

<p>1 2 (2.00 pm) 3 MR JAY: Mr Toulmin, we're on tab 51, the letter from the 4 Guardian of 10 July 2009. You were given certain advice 5 by Mr Rusbridger: 6 "May I suggest that you: 7 "(a) Write to the Information Commissioner to ask 8 him to share all the material his office gathered during 9 his Motorman man investigations. To my knowledge, the 10 PCC has never asked for or seen this material, which 11 would give you a good idea of the extent of the problem 12 of hacking and illegally obtaining private data." 13 I think the position more precisely is that 14 certainly after the publication of the two reports in 15 2006 Mr Thomas made it clear that the names of the 16 journalists were not going to be shared with anybody, 17 including the PCC, but I think Mr Rusbridger is right, 18 is this correct, when he says the PCC has never asked 19 for or seen this material? 20 A. Well, we touched on this earlier. My recollection only 21 is that Sir Christopher Meyer did ask to see it, though 22 you might have to check that with him tomorrow. 23 Q. Okay: 24 "(b) Write to News International to ask them to 25 share with all the documentation relating to the use of Page 1</p>	<p>1 Putting to one side Motorman, again, he's right, 2 isn't he, in saying that you hadn't made direct inquiry 3 of News of the World executives and reporters save for 4 the letter that was written to Mr Myler; is that right? 5 A. Yes. 6 Q. Was that issue ever pursued? 7 A. Well, I think the answer to that should be found in the 8 subsequent copies of correspondence between me and the 9 newspaper. That was the result of the approach that the 10 Commission decided on at its various meetings that it 11 had before it pronounced on the subject. 12 Q. Well, the matter then continued, as it were. We can, 13 I think, deal with the subsequent correspondence quite 14 economically. Let me just identify it. At tab 32, 15 there's a letter from you to the chairman of the DCMS 16 committee dated 13 July 2009. 17 A. Mm-hm. 18 Q. You make the point -- I paraphrase -- that the PCC 19 doesn't have formal investigatory powers so there was no 20 question of launching a broad inquiry. You wanted to 21 complement the police inquiry. Then you say on the 22 second page, eight lines down: 23 "We're also testing News International's 2007 24 submission to us against the claims made in the 25 Guardian, to see whether there is any truth to the Page 3</p>
<p>1 private detectives which is in the possession of 2 Scotland Yard. If they have not retained copies they 3 could, I imagine, ask Scotland Yard to release copies of 4 the material to you." 5 Was any consideration given to that? 6 A. Well, consideration was given to all these points by the 7 Commission when it met. So they would have discussed 8 the way ahead and the most appropriate thing to do, 9 given the limited powers available to it, and then they 10 would have proceeded accordingly. So the answer so your 11 question is: yes, consideration would have been given to 12 it. 13 LORD JUSTICE LEVESON: But you didn't need power to ask, did 14 you? 15 A. No, but I'm saying the Commission would have considered 16 that point based on its approach to the whole matter. 17 The question was about whether consideration was given 18 to it. 19 MR JAY: And then (c): 20 "Make direct enquiries (as you have not, I believe, 21 so far done) of News of the World executives and 22 reporters around the time of the Gordon Taylor, 23 Clive Goodman and Motorman exercises. The names of the 24 relevant journalists will be found in the Motorman and 25 Scotland Yard papers." Page 2</p>	<p>1 suggestion that we were misled." 2 I think there were two aspects to this: not merely 3 the aspect of a continuing investigation but also the 4 parasitic aspect of whether News International, 5 particularly Mr Myler, in his submissions to you, had 6 misled you, which in itself would have justified further 7 inquiry and investigation. Do you see that? 8 A. Mm. 9 Q. That, presumably, was a matter of great concern to you, 10 because if Mr Myler had misled you, that would have 11 certain serious ramifications, wouldn't it? 12 A. Yes, it would. 13 Q. Mr Abell, in fact, wrote to Mr Davies next at 40743 14 under tab 54, asking for further evidence. This was in, 15 really, the aftermath of the Guardian piece on 9 July. 16 At tab 56, you ask some further questions of 17 Mr Myler. Can I just draw your attention to the first 18 bullet point: 19 "Does it remain your position that the illegal 20 behaviour of Clive Goodman was a rogue exception and 21 that no other journalists or executives of the newspaper 22 were aware of the practice?" 23 That was the first time you had put that specific 24 question to anyone at the News of the World, wasn't it? 25 A. I should think it was. Page 4</p>

