25 53:3 54:17,22 65:4 69:9 70:7 80:9 83:20 92:4 95:4 <b>example</b> 11:13 22:8 38:7 73:12,13,24 74:8 80:4 84:5 85:7 <b>examples</b> 26:16 63:20 74:9 <b>excelled</b> 42:19 <b>excellent</b> 42:23 <b>exception</b> 49:9 <b>exceptional</b> 74:18 <b>exceptions</b> 46:11 <b>exclusive</b> 67:22 68:6 <b>excuse</b> 75:16 <b>exercise</b> 7:4,4,9 7:10,18,25 14:13,14,20 16:12 17:4 31:11,12 99:5 101:17 <b>exercised</b> 14:5 40:5 65:21 <b>existence</b> 36:18
--	--	---	---	--	--	--

<b>existing</b> 7:10	<b>fairer</b> 45:17	<b>fit</b> 11:1	<b>frustration</b>	<b>gloss</b> 69:1	97:24	<b>history</b> 56:22
<b>expanded</b> 34:4	<b>fairly</b> 7:1 13:16	<b>five</b> 40:15 48:21	91:15	<b>go</b> 2:3 36:7 45:19	<b>half</b> 27:11	77:9
<b>expansive</b> 36:2	88:16 92:2,4	57:17	<b>full</b> 1:8 31:24	48:4 54:5 56:6	<b>hand</b> 24:4,4	<b>hold</b> 92:18
<b>expect</b> 38:1	<b>fall</b> 19:9 59:8	<b>flat</b> 65:24	<b>fully</b> 2:7 13:8	65:9 66:16	91:23,25	<b>hole</b> 46:3
64:10	76:22 90:8	<b>flavour</b> 81:5	41:13	67:10 69:16,24	<b>handful</b> 56:7	<b>honest</b> 62:2
<b>expectation</b> 7:18	<b>falls</b> 58:7 72:23	<b>flexible</b> 9:15	<b>full-time</b> 44:22	79:20 97:25	<b>handled</b> 40:25	<b>honestly</b> 24:12
33:21	76:23	<b>flexibly</b> 8:11,16	<b>function</b> 12:19	<b>goes</b> 24:4 35:11	80:22	99:24
<b>expeditions</b>	<b>family</b> 81:14	<b>flogged</b> 101:9	13:6,17,23	46:17 52:7	<b>handler</b> 62:13	<b>hook</b> 63:24
28:24 29:23	<b>fantastic</b> 55:4	<b>flow</b> 4:8 89:21	18:4	<b>going</b> 1:22 2:3,24	<b>handling</b> 5:3	<b>hop</b> 8:22
<b>expense</b> 37:10	<b>far</b> 37:20 40:3	<b>flows</b> 30:17	<b>functions</b> 3:5	6:9,22 8:2 9:20	27:20	<b>hope</b> 9:23 35:24
<b>experience</b> 62:19	43:3 56:16	89:22 91:13	4:19 11:2	12:13 16:18	<b>happen</b> 6:25 7:8	<b>hoping</b> 29:24
<b>experienced</b>	75:23 76:25	<b>fob</b> 30:9	14:15 18:10	26:17 30:8	33:8 56:3,4	<b>hosted</b> 1:17
61:19	77:25	<b>follow</b> 12:12	22:15	32:8,22 41:8	61:11 62:7,9	<b>huge</b> 61:13 64:21
<b>explain</b> 6:9 7:1	<b>fashion</b> 34:15	66:4 69:20	<b>fund</b> 4:16	43:9 45:7	66:20 77:4	78:4
26:5 28:15	50:2	98:6	<b>fundamental</b>	54:25 58:2	85:20 97:7	<b>Human</b> 20:11
59:1 79:4	<b>faulty</b> 82:16	<b>followed</b> 47:10	23:23 41:25	61:3,25 63:7	101:22	<b>hundred</b> 63:22
<b>explained</b> 3:24	<b>favour</b> 23:21	71:15	<b>funds</b> 39:23	67:16,17 83:24	<b>happened</b> 7:16	
15:24 74:9	50:13	<b>following</b> 83:12	<b>further</b> 2:4 11:19	85:6 86:7,14	8:1 16:8 21:19	<b>I</b>
92:4	<b>feature</b> 63:10	98:10	11:22 18:18	87:2 91:17	29:11 32:10	<b>idea</b> 29:3,23
<b>explains</b> 2:23	68:18	<b>follows</b> 19:4	39:12 53:11	92:25 93:7	33:11 53:12	41:16 56:5
<b>explanation</b> 36:9	<b>February</b> 28:4	<b>force</b> 10:16	98:12	97:20 100:22	56:4 81:13	57:18 67:8
37:22 59:6	98:14	20:12	<b>furthering</b> 92:23	<b>good</b> 37:6,9	84:5 100:6	99:11
91:22	<b>feel</b> 36:17 37:21	<b>foregoing</b> 11:1	<b>future</b> 84:13	57:18 62:21	<b>happening</b> 16:8	<b>ideas</b> 38:17
<b>explicit</b> 39:6	42:10,13 48:5	<b>forgive</b> 70:18	<b>G</b>	78:4	<b>happens</b> 48:6	<b>identified</b> 17:17
<b>explicitly</b> 55:18	51:13 57:1	<b>form</b> 84:18 88:24	<b>Gately</b> 80:19	<b>Goodman</b> 7:17	66:15	17:20
<b>express</b> 34:5	67:13 91:21	95:13 100:11	<b>gathering</b> 95:9	47:3	<b>happy</b> 1:18	<b>identities</b> 52:15
62:13	<b>fell</b> 52:4 91:24	101:18	<b>gender</b> 77:17	<b>Gordon</b> 102:21	88:11 92:13	<b>illegal</b> 28:11 84:7
<b>expressed</b> 12:9	<b>felt</b> 34:22 61:19	<b>formal</b> 1:25 2:25	78:9	<b>governance</b> 7:7	<b>harassment</b>	90:18 96:22
87:15 88:3	96:4 100:14	25:21 59:20	<b>general</b> 15:13	7:11,15	13:11 37:1	<b>illustrates</b> 46:4
<b>expressing</b> 29:24	<b>female</b> 79:5	60:15 66:12	16:16 24:6	<b>go-between</b>	<b>Harold</b> 71:20	<b>imagine</b> 33:4
<b>expression</b> 4:16	<b>field</b> 42:19	<b>formally</b> 59:23	36:17 38:6	62:16	<b>head</b> 58:6 59:22	50:20 102:10
11:7 22:18	<b>figure</b> 38:17	<b>forthcoming</b>	46:10 68:24	<b>grateful</b> 1:14	<b>heading</b> 60:11	<b>imbalance</b> 64:2
23:4,7 24:7,11	<b>figures</b> 39:24	52:16 86:23,25	70:13 72:25	<b>great</b> 6:8 55:7	93:20 95:9	<b>immediately</b>
78:23	<b>file</b> 1:11,21,23	<b>forthright</b> 87:16	73:14 76:19,21	96:23	<b>headline</b> 56:11	18:5 19:13
<b>expressly</b> 5:6	82:20 93:6,7,8	88:16	77:1,17 80:4	<b>greater</b> 9:11	67:22 68:3,5	<b>implies</b> 3:18
<b>extant</b> 33:5	<b>files</b> 1:10	<b>forward</b> 9:8	81:2,15 89:24	<b>Gross</b> 99:15	71:9,11,20	<b>importance</b>
<b>extent</b> 7:19 64:6	<b>final</b> 62:25 92:25	38:13,19 43:9	102:12	<b>ground</b> 20:24	<b>headlines</b> 71:7	23:24 24:14
90:10 94:3	<b>finally</b> 97:24	69:18,19 95:7	<b>generalities</b>	<b>grounds</b> 6:14	71:22,24 72:6	41:14 42:1
101:15	<b>financial</b> 74:9	98:6	57:13 102:18	65:12,14,16	72:11	44:18
<b>external</b> 62:3	<b>financially</b> 81:24	<b>forward-looking</b>	<b>generally</b> 11:6	102:1	<b>heard</b> 16:5 37:3	<b>important</b> 26:5
<b>externally</b> 3:15	94:10	7:5	22:17 33:3	<b>group</b> 1:16 4:23	63:2 83:6	26:18 39:1
<b>extreme</b> 69:10	<b>find</b> 1:11 9:23	<b>found</b> 11:10	34:12 77:24	43:17 44:4	<b>hearing</b> 36:24	43:24 48:17
70:20	16:7 21:7 45:3	24:18 97:21	83:25 93:21	73:22 79:22	98:23	75:2 101:24
<b>extremely</b> 69:23	45:22 63:21	<b>fractured</b> 4:22	102:9	80:1,4,4,7 81:8	<b>hearings</b> 65:19	<b>importantly</b> 57:3
<b>F</b>	82:15,19 85:5	<b>framed</b> 59:3	<b>generic</b> 15:17	81:10	<b>heart</b> 24:14	<b>impose</b> 4:8 95:19
<b>face</b> 6:12,18 29:8	96:20	<b>free</b> 18:15 23:24	<b>getting</b> 8:12	<b>groups</b> 45:16	<b>help</b> 22:2 26:22	<b>imposed</b> 5:24
39:2	<b>finding</b> 15:8	24:4,5 37:9	28:12 54:1	<b>guarantee</b> 9:18	30:8 35:10	19:9
<b>faced</b> 6:12	54:13 66:6	43:4 45:2 94:9	63:24 70:11	10:1	45:16 64:3	<b>imposing</b> 22:6
<b>facie</b> 58:21 59:12	<b>findings</b> 10:22	<b>freedom</b> 4:15	<b>give</b> 50:24 53:10	<b>Guardian</b> 28:3	83:23	51:6
80:5 86:3	15:3	11:7 22:17	53:22 61:22	102:24	<b>helped</b> 37:1	<b>impossible</b> 45:1
<b>fact</b> 1:18 3:3 6:2	<b>fine</b> 93:22 94:17	23:4,6 24:7,7	65:14 68:17	<b>guards</b> 101:24	<b>helpful</b> 85:1	75:12
6:15 15:3 19:4	<b>finesses</b> 102:4	24:11,15 41:14	79:18 90:11	<b>guess</b> 81:2	<b>helping</b> 24:3	<b>impression</b>
22:4 23:6	<b>finished</b> 101:3	41:18 42:1	<b>given</b> 6:17 21:5	<b>guidance</b> 15:11	37:2 47:20	33:23 56:7
37:19 63:19,23	<b>firm</b> 2:14	44:18 78:22	29:19 36:19	16:4 25:21	<b>herring</b> 19:15	71:10 81:15
64:5,22,23	<b>firmly</b> 16:3	95:5	47:16 49:19	72:6 83:3,13	<b>he'll</b> 2:5	98:25 99:4
65:1 73:14,24	<b>first</b> 1:4 2:3,17	<b>freedoms</b> 11:7	51:14 69:5	83:22 84:12,15	<b>high</b> 19:17 21:19	<b>impressive</b> 37:11
80:6 87:21,24	4:4 8:14 22:25	22:17	84:19,21,24	85:15 89:1,5	22:22 37:4	42:17
91:23	24:8,10 25:9	<b>free-spirited</b>	85:10 86:16	<b>guiding</b> 25:15	58:15	<b>improper</b> 11:9
<b>factor</b> 37:19 38:5	58:5 59:15	42:14	87:1 89:24	<b>guilty</b> 35:22	<b>higher</b> 48:20	22:19 23:10
<b>factors</b> 37:15	64:9 72:25	<b>frequently</b> 43:19	91:21 93:2	87:19 98:3	49:2	<b>improved</b> 57:6,7
<b>facts</b> 8:2 15:1	73:8,15 75:5	<b>frisson</b> 67:14	95:2 100:23	<b>H</b>	<b>highest</b> 11:5	<b>improvement</b>
79:21 80:3	82:1 87:5,13	<b>front</b> 1:11 55:24	<b>gives</b> 70:5	<b>hacking</b> 5:19 6:4	<b>highlighted</b> 46:7	56:22
<b>failure</b> 68:17	89:22 92:5	56:2 74:3	<b>giving</b> 28:10	6:6,11 14:12	62:6 95:21	<b>improving</b> 78:7