<p>1 Q. Then the top of the next page: 2 "It has been pointed out that while Clive Goodman 3 was a royal journalist, most of those names said to have 4 had their phones tapped are non-royal figures and the 5 judge in the Goodman/Mulcaire case apparently referred 6 to Mulcaire dealing with others at News International. 7 Can you identify these individuals and what the judge 8 was referring to?" 9 So that was, if I may say so, a rather good 10 question, but the first time you'd put it, I think? 11 A. (Nods head) 12 Q. It was obvious that at that point you had read the 13 transcript and perhaps less obvious that you'd seen it 14 before; would you agree? 15 A. Yes, I think that's probably right. 16 Q. You got a very strong letter back from the 17 News of the World, Mr Myler, tab 57, which we've looked 18 at with Mr Myler. Our page 40725, where he says very 19 clearly: 20 "The allegations by the Guardian were not just 21 unsubstantiated and irresponsible; they were wholly 22 false." 23 He really adheres to the position that it was only 24 one rogue reporter, doesn't he? 25 A. He does, very strongly, I would say, yes.</p> <p style="text-align: center;">Page 5</p>	<p>1 Q. Thank you. I think there was a draft at tab 57 -- 2 sorry, it's not tab 57. I have seen a draft. 3 A. There is a draft that then went to the third meeting, 4 I think. That may be what you saw. 5 Q. Tab 61 is one of the drafts. 6 A. Yeah. 7 Q. We can read -- indeed, have read -- the report as 8 a whole. The conclusions are at page 41341 at 13.1. Do 9 you see that? 10 A. Yes. 11 Q. "The Commission's latest inquiry into this matter has 12 been concerned with whether it was misled by the 13 News of the World during its 2007 investigation, whether 14 there's any evidence that phone message hacking has 15 taken place since 2007 when it published a list of 16 recommendations." 17 Then there's some expository sentences. It's 13.2, 18 "Was the PCC misled?": 19 "The Commission has spoken to and obtained 20 information from a number of people and sources." 21 To identify those, primarily Mr Myler, but there was 22 also material in relation to Mr Davies, I think, but 23 quite limited, and subsequently, I think, further 24 information was obtained in relation to this police 25 officer I've mentioned and the 6,000 mobile phones.</p> <p style="text-align: center;">Page 7</p>
<p>1 Q. What happened after then was that further questions were 2 asked, in particular in relation to, I think, a leaked 3 report of a police officer that there were 6,000 mobile 4 phones hacked, and that was specifically denied. Your 5 report came out in November at tab 67. Do you see that? 6 A. Yes. 7 Q. I say "your report". Is it fair to describe it as you 8 being the principal author of this report? 9 A. Well, what happened was that the PCC looked at this 10 issue over, I think, three different meetings, and it 11 was very unusual in the sense that normally what would 12 happen would -- with a complaint is that the PCC 13 secretariat, headed by me in those days, would produce 14 a draft recommendation for discussion to start off the 15 discussion. In this case, it was unprecedented and 16 I was uncomfortable about doing that, so the board of 17 the PCC looked at two meetings at the issue, and on the 18 second occasion I drafted a summary of where we'd got 19 to, in order to take instruction from the Commission 20 about what further should be said about the conclusions. 21 So it was actually the other way around from normal. 22 Q. Yes. 23 A. So far as I remember. So whilst I will physically have 24 typed the words, they were the -- they amounted to the 25 decision of the Commission.</p> <p style="text-align: center;">Page 6</p>	<p>1 A. Yes. 2 Q. But that wasn't available, I think, at this point? 3 A. That's right. 4 Q. You say: 5 "Set against the Guardian's anonymous sources are 6 a significant number of on-the-record statements from 7 those who conducted enquiries and have first-hand 8 knowledge of events at the newspaper. While people may 9 speculate about the email referencing Neville, the 10 Taylor settlement and the termination payments to 11 Mulcaire and Goodman, the PCC can only deal with the 12 facts that are available rather than make assumptions." 13 Had you seen the email referencing Neville? 14 A. Yes, I think that was in the bundle that went to the 15 Commission in the papers that were supplied based on 16 what had appeared in the Guardian. Obviously not the 17 whole thing, though, because I think -- 18 Q. It had been substantially redacted. 19 A. Yeah. 20 Q. But that was available to you, was it? 21 A. I'm fairly sure it was -- you will have it in the 22 papers, but I'm fairly sure it was in the bundle that 23 went to the PCC. 24 Q. I think I know the answer to this. Did you ask to see 25 any of the papers which bore on the Taylor settlement?</p> <p style="text-align: center;">Page 8</p>

<p>1 A. Ask --</p> <p>2 Q. To see any of the papers which were relevant to the</p> <p>3 Taylor settlement?</p> <p>4 A. From the News of the World?</p> <p>5 Q. Yes.</p> <p>6 A. No, we didn't, no.</p> <p>7 Q. So when you say "the PCC can only deal with the facts</p> <p>8 that are available rather than make assumptions", you</p> <p>9 probably mean the limited facts which you had obtained</p> <p>10 from Mr Myler or were otherwise in the public domain; is</p> <p>11 that correct?</p> <p>12 A. By virtue of the Select Committee hearings that were</p> <p>13 going on and the public statements of the police, yes.</p> <p>14 Q. Of course, the conclusions of the Select Committee</p> <p>15 weren't published until February of the following year</p> <p>16 and we can recall those.</p> <p>17 "The PCC has seen no new evidence to suggest that</p> <p>18 the practice of phone message tapping was undertaken by</p> <p>19 others beyond Goodman and Mulcaire or evidence that</p> <p>20 News of the World executives knew about Goodman and</p> <p>21 Mulcaire's activities."</p> <p>22 You probably regret that sentence now, you'd say,</p> <p>23 with the advantage of hindsight?</p> <p>24 A. Well, I think what I'd say about this is that this was</p> <p>25 what the Commission wanted to say at the time. I, as</p> <p style="text-align: center;">Page 9</p>	<p>1 worked. Was there an earlier meeting at which the sort</p> <p>2 of conclusions it wanted to reach was discussed?</p> <p>3 A. Yes, that's what I'm saying, exactly.</p> <p>4 Q. And you then put those ideas into formal terms --</p> <p>5 A. That's exactly right. So there was a meeting -- it</p> <p>6 would have been in the September. I think somewhere in</p> <p>7 all these bundles I've actually seen some sort of notes</p> <p>8 relating to that, or interaction with Commissioners.</p> <p>9 The PCC will have all of that sort of stuff. Where</p> <p>10 there was a -- exactly as you describe, a discussion</p> <p>11 about what should be said and could be said based on</p> <p>12 what had been discovered, and then it was my job to go</p> <p>13 away and capture that. That was then sent back in the</p> <p>14 draft, which you see at tab 65.</p> <p>15 Q. So I should really be asking the Commission, not you, to</p> <p>16 explain these conclusions; is that fair?</p> <p>17 A. Well, what I can do is give you an insight. Obviously</p> <p>18 I was in the room but in terms of the decision-making</p> <p>19 responsibility, that was for the board.</p> <p>20 Q. Okay.</p> <p>21 A. And I wasn't a member of the board.</p> <p>22 Q. Fair enough. So when we look at paragraph 13.3 of the</p> <p>23 conclusions, back at page 41341, it having been stated</p> <p>24 that there's nothing to suggest the PCC was materially</p> <p>25 misled during its 2007 inquiry -- again, the word</p> <p style="text-align: center;">Page 11</p>
<p>1 the secretary, was responsible for capturing that.</p> <p>2 I think it was obviously wrong and I think the decision</p> <p>3 to make a sort of qualitative judgment on the evidence</p> <p>4 before us in terms of dismissing the Guardian's evidence</p> <p>5 was a major mistake. There's no doubt about that. It's</p> <p>6 very regrettable that that happened. So of course, yes.</p> <p>7 Q. Are you saying that the decision to make a qualitative</p> <p>8 judgment on incomplete evidence wasn't really your</p> <p>9 decision but the Commission's decision?</p> <p>10 A. Well, I don't -- I mean, the director of the PCC doesn't</p> <p>11 make decisions. They're an official. And as I said to</p> <p>12 you -- and you can see at tab 61 -- when this went to</p> <p>13 the Commission for the second time, there were no</p> <p>14 conclusions. There were no draft conclusions then</p> <p>15 because it was unprecedented and it was important for</p> <p>16 the Commission to meet and discuss the way that they</p> <p>17 wanted to handle it and what they wanted to say.