69:19	93:8 95:10	<b>front-page</b> 56:9	46:23 98:25	15:19 16:11	<b>highly</b> 68:16	78:13
<b>fair</b> 54:4 61:12	97:25 99:5,18	<b>frowned</b> 62:10	99:4	31:20 33:14	<b>hindsight</b> 36:15	<b>inaccuracies</b>
96:8 97:7	<b>fishing</b> 28:24	<b>fruitless</b> 28:24	<b>glaring</b> 70:10	36:14 49:11,17	<b>Hinton</b> 39:9 40:9	64:14
	29:23	31:5			<b>historical</b> 73:24	<b>inaccuracy</b> 65:6

73:19,21 <b>inaccurate</b> 64:17 77:2 <b>inadequate</b> 58:23 <b>inadmissible</b> 80:5 <b>incensive</b> 61:13 <b>incident</b> 6:17 <b>incidental</b> 11:18 <b>incidentally</b> 40:13 <b>include</b> 70:24 90:3,4 94:16 97:1 <b>included</b> 93:23 <b>includes</b> 14:15 65:6 <b>including</b> 11:7 22:17 49:11 97:10 <b>incoming</b> 30:3 <b>incomplete</b> 51:18 52:11 96:6 <b>incorporated</b> 10:1 <b>increased</b> 37:14 <b>increasing</b> 94:13 <b>incredible</b> 96:22 <b>incredibly</b> 43:9 <b>independence</b> 42:14 44:1,3 67:15 <b>independent</b> 39:16 72:1 <b>independent-...</b> 41:6 <b>indicate</b> 27:24 <b>indication</b> 103:1 <b>individual</b> 17:8 39:3,19 73:5 73:20 74:6,20 76:5,23 77:22 78:18 79:13 <b>individuals</b> 73:2 79:19 <b>individual's</b> 73:5 <b>indulge</b> 90:1 <b>industrial</b> 51:5 <b>industry</b> 2:24 3:13,25 4:6,9 4:11,12,12,18 4:19 6:24 7:11 7:12 9:2 33:17 37:6 39:18,22 39:23,25 47:15 47:16 78:20 79:16 81:22 88:24 89:4,5 89:15,18,20 94:2,9 96:23 97:1 98:24 101:24 <b>inequality</b> 63:13 <b>inevitable</b> 64:2 <b>inference</b> 37:17	<b>inferences</b> 15:2 <b>influence</b> 40:5,19 40:25 <b>information</b> 5:17 50:2,3 51:20 51:23 52:5 58:19,22 66:22 83:11,24 84:17 84:19 85:9 86:2,8,13,18 86:22,24 87:11 89:10 93:2 96:5,9,22 102:3 <b>infringed</b> 17:22 <b>infringement</b> 19:13 <b>infringements</b> 10:19 12:25 <b>injunction</b> 70:3 70:25 <b>input</b> 39:3 93:18 <b>inquiring</b> 100:8 <b>inquiry</b> 1:25 27:2,4 41:3 47:10 71:6 91:20 96:19 97:21 101:14 101:18 <b>inserted</b> 15:7 97:11 <b>insight</b> 50:24 <b>insist</b> 52:21 <b>instance</b> 26:10 32:20 42:7 76:14,17 78:7 78:24 <b>instances</b> 6:11 26:12 <b>Instigated</b> 25:23 <b>instruct</b> 74:21 <b>intended</b> 28:22 <b>intends</b> 98:22 <b>interaction</b> 60:1 <b>intercepting</b> 28:13 <b>interception</b> 102:16 <b>interest</b> 7:23 12:15 13:14 14:1,2 16:16 23:6 25:24 48:25 49:2,9 49:12,16 54:1 74:19 90:2,21 102:2,11,14 <b>interested</b> 43:7 <b>interesting</b> 22:24 35:13 <b>interests</b> 44:16 56:17,18,18 61:16 62:8 72:4 <b>interference</b> 39:17 <b>intermediaries</b> 97:10	<b>intermediary</b> 62:16 <b>internal</b> 7:6 85:3 97:19 98:1 100:8 101:15 <b>internally</b> 64:2 <b>International</b> 99:20 <b>Internet</b> 38:3 <b>interpret</b> 21:24 34:14 <b>interpretation</b> 53:9 <b>interview</b> 32:15 33:6 <b>introduced</b> 10:23 13:20 72:2 95:20 <b>intrude</b> 79:2 <b>intrusive</b> 44:14 76:18 <b>invasion</b> 51:5 73:3 <b>investigate</b> 14:16 14:16 21:7 26:14 74:15 101:11 <b>investigated</b> 59:10 <b>investigating</b> 6:10 28:9 35:16 <b>investigation</b> 6:6 7:3 14:6,10,12 14:22 15:16 29:6 31:13 32:7 33:4 35:6 76:7 98:22 99:1 100:24 101:1,2,6,6 <b>investigations</b> 25:23,25 <b>investigative</b> 102:11,13 <b>investigators</b> 97:15 <b>invite</b> 1:23 <b>involve</b> 30:24,25 62:23 <b>involved</b> 42:3 52:15 73:11 76:16 80:16 83:17 87:4 <b>involvement</b> 29:9 33:19 75:14,24 76:13 <b>involves</b> 80:24 <b>involving</b> 28:23 71:15,16,19 73:2 80:19 96:21 <b>irrelevant</b> 70:25 <b>isolation</b> 71:11 71:12 <b>issue</b> 13:13 15:17 15:17 17:7 18:13 44:1	46:1 52:2,17 56:14 58:11,21 59:11 67:15 69:15 72:14 73:20 76:19 83:3 87:1 89:24 92:18 93:3 96:16 98:3 <b>issued</b> 72:5 <b>issues</b> 2:6 3:8 4:4 4:24 5:24 8:11 13:11,24 16:1 23:3 29:9,16 29:18 33:10 36:8 67:18 80:25 81:11,20 82:2,8 91:1,5,5 <b>issuing</b> 25:14,17 25:21 <b>item</b> 67:3 <hr/> <b>J</b> <hr/> <b>jail</b> 50:11 <b>James</b> 1:5,9 <b>Jan</b> 80:18 <b>Jane</b> 79:6 <b>January</b> 1:1 52:21 <b>Jay</b> 1:3,4,6,7,20 4:3 16:7 29:23 35:25 44:12 45:18 48:3 51:17 57:16,23 68:5 70:11 77:15 82:24 83:2 91:13 <b>jigsaw</b> 92:25 <b>job</b> 41:23 42:7 91:4 <b>joined</b> 8:17 <b>joke</b> 79:7,8 <b>jokes</b> 78:24 79:1 79:7 <b>journalism</b> 102:11,13 <b>journalist</b> 32:15 <b>journalists</b> 5:5 46:9 50:11 73:25 83:17,25 84:4 88:7,10 90:1,4 91:2,3 92:8 96:13,21 <b>judged</b> 54:4 <b>judges</b> 1:16 <b>judgment</b> 43:22 <b>judgments</b> 41:7 <b>July</b> 87:7 91:15 102:24,25 <b>jurisdiction</b> 77:22 91:18 <b>jurisprudence</b> 63:14 <b>Justice</b> 1:3,13 3:19 15:23 26:25 29:21 35:13,20 44:10	45:6 47:21,24 51:3 57:15,18 68:3 70:4 77:11,13 79:21 79:25 80:3 82:23 83:1 90:17 91:7 99:15 103:3 <b>justifiable</b> 90:20 <b>justification</b> 24:9 <hr/> <b>K</b> <hr/> <b>keen</b> 50:25 55:19 72:2 <b>key</b> 12:10 39:7,8 <b>Kingdom</b> 11:5 18:22 19:1 <b>knock-about</b> 42:23 <b>know</b> 7:19,22 11:8 13:10 16:17 22:18 24:23 25:11 26:23 28:5 29:2 34:14 37:13 38:9 40:3,7,15 41:11 42:7 43:7,13,20,22 49:24 52:20 57:9 63:6,14 67:14 74:1,23 75:21 77:4 78:21 79:3 88:14 92:22 <b>knowledge</b> 43:11 72:5 <b>known</b> 3:6 <hr/> <b>L</b> <hr/> <b>lack</b> 8:10,15 <b>land</b> 90:25 <b>language</b> 15:14 19:24 78:15 79:16 <b>lapse</b> 79:17 <b>latest</b> 12:4 <b>law</b> 6:19 8:20 9:25 18:22,25 20:21 30:7 35:1 36:8 46:5 46:10,12 47:2 49:6,15 90:22 90:25 91:1,2 94:20,23,25 102:7 <b>lawful</b> 11:17 <b>laws</b> 5:14,18,21 <b>lawyer</b> 35:11 44:25 <b>lawyers</b> 21:15 <b>lay</b> 23:18 38:7 70:13 88:8 <b>leapt</b> 22:25 <b>learnt</b> 16:19 <b>leave</b> 67:4 80:12 <b>leaves</b> 66:14,16	<b>leaving</b> 2:12 <b>leeway</b> 64:19,22 <b>left</b> 38:10,11 55:8 66:3 103:2 <b>legal</b> 2:18 9:5,17 15:22 16:20 17:2 19:16 20:8 30:4,11 30:25 32:19 33:5 63:14 71:15,21 <b>legislation</b> 46:8 <b>legitimate</b> 101:25 <b>length</b> 39:23 <b>lengthy</b> 67:5 100:25 <b>Les</b> 39:9 <b>Lesson</b> 70:5 <b>lessons</b> 7:11,24 16:19 <b>letter</b> 27:7 28:3,5 30:3 35:10,19 35:25 36:6 38:2 89:3 98:17,20 99:2 99:14 103:1 <b>letters</b> 27:10,14 97:17 100:7,10 <b>let's</b> 51:4 58:1 59:15 <b>level</b> 41:8 46:3 48:15 <b>LEVESON</b> 1:3 1:13 3:19 15:23 26:25 29:21 35:13,20 44:10 45:6 47:21,24 51:3 57:15,18 68:3 70:4 77:11,13 79:21,25 80:3 82:23 83:1 90:17 91:7 103:3 <b>levy</b> 94:4 <b>libel</b> 5:18 21:14 <b>liberal</b> 34:14,20 <b>lie</b> 38:7 <b>lies</b> 64:7 <b>life</b> 42:18 <b>limitations</b> 23:7 29:19 <b>limited</b> 3:7 4:17 9:18,25 15:8 <b>limits</b> 19:9 33:22 33:25 <b>line</b> 42:13 44:16 95:2 <b>lines</b> 34:9 48:21 <b>link</b> 37:25 <b>linking</b> 8:15 <b>list</b> 42:16,17 59:5 <b>litigation</b> 32:21 34:22 102:22 <b>little</b> 35:7 39:12	53:5 58:18 67:14,14 79:4 79:7 <b>lives</b> 53:17 <b>living</b> 74:6 <b>located</b> 18:16 <b>location</b> 52:21 <b>lock</b> 26:3 <b>locks</b> 79:12 <b>logic</b> 90:3 <b>logically</b> 89:22 <b>long</b> 78:7 <b>longer</b> 26:4 47:11 <b>look</b> 9:21 11:21 12:6 30:14 39:12 42:16 43:25 45:11,18 46:1 49:25 56:6,13,21 59:4 72:15,18 72:24 78:21 83:4 84:5 <b>looked</b> 6:15 12:10 28:17 29:8 43:24 58:18 64:11 <b>looking</b> 14:15 20:14 22:24 26:13 29:16 60:10 84:24 <b>looks</b> 82:11 89:13 <b>loopholes</b> 99:9 <b>loosens</b> 18:5 <b>Lord</b> 1:3,13 3:19 15:23 26:25 29:21 35:13,20 44:10 45:6 47:21,24 51:3 57:15,18 68:3 70:4 75:7 77:11,13 79:21 79:25 80:3 82:23 83:1 90:17 91:7 103:3 <b>lost</b> 43:19 <b>lot</b> 6:13 20:24 45:13 75:3 81:19 <b>lower</b> 46:3 <b>luck</b> 1:11 <b>lunch</b> 82:16 103:1 <b>luncheon</b> 103:6 <hr/> <b>M</b> <hr/> <b>M</b> 11:15 <b>Madge</b> 71:16,19 <b>magazine</b> 37:6 <b>magazines</b> 10:18 46:9 78:2 <b>mail</b> 28:13 80:19 <b>main</b> 4:20 34:10 38:17 <b>maintaining</b>
--	--	---	---	---	--	---

79:15 <b>maintains</b> 11:5 <b>major</b> 4:22 37:23 38:5 <b>majority</b> 38:8 81:6,9 <b>making</b> 2:24 31:22 33:20 34:4 44:5 51:23 70:22 72:2 94:8 102:8 <b>malice</b> 35:21,23 <b>man</b> 79:7 <b>managed</b> 40:19 <b>manifestation</b> 15:18 <b>March</b> 2:8 97:18 <b>massaged</b> 80:13 <b>material</b> 10:19 10:21 12:25 13:2 17:17 64:18 96:2,5 <b>matter</b> 6:15,16 14:3 15:14 18:21,23,23 19:22 26:14 32:21,25 37:3 53:9 54:19 58:10 60:8 61:24 69:6,17 69:18 70:21 77:4 78:17 85:8 86:3 87:20,24 89:8 90:3,23 96:23 <b>matters</b> 5:19 7:13 34:12 35:11 38:22 73:13,24 74:7 80:6,15 81:25 <b>McGregor</b> 75:7 <b>mean</b> 2:21 15:1 15:23 16:25 21:18 22:20 23:2 28:25 35:18 38:13 46:15 49:21 51:12 56:3 63:21 65:2 68:2 92:1 <b>means</b> 8:11,13 9:4,10 15:24 16:20 17:1,2 17:15 19:17 25:14 28:12 29:12 37:5 49:4 54:3 94:13 96:22 102:3 <b>meant</b> 31:10 53:23 54:12 <b>measure</b> 51:19 <b>mechanism</b> 3:14 <b>media</b> 2:14 78:2 <b>mediation</b> 59:14 59:19 62:12	<b>medical</b> 28:14 <b>meeting</b> 42:21 60:6 66:12,22 82:10 83:7 87:4,7 88:19 92:5 <b>meetings</b> 1:19 60:15 <b>member</b> 23:22 48:16 <b>members</b> 8:20 23:13,18,19,21 36:24 41:9,9 41:11,15 42:3 42:10 43:5 60:1 81:10 <b>membership</b> 12:13 <b>memorandum</b> 9:23 10:8 12:9 12:10 13:5 22:14 30:14,18 45:20 93:16,16 <b>men</b> 39:13,17 <b>mentioned</b> 65:18 <b>merits</b> 75:13 <b>message</b> 48:23 49:6 102:10 <b>met</b> 1:16 51:11 82:7 85:19 <b>Meyer</b> 38:9,18 39:14 40:8,10 62:4 82:5 83:3 83:10 86:20 88:2 <b>middle</b> 20:25 25:5 35:2 50:7 73:8 <b>mightn't</b> 97:1 <b>million</b> 94:3 <b>mind</b> 16:16 48:17 56:20 79:4 <b>minded</b> 47:9 <b>mine</b> 48:18 <b>minor</b> 59:8 <b>minute</b> 83:18 85:22 <b>minutes</b> 49:23 57:17,19 82:9 82:11 103:2 <b>Mirror</b> 79:5 <b>misconception</b> 95:12,14 <b>misinformation</b> 20:23 <b>misleading</b> 68:16 68:25 69:20 71:7,10 <b>misled</b> 68:20 69:11 70:24 <b>mission</b> 25:3 26:19 <b>mistake</b> 47:18 <b>mixing</b> 102:12 <b>Mm</b> 12:17 13:9 13:15 14:4	31:14 33:16 34:3 46:2 49:14,18 65:25 69:3 95:17 97:12 98:5 101:8 <b>Mm-hm</b> 2:13 9:19 17:19 20:3 57:25 81:4 87:12 100:12 <b>Moir's</b> 80:18 <b>moment</b> 4:20 51:14 <b>Monday</b> 1:1 <b>monitored</b> 57:11 <b>months</b> 19:11 38:11 <b>Moore</b> 79:6 <b>motivated</b> 24:3 44:22 <b>motivation</b> 15:25 33:17 <b>Motorman</b> 82:1 82:2 84:1 85:7 <b>move</b> 44:8 50:14 81:25 95:7 97:24 <b>moved</b> 20:17 <b>moves</b> 102:21 103:3 <b>moving</b> 57:16 <b>Mulcaire</b> 7:17 47:5 <b>Mulcaire/Goo...</b> 8:2 46:25 <b>mustn't</b> 26:3 35:17 101:22 <b>Myler</b> 98:13,16 98:17,25 <b>Myler's</b> 100:2 <b>myths</b> 56:3	39:12 78:10 <b>needs</b> 4:24 9:7 11:21 21:6 <b>negotiating</b> 25:8 <b>negotiation</b> 27:6 53:2,20 54:6 54:21 <b>negotiations</b> 60:23 <b>Neighbours</b> 71:17 <b>neither</b> 40:2 <b>net</b> 63:3 <b>neutral</b> 37:18 <b>never</b> 5:10 32:11 33:10,11,11 37:2 39:17 40:1 48:6 52:15 56:4 65:21 67:8,9 88:4 102:6 <b>news</b> 6:7,20 7:2 7:15 8:1 31:25 46:21 70:8 79:19 95:9 99:20 <b>newspaper</b> 8:22 30:15,19 37:6 53:4 59:13 60:23,25 61:23 62:14,17 63:24 64:15 65:11,22 68:12 74:3 78:17 85:5 <b>newspapers</b> 3:8 10:18 25:18 30:6,12 36:19 37:16 46:9 61:13,15,19 63:13,17 64:10 69:24 78:1,21 83:17 93:22 <b>newspaper's</b> 27:19 <b>newsroom</b> 25:15 <b>news-gathering</b> 3:10 100:15 <b>non-complains...</b> 76:9 <b>non-legal</b> 8:18 <b>Normally</b> 69:23 <b>note</b> 6:24 16:21 72:6 82:15 83:3,13,22 84:15 85:15 87:10,11 96:16 97:8,21 100:20 <b>notes</b> 15:11 16:4 <b>notification</b> 68:24 69:15,21 70:14 71:4 <b>notion</b> 41:13 <b>notions</b> 8:17 <b>Notwithstanding</b> 18:1 <b>November</b> 83:7 <b>number</b> 1:16	5:14,21 26:16 28:10 37:15 56:4,9 57:5 63:20 82:9 84:9 86:21 89:21 98:15 100:20 <b>numbers</b> 57:24 <b>numerous</b> 37:9	45:18 48:19 66:11 67:25 71:6 76:19 83:22 87:4 96:15 97:4 102:21 <b>old</b> 51:18 69:11 70:23 96:5 <b>older</b> 37:25 <b>ombudsman</b> 3:25 <b>omission</b> 70:10 <b>once</b> 21:11 <b>ones</b> 43:2 44:11 59:8 <b>ongoing</b> 16:18 <b>online</b> 37:24 <b>open</b> 60:24 72:16 <b>operate</b> 21:10 22:3 <b>operated</b> 40:9,10 <b>operation</b> 39:23 81:25 82:2 84:1 85:7 <b>operationally</b> 39:15 <b>opinion</b> 62:14 87:20 <b>opportunity</b> 68:17 69:5 88:2 <b>opposite</b> 33:24 74:12 <b>oral</b> 65:19 <b>order</b> 7:7 9:8 16:8 21:25 25:10 32:23 45:16 62:8 72:3 <b>ordinance</b> 18:14 <b>ordinary</b> 81:10 <b>organisation</b> 3:1 5:8 37:8 40:14 92:3 <b>original</b> 68:6 <b>ought</b> 70:12 <b>outcome</b> 22:9 62:22 63:25 66:9 85:2 <b>outlined</b> 54:14 74:22,24 <b>outrage</b> 75:9 <b>outs</b> 91:1 <b>outside</b> 4:23 19:9 31:16 47:11 67:7 76:22 85:18 89:14,23 <b>outsourcing</b> 6:20 <b>outstanding</b> 35:22 <b>overall</b> 71:10 79:15 <b>overbear</b> 43:4 <b>overlaps</b> 90:9 <b>overlooked</b> 46:7 <b>overreaction</b> 101:25	<b>oversimplificat...</b> 73:9 <b>overtook</b> 20:13 <b>o'clock</b> 103:4
						<b>P</b>
						<b>page</b> 2:17 10:5,6 17:25 25:4,5 27:5 28:10 34:2,10 35:3 49:25 50:7 54:25 55:14,14 55:24 56:2 57:23 60:11 67:21 72:19 73:8 74:3,12 82:19 83:14 87:7 88:20 93:8,13 98:7 <b>paper</b> 1:10 66:24 72:17 98:1 <b>papers</b> 60:6 66:21 100:8 <b>paragraph</b> 2:17 5:2,6 6:4 10:9 28:7 34:10 35:2 46:15 47:8 56:12 71:3 94:1 95:11 96:17 98:7 99:5 100:20 101:13 <b>paragraphs</b> 97:16,22 <b>paraphrase</b> 10:20 12:24 25:21 34:1 47:8 73:3 <b>parcel</b> 55:10 95:23 <b>Parliament</b> 3:24 9:7 47:17 <b>part</b> 8:14 14:14 20:21 37:23 55:10 93:16 95:23 102:18 <b>participating</b> 94:4 <b>participation</b> 4:10 <b>particular</b> 12:15 15:12 17:3 19:1,25 25:10 27:20 30:2,18 33:18 36:2 38:23 42:11 45:12 53:23,24 54:25,25 72:12 74:4 75:13 77:21 78:18 88:23 97:5 <b>particularly</b> 15:18 22:22 23:2 30:22 44:24 45:16 47:5 82:6 <b>parties</b> 6:21 73:1

73:15 <b>partisan</b> 64:19 <b>party</b> 74:20 75:5 <b>party's</b> 75:19 <b>passage</b> 50:7 <b>passing</b> 25:20,20 <b>pasting</b> 37:25 <b>patsies</b> 42:20 <b>Paul</b> 39:9 <b>pay</b> 94:4 <b>paying</b> 94:9 <b>payments</b> 5:19 26:10,10 <b>PCC</b> 2:5,11,18 2:21 4:8,17 5:22 6:6,10,12 6:21 7:17,21 8:8,9,25 9:18 9:24,24 11:21 14:13,14,19 15:24 16:14 17:3 21:13,16 21:23 23:8,14 23:23 25:6 26:14,15 27:15 28:8,18 29:4 29:18 30:4 31:3,7,10,11 31:15,17,20 32:3,6,13 33:18,21,25 34:22 35:22 36:7,10,13,17 36:18 37:3,11 38:7,20 39:15 39:19,20,21,24 40:3,13 41:4 41:12 44:13,15 44:21 45:4,10 45:14 47:13,19 47:24 48:1,12 52:4,22 54:20 54:23 55:10,19 56:5 57:5 59:7 62:13,16 63:3 63:14 65:9,13 66:7,21 67:7 67:13 69:9 70:7 71:1,13 71:23 72:2,5 72:25 74:6 75:4,7 77:18 77:22 78:13 79:2,14,18 80:14,17,21 81:16,21,22 84:11,18 85:18 85:22 86:5,18 87:16 88:9,15 88:23 89:8,23 91:9 92:4,6,10 92:14,18 93:17 93:21 94:12 95:12,14 97:1 97:6 100:14,23 <b>PCC's</b> 5:3 7:2 11:10 22:10	28:15 35:11 36:1 47:14 53:24 56:18 70:15 71:8,8 72:9 85:18 86:9 89:10 91:4 92:1 94:25 95:1 99:13 <b>peer</b> 43:18 44:4 <b>peers</b> 43:23 67:13,13 <b>pejorative</b> 78:5 <b>people</b> 7:23 22:1 26:7 29:10 38:21,24 39:5 39:25 40:20 41:6 42:16,17 42:23 43:7 44:21,23,24 52:15 63:7 69:11,24 74:25 75:16,20,24 78:1,2,8 79:9 79:19 81:20 94:10 <b>people's</b> 