</p> <p>18 Q. The first time we see any conclusions in a draft</p> <p>19 report -- if you look at tab 65, please. This is the</p> <p>20 iterative draft of 29 October 2009. If you look at</p> <p>21 41043, you'll see conclusions which look very similar to</p> <p>22 the conclusions we were reading in the final version.</p> <p>23 A. Yes.</p> <p>24 Q. This is obviously a report which is going to the</p> <p>25 Commission as a whole, but can I just understand how it</p> <p style="text-align: center;">Page 10</p>	<p>1 "inquiry" is used but that one's been flogged dead as a</p> <p>2 point, but at 13.3:</p> <p>3 "Indeed, having reviewed the matter, the Commission</p> <p>4 could not help but conclude that the Guardian's stories</p> <p>5 did not quite live up to the dramatic billing they were</p> <p>6 initially given."</p> <p>7 I mean, that statement and the language (inaudible)</p> <p>8 in which it is formulated comes then from the</p> <p>9 Commission; is that right?</p> <p>10 A. Yes.</p> <p>11 Q. That, I suppose, is the one sentence which everybody has</p> <p>12 alighted on as being, with the advantage of hindsight or</p> <p>13 otherwise, the most problematic?</p> <p>14 A. Well, it's a major mistake, and so far as I've had any</p> <p>15 influence in hindsight, I wish I'd done something to</p> <p>16 take it out, but I was the secretary of the board and</p> <p>17 that's what they wanted to say.</p> <p>18 LORD JUSTICE LEVESON: It wasn't just a one-off, because it</p> <p>19 was in your draft.</p> <p>20 A. Yes, because, as we've just --</p> <p>21 LORD JUSTICE LEVESON: I understand. So they had time to</p> <p>22 think about it.</p> <p>23 A. Yes, but I do think it's important to say -- I mean, it</p> <p>24 clearly has achieved significance in hindsight and it</p> <p>25 was a major mistake and a hostage to fortune, but the</p> <p style="text-align: center;">Page 12</p>

<p>1 board of the Commission, so far as I can -- well, I can 2 certainly attest to the fact that these were people 3 approaching this matter in good faith, trying to do 4 something of use, and by the time we got into 2009, of 5 course, it was too late to pretend that the PCC had 6 never done anything about it, because they'd already had 7 that 2007 report. There was nothing in it for the 8 members of the Commission and the impressive lay members 9 to deliberately land the PCC with this major problem of 10 falsely suggesting that the Guardian's story wasn't as 11 important as it seemed.</p> <p>12 Q. Mm. Maybe a more parsimonious approach might have been 13 to have said in the conclusions words to this effect: 14 "We still haven't carried out a full inquiry because we 15 believe our powers are circumscribed, and the limited 16 inquiries that we have carried out, of Mr Myler in 17 particular, appear to demonstrate that these activities 18 did not go outside Mr Goodman and Mr Mulcaire. On the 19 basis of that limited information and Mr Myler's 20 assurances, we can't conclude that we were materially 21 misled back in 2007."</p> <p>22 Full stop and left it at that. That might have been 23 a bit wiser, mightn't it?</p> <p>24 A. I think that sound much better.</p> <p>25 LORD JUSTICE LEVESON: How about:</p> <p style="text-align: center;">Page 13</p>	<p>1 a decision not to have got involved at all at this 2 stage.</p> <p>3 LORD JUSTICE LEVESON: I'm not necessarily driving at just 4 using hindsight. I'm driving at: what should the system 5 be now?</p> <p>6 A. Yes.</p> <p>7 LORD JUSTICE LEVESON: Whether it's good enough, whether it 8 does what it says on the tin or whether it needs 9 improvement, and if so, in what way.</p> <p>10 A. Well, I think there are a number of things that can be 11 done to improve it. Perhaps we'll come onto those once 12 you've finished with the phone hacking. I don't know.</p> <p>13 MR JAY: I think I probably have, apart from -- well, 14 I won't ask that question.</p> <p>15 The future, then, Mr Toulmin. You are no longer, as 16 it were, constrained by any loyalty to the PCC, although 17 I'm sure you still possess it, but speaking frankly, 18 where do you see the way forward?</p> <p>19 A. Well, I think it's important, since you're looking at 20 structural things, to very much preserve the very, very 21 good work that the PCC does, and now I'm on the other 22 side, I have used it on behalf of my clients and it does 23 provide an excellent, quick, free service which resolves 24 things on the go. And if you're a type of person who is 25 on one of the newspaper websites, which reach now many,</p> <p style="text-align: center;">Page 15</p>