51:5 75:23 78:5 <b>peradventure</b> 97:14 <b>perfectly</b> 36:25 <b>performance</b> 54:4 <b>period</b> 54:6 55:21 61:21 72:23 <b>periodicals</b> 10:18 <b>permissible</b> 77:16 <b>permit</b> 48:6 <b>perpetrated</b> 92:17 <b>person</b> 17:12,12 17:15,16,20,21 18:6,24 19:25 22:6 29:5 51:7 64:3 67:9 70:22 75:14 76:5,13,16 <b>personal</b> 57:8 90:19 <b>personality</b> 38:8 38:16,25 <b>personally</b> 48:1 51:13 <b>persons</b> 17:9 44:17 <b>persuade</b> 56:15 <b>persuasion</b> 56:23 <b>philosophical</b> 95:24 <b>Philosophically</b> 95:1 <b>philosophy</b> 22:10 24:17 42:12 50:24	<b>phone</b> 5:19 6:4,6 6:11 8:23 14:12 15:19 16:10 31:19 33:14 36:14 40:2 43:19 46:1 48:23 49:6,11,17 97:24 102:15 <b>phone-hacking</b> 14:6 16:12 98:3 <b>phoning</b> 46:22 <b>phrase</b> 16:23 46:17 <b>picture</b> 74:2 97:7 97:23 <b>piece</b> 65:12 76:5 80:17,18 92:25 <b>pieces</b> 78:25 <b>ping-pong</b> 63:3 <b>place</b> 22:8 24:7 50:25 54:25 55:14 59:21,21 60:15 72:15 74:4,4 86:7 89:17 92:12 101:25 <b>placed</b> 58:16 <b>places</b> 3:24 <b>placing</b> 22:20 <b>platform</b> 22:22 88:9 92:9 <b>play</b> 61:20 63:16 <b>played</b> 71:17 <b>player</b> 39:8 <b>players</b> 39:8 63:4 <b>plea</b> 98:3 <b>please</b> 1:4,7 5:6 5:11 9:21 22:13 27:5 45:21,25 <b>pleased</b> 23:17 <b>pm</b> 103:5 <b>pocket</b> 94:11 <b>point</b> 2:18 4:12 4:18 5:6,12 8:8 13:4 16:20 17:2 18:18 19:6,18,22 21:4,4,8 24:11 24:12,24 30:11 30:18 31:22 32:4 34:2 39:22 44:2,5 50:1,16 51:17 56:13 58:14 61:20 63:12 65:6 67:17 70:11 73:8 74:13 77:24 78:19 79:12,18 81:15 83:17 87:13 91:14 93:25 94:8 95:10,18 96:2 96:18 98:11,19	98:20 100:21 101:9,13,21 102:8,12,19 <b>pointed</b> 63:20 <b>points</b> 25:7 45:25 60:14 63:17 88:21 89:21 97:16 100:20 102:15 <b>police</b> 5:20 6:14 6:16 7:18 101:1,2 <b>policy</b> 38:13 71:8 71:8,13 72:5 77:4 <b>politics</b> 42:18 50:16 <b>posed</b> 98:13 <b>position</b> 6:22 9:17 11:20 28:8,15,16 31:6 37:7 43:5 50:15,20,22 70:15 72:24 75:4 76:21 77:5,6,7 91:20 94:25 95:2,15 95:25 97:22 98:10 102:5 <b>positions</b> 12:12 <b>possibility</b> 35:5 61:14 <b>possible</b> 4:4 16:23 21:24 31:17 54:2,7 55:21 56:16 62:22 66:8 72:3 73:4 76:8 76:9 95:16 102:2 <b>possibly</b> 5:1 6:7 29:19,22 52:13 66:19 72:9 76:2 89:19 102:25 <b>post</b> 38:2 59:23 60:13 <b>postbox</b> 63:4 <b>postdate</b> 26:25 <b>potential</b> 34:17 92:15 <b>potentially</b> 51:6 84:10 <b>power</b> 4:5,5 9:12 11:14 14:5 16:22 18:15,19 30:11,15,19,19 30:21 31:1 32:4 38:6,12 39:11 40:8 65:20 93:22 95:19 101:5,6 101:10 <b>powerful</b> 43:18 44:5 47:22 <b>powers</b> 2:19 6:10 10:2 11:10,13	13:16 27:24 30:4,4,17 31:12,16 32:7 33:12,14,22,25 34:4 35:16 36:1,19 47:12 47:14,16 48:5 52:5 56:15,23 86:6 89:10 91:23 93:23 94:13,16 100:24 <b>power's</b> 65:21 <b>practice</b> 3:7,9 5:15 10:15 12:21 13:7,7 13:25 15:9,12 23:2 25:15 30:23 49:22 51:19 52:3,3,9 52:20 53:7,21 55:5,16 59:3 62:12 64:9 66:15 77:7,14 77:16 84:25 85:17 88:11,25 90:12,13 91:17 97:9 <b>precise</b> 23:20 99:24 <b>precisely</b> 90:5 <b>predates</b> 33:18 <b>predecessor</b> 82:4 <b>preeminence</b> 95:5 <b>prefer</b> 3:22 9:14 <b>preferred</b> 3:23 <b>preparation</b> 45:23 <b>prepare</b> 66:21 83:12,13 <b>prepared</b> 42:14 <b>presence</b> 42:24 43:15 44:3 <b>present</b> 83:9 <b>presented</b> 83:19 <b>press</b> 1:17 2:8 3:2,4,9 5:9,12 5:13,22,24 11:4,8 12:21 12:24 13:1 22:19 23:10,24 24:2,4,5,7,15 24:16,17,24,25 28:18 41:11,15 41:18 42:1 44:14,19,24 45:2,5,8,9,11 50:18,20,22 56:15,24 57:2 57:12 64:13 84:8,8,12 92:17 95:13 <b>PressBoF</b> 10:16 12:22 <b>pressure</b> 11:9 22:19 23:10	43:18 73:22 <b>presumably</b> 45:22 93:17 <b>pretty</b> 28:6 30:10 75:4 76:25 85:18 <b>preventing</b> 101:15 <b>previously</b> 100:3 <b>pre-fined</b> 94:2 <b>pre-publication</b> 25:20 <b>prima</b> 58:21 59:12 80:5 86:3 <b>primary</b> 12:19 13:5 <b>Princess</b> 75:8 <b>principle</b> 44:18 50:16 54:14 59:15 70:13 <b>principles</b> 7:6 41:24 <b>prior</b> 68:24 69:15,20 70:14 71:3 <b>privacy</b> 3:11 10:19 12:25 13:11 17:21,21 19:12 20:6,7 20:21 22:23 34:15,20 51:5 64:25 73:3 81:3,5,24 94:20,23,25 95:9 <b>private</b> 51:15 97:14 <b>privilege</b> 35:15 35:20 <b>privileged</b> 32:25 <b>proactive</b> 29:15 29:19,21 <b>probably</b> 7:6 14:2 20:18 23:24 26:5,6 26:15 29:3 30:3 42:2 57:12 62:7 63:9 68:3 79:3 79:9 81:17,20 86:11,19 89:16 94:24 100:17 101:9 <b>problem</b> 7:15 30:25 35:1 <b>problems</b> 4:20 24:3 43:11 75:17 <b>procedures</b> 10:25 <b>proceeded</b> 17:10 35:6 54:19 <b>proceedings</b> 18:21,25 19:5 19:8,12,20,23 22:5,8,9 34:18	35:6,14,15 <b>process</b> 59:14,18 62:12 64:4 <b>procure</b> 10:21 <b>produce</b> 7:5 <b>producing</b> 40:18 <b>production</b> 85:15 <b>professional</b> 11:5 43:11,22 <b>profile</b> 92:10 <b>progress</b> 56:21 <b>prohibition</b> 89:24 <b>prominence</b> 27:18 36:18 52:18,18 53:8 53:10,23 54:12 54:17 55:11 56:13 57:14 <b>prominent</b> 56:16 56:20 <b>prominently</b> 37:7 53:14 54:2,7 55:20 56:25 57:3 <b>promulgated</b> 10:16 12:22 <b>pronounce</b> 13:24 <b>pronouncement</b> 16:9 <b>pronouncements</b> 15:14 <b>proof</b> 64:7 65:8 <b>properly</b> 70:19 <b>proportionate</b> 61:7,17 <b>proposal</b> 50:11 <b>proposals</b> 38:19 <b>proposed</b> 98:16 <b>proposition</b> 8:16 66:4,4 <b>prosecution</b> 100:24 101:7 <b>protect</b> 62:8 <b>protecting</b> 78:3 <b>protection</b> 5:16 49:17,25 50:4 51:6 84:25 85:16 86:4 88:6,13 89:7 90:10,15,18 91:2 92:22 95:6,10 96:13 97:24 102:14 <b>protects</b> 77:25 <b>provide</b> 1:8 30:12,16 32:14 85:9 86:17 <b>provision</b> 12:10 16:4 34:14 <b>provisions</b> 18:1 <b>proviso</b> 62:25 <b>provocative</b> 78:25 <b>public</b> 2:23 7:23 8:20 10:17
--	--	--	---	---	---	--

12:23 13:14 14:1 16:14,16 16:17 21:25 23:6,19,20 24:3 25:24 36:25 39:2 41:15 42:3,10 42:18 43:5 48:25 49:2,8 49:12,16 74:19 75:9 77:25 81:10 90:2,21 102:2,11,14 <b>publication</b> 10:22 27:6 66:13 87:5 88:25 89:5 <b>publications</b> 52:22 <b>publicly</b> 25:15 50:25 <b>public's</b> 11:8 22:18 <b>publish</b> 10:21 11:14 53:18 54:7,12,24 57:13 64:13,17 <b>published</b> 3:10 10:20 12:25 25:14 26:21 27:17 37:9 53:4,7,10,13 53:25 54:2,23 55:13,20,23 56:1,25 68:19 80:21 82:13 <b>publishing</b> 52:19 57:2 65:12 <b>pull</b> 33:21 <b>pulled</b> 26:23 <b>punch</b> 46:3 <b>punches</b> 33:21 <b>purpose</b> 11:4 15:5 78:18 <b>purposes</b> 86:4 87:22 <b>pursuant</b> 85:9 <b>pursue</b> 98:15 <b>push</b> 75:23 <b>put</b> 15:21 23:5 29:20 38:2 42:12 54:17 55:24 58:24 66:10 68:13,17 69:1,7,18,19 70:12 74:3 83:22 88:17 93:12,22 <b>putting</b> 21:18	38:6 42:9 44:11 49:22 64:20 66:2 81:2 87:23 88:4,7 92:7 100:25 <b>questions</b> 1:6 2:4 2:16 8:4 16:13 31:21 32:18 36:17 47:9,12 47:14 88:17,18 98:12,13,16 <b>quick</b> 8:24 <b>quickly</b> 8:11,16 8:21 9:1,15 <b>quite</b> 6:13 8:8 9:20 10:13 17:22 20:12,24 21:3 35:21 37:4 40:6 43:18,20 45:6 63:24 64:18,20 68:2 70:7,15 75:3 78:8 90:17 93:1 100:3,6	102:23 <b>reason</b> 21:7 43:25 48:25 81:21 <b>reasonable</b> 17:5 33:7 36:25 <b>reasonably</b> 3:13 96:14 <b>reasons</b> 20:14 74:22,24 <b>recall</b> 56:12 95:20 96:6,11 <b>recalling</b> 70:23 <b>received</b> 71:6 <b>receiving</b> 15:10 <b>recognise</b> 99:7 <b>recognised</b> 56:14 78:10 <b>recognition</b> 37:5 <b>recollection</b> 21:11 27:22 35:12 47:14 68:9,16 71:2 82:10 86:22 93:4 <b>recommendati...</b> 6:25 7:12 40:18 67:2 <b>records</b> 28:14 <b>recurring</b> 89:2 <b>red</b> 19:15 68:6 <b>refer</b> 28:16 37:7 49:2 83:18 <b>reference</b> 8:19 9:7 10:15 12:21 13:7 23:9 34:5,6 40:20 49:5 67:19 84:1,13 <b>referenced</b> 75:21 <b>references</b> 37:11 78:5 <b>referred</b> 46:14 83:4 <b>refers</b> 47:2 99:5 99:20 <b>reflects</b> 13:5 95:21 <b>reform</b> 38:18 <b>reforms</b> 62:4 <b>refused</b> 31:25 <b>refuses</b> 33:7 47:24 <b>refusing</b> 31:8,17 <b>regard</b> 9:3 11:6 22:16 23:23 24:1 77:19 <b>regarded</b> 24:1 61:10 77:18 79:9 84:22 <b>regardless</b> 44:2 95:15 <b>regards</b> 3:10 73:13 <b>regret</b> 37:4 <b>regular</b> 37:10 <b>regularly</b> 46:22	<b>regulate</b> 5:21 <b>regulated</b> 3:15 22:6 <b>regulating</b> 5:9 6:2 <b>regulation</b> 50:4 95:13 <b>regulator</b> 2:19 2:25 3:16,20 3:21,21 4:2 22:3,7 58:9 86:8 91:10,11 95:15 <b>regulators</b> 29:14 95:16 <b>regulatory</b> 3:5 <b>rejected</b> 66:5 <b>relate</b> 16:2 85:16 <b>related</b> 19:22 30:3 63:9 66:24 68:7 <b>relates</b> 58:8,9 64:9 76:23 <b>relating</b> 13:24 66:22 80:7 82:9 <b>relation</b> 2:20 7:2 9:17 11:1 14:6 16:10 17:15,21 22:15 23:18 28:15 30:22 31:7,19 32:18 33:14 34:19,21 36:14 40:24 49:16 51:9 54:9 76:19 80:3 90:13 <b>relations</b> 2:14 <b>relationship</b> 41:4 41:7 46:4 <b>relevance</b> 30:2 <b>relevant</b> 13:8,10 15:1 16:9 17:17 23:3 39:9 49:1,23 70:9 82:15 <b>religious</b> 80:4 <b>relying</b> 14:20 <b>remain</b> 46:10 <b>remarks</b> 98:10 99:15 <b>remedial</b> 25:8 60:22 61:1 <b>remedy</b> 18:24 19:25 21:5,14 24:3 27:6 61:7 61:9,10 <b>remember</b> 23:1 27:1 30:1 49:21 52:12,13 56:9,10 67:21 68:5 69:25 71:18 74:2 76:25 82:3 83:20 85:23 87:3 99:16,18 99:24,25	<b>remind</b> 67:23 <b>reminding</b> 1:15 <b>remit</b> 4:17 9:4 15:8 85:18 89:14,23 <b>renders</b> 90:18 <b>repeated</b> 7:13 <b>replicated</b> 37:24 <b>replication</b> 100:9 <b>replies</b> 97:20 100:13 <b>reply</b> 100:2 <b>report</b> 7:5 11:14 63:22 96:4,17 100:14 101:20 <b>reporter</b> 100:4 <b>reports</b> 57:10 82:13 85:4 87:5 <b>representative</b> 89:20 <b>represented</b> 66:14 <b>representing</b> 44:15,16 <b>request</b> 15:7 33:8 85:19 <b>requests</b> 25:20 85:9 <b>require</b> 30:5,12 30:15 70:14 <b>required</b> 69:21 71:5 75:6 <b>requirement</b> 53:6 68:24 <b>requirements</b> 17:9 41:23 <b>requires</b> 55:12 79:13 <b>resided</b> 39:12 <b>resigned</b> 47:10 <b>resistance</b> 57:2 <b>resolution</b> 53:1 55:25 <b>resolve</b> 10:15 12:20 59:16 <b>resolved</b> 8:21,23 60:21 64:5 65:1 <b>resolving</b> 40:17 <b>resource</b> 43:10 <b>respect</b> 18:24 30:13 34:15 97:19 <b>respected</b> 76:1 <b>respecting</b> 74:25 <b>respond</b> 59:13 <b>response</b> 61:6 <b>responsibilities</b> 88:8 <b>responsibility</b> 89:9 92:22 <b>responsible</b> 5:9 5:17 26:13 39:25 50:3 89:8 <b>rest</b> 26:17	<b>restraints</b> 34:11 <b>restrictions</b> 23:4 <b>restrictive</b> 36:1 46:8 48:4 91:22 <b>result</b> 49:24 85:25 <b>resurrect</b> 83:3 <b>review</b> 45:22 52:17 67:18 98:9 <b>reviewer</b> 72:1 <b>reviews</b> 45:19 <b>Richard</b> 82:4 83:19 85:14,19 86:12,21 87:15 88:5,12 92:21 <b>ridiculed</b> 78:8 <b>right</b> 2:1,15 4:5 4:15 6:3 7:24 10:6 11:8 12:3 13:14 14:8 15:4 16:17 17:1 19:11 20:5,10,12,22 21:21,23 22:18 24:8,10,10 27:19,21 30:13 32:1 38:12 43:6 44:2 49:4 50:4 51:24 52:25 58:11,16 58:25 59:18 60:16 61:4 66:10 68:10,14 72:21 76:2,24 77:23 80:20 82:18,22 86:11 88:5,13,18 89:6,23 90:9 93:18,23 94:18 94:23 100:16 100:19 102:12 <b>rightly</b> 46:8 74:13 89:9 <b>rights</b> 20:11 22:21,23 48:8 74:25 78:3 <b>right-hand</b> 60:10 <b>rigid</b> 53:5 72:3 <b>rise</b> 7:16 53:11 65:14 71:21 90:11 <b>risk</b> 62:1 <b>road</b> 48:5 <b>rogue</b> 100:4 <b>role</b> 5:4 24:1 38:20 43:6,8 52:8 62:20 63:23 88:23 89:11 92:2 <b>room</b> 66:15,16 67:4,8 <b>rooted</b> 16:3 47:15 <b>route</b> 40:6 <b>row</b> 1:10	<b>rule</b> 58:24 72:25 75:15 <b>ruled</b> 54:20,23 <b>rules</b> 3:6 5:14 55:6 78:11 <b>ruling</b> 27:17 54:22 59:2 66:6 68:15 70:18 71:15,21 <b>rulings</b> 3:8 25:14 25:14 38:23 43:19 45:11 58:1 60:2,11 72:11 <b>run</b> 42:8 <b>Rusbridger</b> 89:3 102:24 <b>Rusbridger's</b> 28:5
<b>S</b>						<b>saga</b> 75:6 <b>sanction</b> 95:19 <b>sanctions</b> 3:7 27:5 93:20 <b>satisfaction</b> 60:21 <b>save</b> 13:12 32:24 <b>saw</b> 22:13 31:19 63:23 89:2 96:3 99:18,23 <b>saying</b> 9:13 28:6 31:4 34:19 46:18 47:11 48:9 62:23 65:10 69:9 70:19 82:12 84:20 88:5 100:3 <b>says</b> 32:8 34:7 50:6 51:25,25 64:11 65:22,23 70:16 74:24 83:22 90:20 91:1 99:7 <b>scale</b> 83:16 84:20 <b>scene</b> 21:9 83:11 <b>scheme</b> 4:1 <b>scientific</b> 73:19 <b>screen</b> 82:23 <b>scrutiny</b> 6:13 62:4 <b>se</b> 78:15 <b>search</b> 97:15 <b>seared</b> 75:10 <b>second</b> 28:6 34:9 51:17 58:17 73:25 81:15 86:7 101:13 <b>secretariat</b> 66:21 <b>secretary</b> 48:16 <b>section</b> 1:12 8:6 9:21 27:25 45:19 50:19 67:20 94:19 <b>sections</b> 92:17 <b>see</b> 8:22 10:4,25
12:23 13:14 14:1 16:14,16 16:17 21:25 23:6,19,20 24:3 25:24 36:25 39:2 41:15 42:3,10 42:18 43:5 48:25 49:2,8 49:12,16 74:19 75:9 77:25 81:10 90:2,21 102:2,11,14 <b>publication</b> 10:22 27:6 66:13 87:5 88:25 89:5 <b>publications</b> 52:22 <b>publicly</b> 25:15 50:25 <b>public's</b> 11:8 22:18 <b>publish</b> 10:21 11:14 53:18 54:7,12,24 57:13 64:13,17 <b>published</b> 3:10 10:20 12:25 25:14 26:21 27:17 37:9 53:4,7,10,13 53:25 54:2,23 55:13,20,23 56:1,25 68:19 80:21 82:13 <b>publishing</b> 52:19 57:2 65:12 <b>pull</b> 33:21 <b>pulled</b> 26:23 <b>punch</b> 46:3 <b>punches</b> 33:21 <b>purpose</b> 11:4 15:5 78:18 <b>purposes</b> 86:4 87:22 <b>pursuant</b> 85:9 <b>pursue</b> 98:15 <b>push</b> 75:23 <b>put</b> 15:21 23:5 29:20 38:2 42:12 54:17 55:24 58:24 66:10 68:13,17 69:1,7,18,19 70:12 74:3 83:22 88:17 93:12,22 <b>putting</b> 21:18	38:6 42:9 44:11 49:22 64:20 66:2 81:2 87:23 88:4,7 92:7 100:25 <b>questions</b> 1:6 2:4 2:16 8:4 16:13 31:21 32:18 36:17 47:9,12 47:14 88:17,18 98:12,13,16 <b>quick</b> 8:24 <b>quickly</b> 8:11,16 8:21 9:1,15 <b>quite</b> 6:13 8:8 9:20 10:13 17:22 20:12,24 21:3 35:21 37:4 40:6 43:18,20 45:6 63:24 64:18,20 68:2 70:7,15 75:3 78:8 90:17 93:1 100:3,6	102:23 <b>reason</b> 21:7 43:25 48:25 81:21 <b>reasonable</b> 17:5 33:7 36:25 <b>reasonably</b> 3:13 96:14 <b>reasons</b> 20:14 74:22,24 <b>recall</b> 56:12 95:20 96:6,11 <b>recalling</b> 70:23 <b>received</b> 71:6 <b>receiving</b> 15:10 <b>recognise</b> 99:7 <b>recognised</b> 56:14 78:10 <b>recognition</b> 37:5 <b>recollection</b> 21:11 27:22 35:12 47:14 68:9,16 71:2 82:10 86:22 93:4 <b>recommendati...