<p>1 "Actually, we're not a regulator at all. We're 2 a complaints mechanism, and it's a misunderstanding of 3 what we do to think that we have anything to do with 4 this at all in the absence of a complaint."</p> <p>5 A. Well, again, that was -- that would have probably have 6 been preferable, but rooted in the activity of 2007, 7 which was to look into how the newspaper was applying 8 the code and whether there was this sort of structural 9 problem. It had got into it for better or worse, and 10 then there was an allegation it was misled and we've 11 heard that that would have been very serious, so it was 12 in a very difficult position.</p> <p>13 LORD JUSTICE LEVESON: But if you'd said that first time 14 around, then the industry could have thought about ways 15 of getting to grips with these questions. As it is, all 16 the industry has ever said is: "Well, there's 17 a wonderful self-regulatory system."</p> <p>18 A. Well, these matters are very obvious now. I think that 19 all I can say is that in 2007, in the expectation that 20 the issue had been -- the criminal issue had been 21 dispensed with by the courts, the PCC in good faith 22 wanted to do something that would be valuable to the 23 public in order to make sure these things didn't happen 24 again, and that was the genesis of this activity. Of 25 course, it's easy to pinpoint where it could have taken</p> <p style="text-align: center;">Page 14</p>	<p>1 many millions of people, you're not so interested in 2 what's going on happen in a few months' time; you want 3 it changed as matters unfold. And I think the PCC is 4 very well placed to help with things like that, and 5 I think preserving that ombudsman service, which it does 6 do brilliantly, is essential.</p> <p>7 In terms of the phone hacking lessons, obviously 8 I think the PCC would maintain it never tried to get to 9 the bottom of the issue because it couldn't, and I think 10 actually what we've been talking about today in terms of 11 2009 shows in very sharp relief the limitations it was 12 under, but I think there's talk of having some sort of 13 separate standards body that would do that, but that, 14 I think, maybe should be separate from the 15 complaints-driven things.</p> <p>16 In terms of the membership of the Commission, that's 17 obviously a major problem, having one newspaper group 18 outside. I think ways must clearly now be found to make 19 sure that people take part. One of the issues, 20 obviously, is the passage of time. In 1990, when the 21 PCC was set up, all the groups were agreed that this was 22 the right thing to do, but proprietors change and 23 editors come and go and people's agendas change and so 24 on, and there must be some mechanism available. I think 25 the that the industry will be given the chance or may be</p> <p style="text-align: center;">Page 16</p>

4 (Pages 13 to 16)

<p>1 given the chance to show how that can be done, and if 2 not, then it might just be the time to come up with 3 a simple piece of legislation that just outlines that 4 the industry should come together and provide an 5 ombudsman service for the members of the public, 6 because, at the heart of this, really, is protecting the 7 public from what can be, obviously, the overweening, 8 occasionally, power of the press.</p> <p>9 And finally, I think I'd say that the landscape 10 around the PCC was clearly changing. It was set up 11 before the days of the Internet, before the days of the 12 Human Rights Act, and as I said before, the time that 13 proprietors thought it would be a good idea to come out 14 of the system on the basis of not liking the biscuits or 15 whatever it was, and clearly issues around the 16 Commission have changed, and one of the most significant 17 ways is the development of privacy. And what has 18 happened is what a lot of people warned would happen, 19 which is that you've had a sort of a two-tier system.</p> <p>20 There's no -- we actually developed some ways of 21 obtaining compensation for people in a voluntary way but 22 I think there needs to be a recalibration of that, so 23 that -- I think there's become an expectation that 24 privacy intrusions will be compensated in some way, 25 perhaps not all of them, but certainly the more serious</p> <p style="text-align: center;">Page 17</p>	<p>1 around their -- I think their return to England at some 2 point. I remember having a conversation with the 3 council about the physical presence of journalists and 4 TV vans and all this stuff around their home.