</b> 6:25 7:12 40:18 67:2 <b>records</b> 28:14 <b>recurring</b> 89:2 <b>red</b> 19:15 68:6 <b>refer</b> 28:16 37:7 49:2 83:18 <b>reference</b> 8:19 9:7 10:15 12:21 13:7 23:9 34:5,6 40:20 49:5 67:19 84:1,13 <b>referenced</b> 75:21 <b>references</b> 37:11 78:5 <b>referred</b> 46:14 83:4 <b>refers</b> 47:2 99:5 99:20 <b>reflects</b> 13:5 95:21 <b>reform</b> 38:18 <b>reforms</b> 62:4 <b>refused</b> 31:25 <b>refuses</b> 33:7 47:24 <b>refusing</b> 31:8,17 <b>regard</b> 9:3 11:6 22:16 23:23 24:1 77:19 <b>regarded</b> 24:1 61:10 77:18 79:9 84:22 <b>regardless</b> 44:2 95:15 <b>regards</b> 3:10 73:13 <b>regret</b> 37:4 <b>regular</b> 37:10 <b>regularly</b> 46:22	<b>regulate</b> 5:21 <b>regulated</b> 3:15 22:6 <b>regulating</b> 5:9 6:2 <b>regulation</b> 50:4 95:13 <b>regulator</b> 2:19 2:25 3:16,20 3:21,21 4:2 22:3,7 58:9 86:8 91:10,11 95:15 <b>regulators</b> 29:14 95:16 <b>regulatory</b> 3:5 <b>rejected</b> 66:5 <b>relate</b> 16:2 85:16 <b>related</b> 19:22 30:3 63:9 66:24 68:7 <b>relates</b> 58:8,9 64:9 76:23 <b>relating</b> 13:24 66:22 80:7 82:9 <b>relation</b> 2:20 7:2 9:17 11:1 14:6 16:10 17:15,21 22:15 23:18 28:15 30:22 31:7,19 32:18 33:14 34:19,21 36:14 40:24 49:16 51:9 54:9 76:19 80:3 90:13 <b>relations</b> 2:14 <b>relationship</b> 41:4 41:7 46:4 <b>relevance</b> 30:2 <b>relevant</b> 13:8,10 15:1 16:9 17:17 23:3 39:9 49:1,23 70:9 82:15 <b>religious</b> 80:4 <b>relying</b> 14:20 <b>remain</b> 46:10 <b>remarks</b> 98:10 99:15 <b>remedial</b> 25:8 60:22 61:1 <b>remedy</b> 18:24 19:25 21:5,14 24:3 27:6 61:7 61:9,10 <b>remember</b> 23:1 27:1 30:1 49:21 52:12,13 56:9,10 67:21 68:5 69:25 71:18 74:2 76:25 82:3 83:20 85:23 87:3 99:16,18 99:24,25	<b>remind</b> 67:23 <b>reminding</b> 1:15 <b>remit</b> 4:17 9:4 15:8 85:18 89:14,23 <b>renders</b> 90:18 <b>repeated</b> 7:13 <b>replicated</b> 37:24 <b>replication</b> 100:9 <b>replies</b> 97:20 100:13 <b>reply</b> 100:2 <b>report</b> 7:5 11:14 63:22 96:4,17 100:14 101:20 <b>reporter</b> 100:4 <b>reports</b> 57:10 82:13 85:4 87:5 <b>representative</b> 89:20 <b>represented</b> 66:14 <b>representing</b> 44:15,16 <b>request</b> 15:7 33:8 85:19 <b>requests</b> 25:20 85:9 <b>require</b> 30:5,12 30:15 70:14 <b>required</b> 69:21 71:5 75:6 <b>requirement</b> 53:6 68:24 <b>requirements</b> 17:9 41:23 <b>requires</b> 55:12 79:13 <b>resided</b> 39:12 <b>resigned</b> 47:10 <b>resistance</b> 57:2 <b>resolution</b> 53:1 55:25 <b>resolve</b> 10:15 12:20 59:16 <b>resolved</b> 8:21,23 60:21 64:5 65:1 <b>resolving</b> 40:17 <b>resource</b> 43:10 <b>respect</b> 18:24 30:13 34:15 97:19 <b>respected</b> 76:1 <b>respecting</b> 74:25 <b>respond</b> 59:13 <b>response</b> 61:6 <b>responsibilities</b> 88:8 <b>responsibility</b> 89:9 92:22 <b>responsible</b> 5:9 5:17 26:13 39:25 50:3 89:8 <b>rest</b> 26:17	<b>restraints</b> 34:11 <b>restrictions</b> 23:4 <b>restrictive</b> 36:1 46:8 48:4 91:22 <b>result</b> 49:24 85:25 <b>resurrect</b> 83:3 <b>review</b> 45:22 52:17 67:18 98:9 <b>reviewer</b> 72:1 <b>reviews</b> 45:19 <b>Richard</b> 82:4 83:19 85:14,19 86:12,21 87:15 88:5,12 92:21 <b>ridiculed</b> 78:8 <b>right</b> 2:1,15 4:5 4:15 6:3 7:24 10:6 11:8 12:3 13:14 14:8 15:4 16:17 17:1 19:11 20:5,10,12,22 21:21,23 22:18 24:8,10,10 27:19,21 30:13 32:1 38:12 43:6 44:2 49:4 50:4 51:24 52:25 58:11,16 58:25 59:18 60:16 61:4 66:10 68:10,14 72:21 76:2,24 77:23 80:20 82:18,22 86:11 88:5,13,18 89:6,23 90:9 93:18,23 94:18 94:23 100:16 100:19 102:12 <b>rightly</b> 46:8 74:13 89:9 <b>rights</b> 20:11 22:21,23 48:8 74:25 78:3 <b>right-hand</b> 60:10 <b>rigid</b> 53:5 72:3 <b>rise</b> 7:16 53:11 65:14 71:21 90:11 <b>risk</b> 62:1 <b>road</b> 48:5 <b>rogue</b> 100:4 <b>role</b> 5:4 24:1 38:20 43:6,8 52:8 62:20 63:23 88:23 89:11 92:2 <b>room</b> 66:15,16 67:4,8 <b>rooted</b> 16:3 47:15 <b>route</b> 40:6 <b>row</b> 1:10	<b>rule</b> 58:24 72:25 75:15 <b>ruled</b> 54:20,23 <b>rules</b> 3:6 5:14 55:6 78:11 <b>ruling</b> 27:17 54:22 59:2 66:6 68:15 70:18 71:15,21 <b>rulings</b> 3:8 25:14 25:14 38:23 43:19 45:11 58:1 60:2,11 72:11 <b>run</b> 42:8 <b>Rusbridger</b> 89:3 102:24 <b>Rusbridger's</b> 28:5
<b>S</b>						<b>saga</b> 75:6 <b>sanction</b> 95:19 <b>sanctions</b> 3:7 27:5 93:20 <b>satisfaction</b> 60:21 <b>save</b> 13:12 32:24 <b>saw</b> 22:13 31:19 63:23 89:2 96:3 99:18,23 <b>saying</b> 9:13 28:6 31:4 34:19 46:18 47:11 48:9 62:23 65:10 69:9 70:19 82:12 84:20 88:5 100:3 <b>says</b> 32:8 34:7 50:6 51:25,25 64:11 65:22,23 70:16 74:24 83:22 90:20 91:1 99:7 <b>scale</b> 83:16 84:20 <b>scene</b> 21:9 83:11 <b>scheme</b> 4:1 <b>scientific</b> 73:19 <b>screen</b> 82:23 <b>scrutiny</b> 6:13 62:4 <b>se</b> 78:15 <b>search</b> 97:15 <b>seared</b> 75:10 <b>second</b> 28:6 34:9 51:17 58:17 73:25 81:15 86:7 101:13 <b>secretariat</b> 66:21 <b>secretary</b> 48:16 <b>section</b> 1:12 8:6 9:21 27:25 45:19 50:19 67:20 94:19 <b>sections</b> 92:17 <b>see</b> 8:22 10:4,25
12:23 13:14 14:1 16:14,16 16:17 21:25 23:6,19,20 24:3 25:24 36:25 39:2 41:15 42:3,10 42:18 43:5 48:25 49:2,8 49:12,16 74:19 75:9 77:25 81:10 90:2,21 102:2,11,14 <b>publication</b> 10:22 27:6 66:13 87:5 88:25 89:5 <b>publications</b> 52:22 <b>publicly</b> 25:15 50:25 <b>public's</b> 11:8 22:18 <b>publish</b> 10:21 11:14 53:18 54:7,12,24 57:13 64:13,17 <b>published</b> 3:10 10:20 12:25 25:14 26:21 27:17 37:9 53:4,7,10,13 53:25 54:2,23 55:13,20,23 56:1,25 68:19 80:21 82:13 <b>publishing</b> 52:19 57:2 65:12 <b>pull</b> 33:21 <b>pulled</b> 26:23 <b>punch</b> 46:3 <b>punches</b> 33:21 <b>purpose</b> 11:4 15:5 78:18 <b>purposes</b> 86:4 87:22 <b>pursuant</b> 85:9 <b>pursue</b> 98:15 <b>push</b> 75:23 <b>put</b> 15:21 23:5 29:20 38:2 42:12 54:17 55:24 58:24 66:10 68:13,17 69:1,7,18,19 70:12 74:3 83:22 88:17 93:12,22 <b>putting</b> 21:18	38:6 42:9 44:11 49:22 64:20 66:2 81:2 87:23 88:4,7 92:7 100:25 <b>questions</b> 1:6 2:4 2:16 8:4 16:13 31:21 32:18 36:17 47:9,12 47:14 88:17,18 98:12,13,16 <b>quick</b> 8:24 <b>quickly</b> 8:11,16 8:21 9:1,15 <b>quite</b> 6:13 8:8 9:20 10:13 17:22 20:12,24 21:3 35:21 37:4 40:6 43:18,20 45:6 63:24 64:18,20 68:2 70:7,15 75:3 78:8 90:17 93:1 100:3,6	102:23 <b>reason</b> 21:7 43:25 48:25 81:21 <b>reasonable</b> 17:5 33:7 36:25 <b>reasonably</b> 3:13 96:14 <b>reasons</b> 20:14 74:22,24 <b>recall</b> 56:12 95:20 9				

11:20 16:23 17:6 23:17 24:11,12 25:25 33:2 39:11 48:6 57:23 58:1 59:15 62:20 66:25 67:1 68:3 71:10 72:23 75:16,20 77:15 78:6,11,19 82:4 87:7,11 87:13 88:19,21 93:17,25 94:20 97:16 98:1,7 98:20 <b>seeing</b> 4:21 <b>seeking</b> 7:25 33:22 <b>seen</b> 9:3 26:24 34:6 41:3,3 42:7 45:13 47:19 70:17 72:1,7 74:17 82:9,11 98:17 99:16,21 100:1 100:2 <b>sees</b> 11:15 <b>Select</b> 93:3 96:15 <b>selected</b> 44:17 <b>selection</b> 42:3 <b>self-denying</b> 18:14 <b>self-regulating</b> 91:9 <b>self-regulation</b> 2:20,21,22 3:12 41:14,25 <b>self-regulator</b> 54:20 <b>self-regulatory</b> 39:22 43:17 <b>semantic</b> 101:16 <b>send</b> 50:12 51:7 102:10 <b>sending</b> 37:25 <b>sense</b> 6:2 7:25 61:19 67:9 <b>sensible</b> 53:16 <b>sent</b> 27:10 60:7 66:23 99:18 <b>sentence</b> 51:7 70:4 87:14 <b>sentencing</b> 98:4 98:10 99:15 <b>separate</b> 25:17 27:8 <b>separately</b> 80:23 <b>September</b> 1:21 72:18 <b>series</b> 23:7 25:7 100:13 <b>serious</b> 86:2 94:6 94:7 <b>seriously</b> 96:24 <b>served</b> 42:16 45:4	<b>service</b> 3:3 42:18 <b>serving</b> 43:8 66:25 <b>set</b> 3:6 6:24 22:1 28:18 29:6 33:17 38:18 55:4 71:3 83:20 89:11 93:24 <b>sets</b> 10:3 13:8 23:5,7 91:1,2 <b>settle</b> 10:15 12:21 61:13,16 <b>settled</b> 19:14 102:22 <b>settlement</b> 61:1 <b>seven</b> 30:1 38:10 57:19 59:13 <b>sex</b> 68:6 71:20 <b>sexuality</b> 78:5 <b>shackles</b> 18:15 <b>shared</b> 33:1 83:11 <b>shares</b> 33:1 <b>shop</b> 28:23,25 <b>short</b> 57:21 <b>shortly</b> 100:7 <b>shot</b> 23:11 <b>show</b> 65:12 <b>side</b> 6:1 60:10 69:7 <b>sides</b> 8:10 42:15 <b>siding</b> 50:18 <b>sift</b> 58:6 <b>sifts</b> 58:5 <b>signal</b> 50:13 51:8 <b>signed</b> 1:22 41:13 <b>significant</b> 39:24 <b>similar</b> 101:16 <b>similarly</b> 101:24 <b>simply</b> 62:16 94:14 <b>single</b> 5:8 40:2 42:21 51:4 <b>Sir</b> 38:9 39:13 62:5 83:2,10 88:17 <b>situation</b> 6:23 7:16 8:4 32:6 46:25 47:5 51:4 54:18 65:22 66:18 67:11 69:6 73:18 77:15 86:1 <b>situations</b> 27:13 34:16,22 66:11 <b>six</b> 38:10 <b>sixth</b> 88:20 <b>size</b> 53:25 <b>skim-read</b> 26:17 <b>slightly</b> 44:11 66:17 67:10 102:4,5 <b>small</b> 40:14 <b>smaller</b> 81:17	<b>someone's</b> 77:17 89:12 <b>something's</b> 76:13 <b>somewhat</b> 18:14 21:8 48:3 <b>sorry</b> 3:19 11:25 29:21 46:15 68:1 80:2 90:17 93:13 <b>sort</b> 2:25 3:5,9 3:12,25 4:14 4:15,17,21 5:24 6:19,20 7:6,14,14 8:5 9:4 13:6 16:5 16:12,16,17,18 17:1 23:3,11 23:23 27:12 29:10,12 38:13 39:16 40:11,22 41:1,7,25 43:7 43:13,17,22 46:20 54:16 55:19 59:2,8 67:1 72:1,10 73:18 75:9,18 79:8,10 95:23 99:11 100:10 102:7 <b>sorts</b> 7:7 27:18 51:13 53:11 74:5 78:23 81:11 99:1 <b>sound</b> 33:20 <b>sounds</b> 40:22 58:15 79:3 100:19 <b>source</b> 4:4,5 10:2 14:5 18:3 <b>speak</b> 23:25 35:13 47:24 <b>speaking</b> 68:10 77:24 <b>speaks</b> 16:12 <b>special</b> 21:7 69:21 <b>specific</b> 15:17 32:18 50:15 73:2 85:9,24 86:6 91:4 98:16 102:15 <b>specifically</b> 17:20 73:11 84:12 90:14 95:6 97:19 <b>specifics</b> 31:9 87:13 <b>specified</b> 28:21 <b>specious</b> 43:13 <b>speculating</b> 29:11 <b>speculation</b> 64:21 <b>speech</b> 95:5 <b>spent</b> 42:18 <b>spot</b> 43:12	<b>spotted</b> 41:9 <b>spotting</b> 29:7 <b>staff</b> 41:9 44:22 <b>stage</b> 6:9 32:9 58:17 60:18,19 85:3 86:16 88:1 94:12 101:2 <b>stamp</b> 39:1 <b>stance</b> 86:10 96:10 <b>stand</b> 45:8 <b>standard</b> 78:16 79:17 <b>standards</b> 4:9 11:6 13:8,10 15:14 22:6 78:14 79:15 <b>standing</b> 51:1 <b>start</b> 20:19 57:11 81:23 100:10 <b>started</b> 2:11 7:21 74:1 <b>starting</b> 1:13 4:12,18 13:4 19:6,18 21:4,4 21:8 24:24 39:22 65:6 <b>starts</b> 59:14 <b>state</b> 66:3 <b>statement</b> 1:12 1:20 2:3,16 4:25 25:3 26:19 63:15 76:23 77:1,17 77:21 97:17 <b>statements</b> 75:8 76:22 <b>states</b> 49:12 <b>statistically</b> 37:17 <b>statistics</b> 37:13 57:16,23 <b>statuses</b> 9:25 <b>statute</b> 49:1 <b>statutory</b> 2:25 8:10,15 9:6,10 9:12 100:24 101:5 <b>Stephen</b> 80:19 <b>stopping</b> 37:1 <b>stories</b> 28:12 <b>story</b> 68:19,21 69:2,7 <b>straight</b> 65:17 89:19 <b>strengths</b> 8:7,9 <b>stressed</b> 88:23 <b>strict</b> 6:2 <b>strike</b> 36:23 <b>strikes</b> 53:15 <b>strongly</b> 50:22 95:18 <b>struck</b> 21:13 <b>structural</b> 67:15 <b>structurally</b> 8:25 65:2,19	<b>strung</b> 62:9 <b>subclauses</b> 21:20 <b>subcontracting</b> 47:1,4,6 99:12 <b>subject</b> 5:13 6:13 17:18 18:21 19:20,23 20:8 46:10 69:6,13 69:16,17 70:21 92:10 <b>submission</b> 75:19 93:12 95:18 <b>submitted</b> 93:16 <b>subparagraphs</b> 21:20 <b>subscribers</b> 9:2 <b>subscriptions</b> 11:15 <b>subsequent</b> 36:13 <b>subsequently</b> 7:20 10:23 47:17 84:6 <b>substantial</b> 1:21 68:22 92:15 <b>substantially</b> 20:21 <b>subterfuge</b> 13:12 15:17,18 49:11 89:25 90:1,19 100:15 102:1,6 102:9,19 <b>subversive</b> 41:7 <b>subvert</b> 6:19 <b>success</b> 51:20 <b>successful</b> 55:25 <b>successor</b> 28:18 <b>succinctly</b> 8:8 <b>suddenly</b> 77:22 <b>sue</b> 79:6 81:20 <b>sued</b> 70:2 71:21 <b>sufficient</b> 27:18 36:18 60:22 61:1,10 65:13 <b>sufficiently</b> 53:13 <b>suggest</b> 6:18 15:15 20:7 36:1 40:3 67:3 73:9 98:6 <b>suggested</b> 39:5 41:1 46:19,25 47:6 <b>suggesting</b> 9:9 31:23 35:22 48:14 70:12 <b>suggestion</b> 36:7 51:22 55:1 70:6 <b>suggestions</b> 28:9 <b>suggests</b> 49:11 63:2 <b>suing</b> 81:18 <b>suited</b> 21:13 <b>summarise</b> 58:2 72:24	<b>summary</b> 86:9 <b>summer</b> 102:22 <b>Sun</b> 79:5 <b>supplied</b> 58:23 <b>support</b> 92:20 <b>supporter</b> 24:5 <b>supportive</b> 96:9 96:12 <b>suppose</b> 4:16 7:14 11:22 30:2 31:3,16 87:20 <b>sure</b> 6:23 15:20 21:3 23:17 25:11 40:11,18 58:15 64:20 70:11,15 72:2 76:12 84:3 85:11 92:4,20 99:8,19 <b>suspect</b> 21:1 29:11 49:4 <b>sworn</b> 1:5 <b>system</b> 4:23 8:13 8:19,20,24 9:5 15:11 24:14,24 40:1 42:6 43:17 55:4,10 57:9 58:2 62:1 63:17 64:6 65:18	<hr/> <b>T</b> <hr/> <b>tab</b> 1:20 9:23 11:24,25 25:4 27:25 28:1 45:21 52:17 67:21,24 72:16 83:4,14 87:6 93:4,7,9,10 98:1,13 100:2 100:10,15 <b>take</b> 1:23 9:8 28:21 34:17 38:19 57:15 59:21,21 60:14 61:8 64:13 67:16 75:12 80:6 84:2 86:7 91:4 92:12 94:11 95:24 97:20 100:6 <b>taken</b> 3:1 7:23 15:5,21 17:3 27:3 28:8 63:6 64:17 77:5,6 88:2 96:24 97:5 <b>takes</b> 3:5 75:5 <b>talk</b> 16:1 90:13 <b>talked</b> 29:18,20 96:7 99:11 <b>talking</b> 24:16 28:23,25 29:10 33:3,17 52:25 56:7 57:12 82:8 85:21	86:19 102:18 <b>talks</b> 23:9 <b>tapping</b> 46:1 48:24 49:6 <b>taste</b> 58:10 <b>tax</b> 71:22 <b>Taylor</b> 102:21 <b>team</b> 90:6 <b>technical</b> 59:8 <b>telephones</b> 28:12 <b>tell</b> 24:12 29:5 35:7 42:10 58:4 72:19 <b>ten</b> 80:18 <b>tense</b> 67:10 <b>term</b> 2:19,21 6:2 25:25 31:12,12 84:5 96:25 <b>terms</b> 8:5 13:17 23:3 38:13 42:5,5 49:13 55:24 56:7 59:5 61:23 63:16 64:19,21 77:14 78:4 83:20 84:8 93:1 <b>test</b> 32:2,13 33:13,22,25 36:3 59:12 <b>tested</b> 33:10,11 <b>text</b> 56:11 71:10 71:14 <b>Thank</b> 1:10,19 25:2 57:18 64:5 103:4 <b>theme</b> 5:1 89:2 <b>theory</b> 40:23 <b>they'd</b> 37:2 74:4 <b>thing</b> 25:19 43:20 62:6 65:23,23 66:20 70:5 75:3 79:8 79:10 82:12 88:5 91:13 <b>things</b> 7:8 8:21 11:17 16:5,17 20:17 21:24 27:18 32:23 36:9,23 38:3 40:16 53:7,11 54:2 55:20 56:16,20,25 57:13 59:25 62:5 63:19 65:4 67:7 74:5 78:6,24 79:20 81:11 83:10 91:3 <b>think</b> 2:22 3:1,12 3:16,17,21,22 3:22,23 4:1,2 4:20 5:12 6:3,9 7:19 8:4,18,24 8:25 11:24 14:2 15:4,5,6 15:20,24 16:12
---	---	---	--	---	--	--	---

16:15 19:9,15 20:10,13 21:1 21:23 23:8,20 23:22,25 24:2 24:13 25:11 26:4,5,15,22 26:23,25 27:4 28:4 29:2,3,18 30:10,18,23 31:9,22 32:9 32:10,17 33:13 33:13,14,24 34:19 35:24 36:6,8 37:3,23 38:6,15 39:15 41:3,8,15,22 42:16 43:9 45:1,2,10 47:5 47:18 48:17 49:4,7 51:2,9 51:25 52:7,9 53:5,15 54:10 55:7,11 57:6,8 57:9,11,11 62:1,2,5,7,9,23 63:6,8,9,18,19 64:11 65:13 66:1 67:12,21 68:5,6,10,15 69:9 70:2,7,16 70:19 71:2,15 71:18,23,25 72:9 74:17 75:2 76:12,14 76:20 77:9,24 77:24 78:3,20 78:20,21 79:1 79:18 80:16 81:1,23 82:5,8 82:14,17 83:8 83:19 84:5,15 85:11,22 86:11 86:20 87:2 88:1,1,8,15 89:16,17 90:15 91:7,8 92:20 94:7,7,8,19 96:2,3,11,14 96:16 97:3,5,8 97:23 99:2,23 99:23 100:17 100:21 101:9 101:12 102:8 102:17,25 <b>thinking</b> 7:22 23:12 <b>third</b> 6:21 34:9 56:11 73:1 74:19 75:19 88:20 <b>third-party</b> 18:13 72:14 75:3,22 79:12 <b>Thomas</b> 82:4 83:7,9,19 84:6 85:14,19 86:12 86:17,21 87:15	88:5,12 91:14 92:21 <b>thorough</b> 76:8 <b>thought</b> 37:12 56:19 92:1 <b>thoughts</b> 15:9 <b>thousands</b> 40:14 <b>threatened</b> 35:5 <b>three</b> 26:7 <b>thrown</b> 29:16 <b>thrust</b> 24:6 <b>tighter</b> 71:24 <b>time</b> 7:21 10:16 11:1,1 12:22 15:6,21 19:9 19:14 21:9 29:13,17,17 36:12,19 38:9 39:9 40:2 48:11,13 51:10 53:5,19 55:17 55:23 59:14 61:21,25 67:6 71:24 72:12,23 74:2 78:7 81:22 83:8 87:6 97:6 99:22 102:21 102:23 103:3 <b>timely</b> 20:14 <b>timeous</b> 19:16 <b>times</b> 27:11 48:23 56:5,8 67:5 <b>timorous</b> 48:4 <b>Timothy</b> 1:5,9 <b>title</b> 92:2 <b>today</b> 1:4 8:23 <b>toeing</b> 42:13 <b>told</b> 91:15,19 92:1 <b>tomorrow</b> 86:20 88:18 <b>tone</b> 35:25 <b>top</b> 34:9 40:19 <b>topic</b> 44:8 <b>total</b> 57:12 <b>totally</b> 48:24 64:11 <b>Tougher</b> 93:20 <b>Toulmin</b> 1:4,5,7 1:9,10,25 3:19 5:11 8:7 9:13 10:3 19:11 29:1 32:9 38:15 45:19 48:21 57:23 72:16 74:23 83:2 94:6 97:25 103:2 <b>Toulmin's</b> 1:13 <b>traction</b> 47:17 <b>trade</b> 89:18 <b>training</b> 5:4 16:5 <b>transactions</b> 84:10 96:20 <b>transparent</b>	91:21 <b>treated</b> 75:10 <b>treatment</b> 10:17 12:23 17:16,18 <b>tremendously</b> 47:21 <b>trials</b> 26:11 <b>tribunal</b> 18:22 <b>tried</b> 21:23 32:11 45:14 56:14 63:10 75:15,23 80:14 92:20 <b>tripartite</b> 40:9 <b>troubled</b> 22:4 <b>true</b> 22:7 91:20 <b>truth</b> 31:24 91:7 91:8 <b>try</b> 4:3 7:5 36:13 48:6 54:7 55:15,22 61:13 61:16 62:21 75:17 82:19 <b>trying</b> 44:22 82:15 100:25 <b>TT</b> 88:21 <b>turn</b> 64:23 <b>turned</b> 7:20 <b>twice</b> 21:11,18 67:17 <b>two</b> 4:3 8:9,17 19:11 39:7,13 39:17,24 58:5 59:25 60:13 63:3,19 <b>type</b> 43:8 82:11 <b>types</b> 59:4	<b>U</b> <b>UK</b> 5:9 <b>ultimately</b> 4:9 8:13 53:1 56:17 59:7 76:1 <b>umbrella</b> 78:22 <b>unacceptable</b> 48:24 <b>unamended</b> 20:18 <b>uncontroversial</b> 96:14 <b>uncovered</b> 7:19 86:2 <b>underestimated</b> 38:21 <b>undermine</b> 99:13 <b>understand</b> 3:20 8:14 12:5 90:17 99:3 <b>understandable</b> 56:24 <b>understanding</b> 16:1 19:12 27:9 64:7 65:21 68:22 75:9 86:10 <b>understatement</b>	87:19 <b>undertaken</b> 51:21 <b>unearthed</b> 92:16 <b>unfair</b> 10:17 12:23 17:16 42:9 63:4 <b>United</b> 11:5 18:22,25 <b>universal</b> 37:5 <b>university</b> 2:12 <b>unjust</b> 10:17 12:23 17:16 <b>unlawful</b> 84:10 92:15 <b>unsatisfactory</b> 7:8 <b>unsurprising</b> 24:21 <b>unsurprisingly</b> 24:18 <b>unusual</b> 69:23 81:12,13 <b>unwarranted</b> 10:19 12:24 <b>update</b> 72:13 <b>upheld</b> 43:15 53:12 60:14,14 61:9 68:12,16 68:23 <b>uphold</b> 60:5,5 61:3 <b>upholding</b> 78:13 <b>upset</b> 36:24 <b>urged</b> 61:8 <b>use</b> 3:16 7:1 8:20 14:9 23:19 25:25 75:15 90:19 101:13 102:1,2,6,9,11 <b>useful</b> 43:6,10 <b>usefully</b> 7:22 <b>usual</b> 70:2 <b>usually</b> 27:19 54:10 59:23	<b>V</b> <b>validity</b> 63:18 <b>various</b> 11:13 12:12 83:10 <b>vast</b> 84:9 <b>Venn</b> 20:23 <b>ventilated</b> 81:12 <b>verb</b> 14:9,17,21 <b>version</b> 11:23 12:5 20:18 73:5 76:9 <b>victim</b> 44:13 <b>view</b> 2:18 6:5 21:21 45:1,4 53:24 60:8 62:13 74:7 75:12 84:18 86:5 98:23 <b>views</b> 43:4 <b>violated</b> 78:17 <b>vires</b> 11:21	<b>Virtually</b> 20:6 <b>virtue</b> 2:22 <b>visible</b> 70:5 <b>volition</b> 26:14 <b>volume</b> 37:13 <b>voluntarily</b> 23:5 <b>voluntary</b> 4:10 5:15 8:13 <b>vote</b> 38:22 <b>vulnerable</b> 44:24 45:16	<b>W</b> <b>wading</b> 22:10 <b>want</b> 3:16 28:14 33:3 43:20 45:18 56:25 70:2 75:24 85:1,23 99:8 <b>wanted</b> 15:21 16:22 39:11 51:12,15,16 56:14 75:22 <b>wants</b> 10:2 11:20 <b>war</b> 61:20 74:1 <b>warn</b> 84:12 <b>warned</b> 84:4 <b>warnings</b> 84:21 <b>wasn't</b> 6:8 7:3 20:21 23:10 41:10 45:6 47:4,25 48:14 48:16 52:22 53:19 55:9 68:23 71:4,12 79:11 82:5 87:19 92:14 99:1,7 100:4 <b>way</b> 8:17 16:13 17:3 18:24 19:4 21:24 22:3 23:12 29:25 31:21 32:13,19 33:18 36:24 37:1 40:4,9,24 41:16 42:20,24 54:24 58:4 61:1 65:4 79:19 80:16,22 86:9 88:3,12 92:9 98:6 <b>weaknesses</b> 8:7,9 <b>website</b> 8:22 27:3 <b>wedded</b> 41:16 <b>week</b> 60:7 66:23 <b>well-established</b> 3:13 <b>went</b> 7:17 22:25 57:7 81:22 <b>weren't</b> 8:2 16:10,18 42:2 42:23 74:5 90:12 <b>we'll</b> 8:6 36:16 <b>we're</b> 14:15	24:16 26:17 30:8 52:25 54:25 57:16 61:3 83:6 86:7 <b>we've</b> 12:10 28:17 29:20 30:14 34:6 35:4 39:21 54:23 63:2 74:17 83:6 98:16 100:2,21 101:9 <b>whatsoever</b> 35:12 <b>whilst</b> 23:8,12 37:8 42:22 46:20 67:6 80:21 <b>white</b> 70:5 <b>Whittamore</b> 90:6 <b>Whittingdale</b> 97:2 <b>wholesale</b> 51:4 <b>wide</b> 10:13 13:16 14:9 16:22 <b>widely</b> 84:8 <b>widen</b> 96:25 98:22 <b>wider</b> 81:8,9 <b>wish</b> 36:3 <b>wished</b> 57:4 <b>witness</b> 1:4,12,20 2:16 87:3 97:17 <b>witnesses</b> 26:10 <b>woman</b> 79:8 <b>women</b> 79:1 <b>wonder</b> 32:6 52:2 55:9 <b>word</b> 3:15 65:18 8:12 101:14 <b>words</b> 42:12 59:12 90:21 97:10 <b>work</b> 5:3 21:3 37:9 39:3 40:21 44:21 45:1 46:5 50:2 99:13 <b>worked</b> 40:12 <b>working</b> 2:11 40:16 <b>works</b> 19:4 <b>world</b> 6:7,20 7:2 7:15 8:1 31:25 46:21 67:22 68:5 70:8 73:25 <b>worried</b> 70:3 <b>worrying</b> 50:12 51:8 <b>worth</b> 81:18 <b>worthy</b> 16:21 <b>wouldn't</b> 6:23,25 7:13 14:10 19:21 22:3	23:16 32:3 35:23 47:16,22 48:10 56:24 62:6 67:1 69:4 69:7 79:25 81:18 87:25 95:25 <b>write</b> 38:2 78:25 78:25 98:11 <b>writes</b> 102:24 <b>written</b> 36:12 72:17 93:12 97:17 100:7,11 <b>wrong</b> 29:6 37:17 40:7 45:5,8 66:9 73:25 74:4 76:14 79:20 89:16 91:16 94:19 <b>wrote</b> 89:3 98:2 98:13 99:14
						<b>Y</b>			
						<b>yeah</b> 6:3 10:6,12 10:12 13:19 14:25 17:24 18:12,17 20:20 34:8,24 45:24 50:21,23 52:24 57:14 74:11 77:3 80:15 83:15 87:18 93:11,15,19 95:8 96:1,7 100:19 <b>year</b> 1:21 21:11 21:18 27:11 54:10 57:24 60:17,18 83:12 <b>years</b> 30:1 51:10 51:18 57:5 63:7 75:11 80:18 85:21			
						<b>0</b>			
						<b>00365</b> 82:20 <b>00389</b> 87:7 <b>00390</b> 88:20 <b>02127</b> 2:17			
						<b>1</b>			
						<b>1</b> 9:21 45:19 55:14 72:7 73:14 80:8,25 87:22 93:6 <b>1B</b> 93:6 <b>1B1</b> 9:22 <b>1,229</b> 58:1 <b>1.01</b> 103:5 <b>1.6</b> 100:20 <b>1.75</b> 94:3 <b>1.8</b> 101:13 <b>10</b> 22:20 49:10 49:10,20 82:20 87:6 89:24 90:14 97:9			

102:25	<b>32</b> 52:17 60:18	<u>8</u>			
<b>10.00</b> 1:2	<b>33</b> 96:17	<b>8</b> 22:22 24:9			
<b>10.1</b> 101:21	<b>33911</b> 10:5,11				
<b>10.2</b> 101:23	<b>33914</b> 11:15	<u>9</u>			
<b>11</b> 11:24	<b>34555</b> 12:7	<b>9</b> 102:24			
<b>11.39</b> 57:20	<b>34564</b> 12:15				
<b>11.46</b> 57:22	<b>36319</b> 46:1				
<b>118</b> 95:11	<b>36360</b> 52:18				
<b>12</b> 76:20 80:8,25	<b>36363</b> 57:23				
<b>13</b> 25:4 87:7	<b>36364</b> 60:11				
<b>15</b> 72:16 103:1	<b>36407</b> 67:21,24				
<b>16</b> 1:21 87:6	<b>37</b> 67:21,24				
<b>17</b> 38:21	<b>38174</b> 72:24				
<b>1943</b> 74:1	<b>38175</b> 74:12				
<b>1985</b> 10:1	<b>397</b> 97:22				
<b>1990s</b> 71:16					
<b>1991</b> 4:13 20:19	<u>4</u>				
<b>1993</b> 68:8	<b>4</b> 1:20 5:6 12:6				
<b>1994</b> 13:21	27:25,25 28:1				
<b>1996</b> 2:11	82:21,24 83:4				
<b>1999</b> 39:11	98:2,20				
	<b>4,340</b> 58:1				
<u>2</u>	<b>4.3</b> 5:7				
<b>2</b> 55:14 93:7,8,9	<b>40</b> 100:15				
103:4	<b>40349</b> 98:7				
<b>2.5</b> 2:17	<b>40469</b> 101:20				
<b>20</b> 54:10 63:7	<b>42024</b> 83:14				
<b>2000</b> 102:5	<b>423</b> 97:22				
<b>2003</b> 82:5 83:7	<b>42422</b> 28:10 34:2				
92:16	<b>42676</b> 25:4				
<b>2004</b> 2:8 21:9	<b>42677</b> 27:5				
82:17	<b>45392</b> 96:17				
<b>2005</b> 28:4 84:11	<b>45461</b> 93:17				
<b>2006</b> 1:15 12:6	<b>45466</b> 93:8,14				
45:22 82:14	<b>45476</b> 95:7				
85:4 86:24	<b>483</b> 60:21				
87:5,7 91:15					
98:2	<u>5</u>				
<b>2006s</b> 86:25	<b>5</b> 6:4 9:23 83:14				
<b>2007</b> 6:5 7:3,21	<b>50</b> 58:13				
14:7 16:10	<b>53</b> 11:23 12:15				
52:17 57:24	24:6 36:2 93:4				
60:18 72:18	93:7,10				
96:3 97:8,18	<b>53.1</b> 12:18 13:4				
98:14 100:18	14:15 17:9				
102:21	<b>53.1(a)</b> 13:20				
<b>2008</b> 39:11 67:18	15:13,15 26:3				
102:23	34:6				
<b>2009</b> 1:15 2:9	<b>53.3</b> 17:7 18:1,16				
99:24 102:24	18:18				
<b>2011</b> 52:21	<b>53.3(a)</b> 18:6				
<b>2012</b> 1:1	<b>53.4</b> 17:25 21:21				
<b>21</b> 28:4 98:1	74:17				
<b>22</b> 98:13	<b>53.7</b> 22:13 24:18				
<b>24</b> 100:2	<b>53.9</b> 18:7				
<b>25</b> 100:10	<b>53.9(b)</b> 17:14				
<b>28</b> 94:1	<b>55</b> 50:19				
<b>29</b> 45:21					
	<u>6</u>				
<u>3</u>	<b>6</b> 8:6 11:25 12:1				
<b>3</b> 10:3,11 11:22	<b>6.1</b> 8:8				
12:11 13:5	<b>607</b> 97:16				
30:17 83:4	<b>608</b> 97:17				
<b>3.1</b> 5:2					
<b>3.2</b> 5:5	<u>7</u>				
<b>30</b> 1:1	<b>7</b> 98:7,14				
<b>30176</b> 72:19					