</p> <p>5 Christopher Meyer was in close contact with them because 6 they'd been -- his wife had been helping them out, 7 I think, in relation to their campaign.</p> <p>8 So it wasn't as if there was no contact between the 9 two parties but the system does require a complaint and 10 while they used the anti-harassment service, I don't 11 think there was a complaint about those defamatory 12 articles and I think they did speak to the chairman of 13 the PCC about them -- he'll tell you all about it 14 tomorrow -- and they went to court.</p> <p>15 MR JAY: Thank you very much, Mr Toulmin.</p> <p>16 LORD JUSTICE LEVESON: Thank you.</p> <p>17 MR JAY: The next witness is Mr Stephen Abell.</p> <p>18 MR STEPHEN PAUL ABELL (affirmed)</p> <p>19 Questions by MR JAY</p> <p>20 MR JAY: Thank you, Mr Abell. Your full name?</p> <p>21 A. Stephen Paul Abell.</p> <p>22 Q. Mr Abell, in the bundle of witness statements, which is 23 bundle A, which I hope is available somewhere, you'll 24 find under tab 3 your witness statement.</p> <p>25 A. Bundle 1A, yes.</p> <p style="text-align: center;">Page 19</p>
<p>1 ones.</p> <p>2 Q. I've been asked to put this question to you in relation 3 to the McCanns, particularly the period September 2007 4 to January 2008, when there were 38 defamatory articles 5 in the Express and arguably others in other newspapers, 6 and it's said the PCC did nothing during that period.</p> <p>7 When you were watching what was going on or not 8 going on, did you form a view, even privately, about the 9 desirability to intervene or not to intervene in that 10 particular, if I may say so, egregious case?</p> <p>11 A. Well, I think what we've clearly established here is 12 that the PCC is a complaints body. It needs the 13 engagement of people to complain, and talking generally, 14 the way that we took the system forward was to try and 15 engage those people in the -- with the Commission if 16 there was a problem that we could help with. And 17 I think certainly the McCanns was a case where we 18 spotted very early that it might obviously be a huge 19 story, that they were vulnerable members of the public 20 and that we would be well-placed to help them if that's 21 what they wanted.</p> <p>22 Very early on, I think it was my then deputy who is 23 now the director, found a way of reaching them, I think, 24 or something happened probably three days after 25 Madeleine went missing. We also helped with issues</p> <p style="text-align: center;">Page 18</p>	<p>1 Q. It's 408 pages long.</p> <p>2 A. I'm sorry about that.</p> <p>3 Q. 727 paragraphs long and signed and dated by you on 4 16 September last year. This is your formal evidence to 5 the Inquiry; is that right?</p> <p>6 A. Yes.</p> <p>7 LORD JUSTICE LEVESON: Mr Abell, it's not a matter -- or 8 it shouldn't be a matter of regret. I'm grateful to you 9 for the monumental amount of work that you clearly put 10 into preparing this comprehensive analysis of the work 11 of the PCC.</p> <p>12 A. Thank you.</p> <p>13 LORD JUSTICE LEVESON: Which has been very helpful.</p> <p>14 A. Thank you.</p> <p>15 MR JAY: Mr Abell, we'll use your witness statement as the 16 path through your evidence, which of course would be 17 logical. I'm going to ask you first of all about 18 yourself. You, of course, are the current director of 19 the PCC. You graduated from Cambridge University in the 20 year 2000 and then went straight to the PCC; is that 21 right?</p> <p>22 A. (Nods head)</p> <p>23 Q. In various capacities you worked your way up the system 24 and became director in December of 2009, I believe; is 25 that right?</p> <p style="text-align: center;">Page 20</p>

5 (Pages 17 to 20)

<p>1 A. That's right, end of December.</p> <p>2 Q. Thank you very much. Some of your statement is entirely</p> <p>3 expository and uncontroversial. Other parts will</p> <p>4 warrant further discussion. But in order to make sense</p> <p>5 of your evidence, I'm going to ask you to talk to</p> <p>6 certain parts of your statement, allow me to summarise</p> <p>7 other parts, but not deal with all of it, because there</p> <p>8 isn't time.</p> <p>9 A. Okay.</p> <p>10 Q. Paragraph 30, first of all, at page 33500. You deal</p> <p>11 conceptually with the status of the Editors' Code of</p> <p>12 Practice.</p> <p>13 A. Yes.</p> <p>14 Q. There are really two elements. There's an element which</p> <p>15 tracks the common law -- and you give the example of</p> <p>16 privacy, common law under the Convention and clause 3 of</p> <p>17 the code -- and then there were individual clauses which</p> <p>18 provide extra protection, such as clause 8 for</p> <p>19 hospitals, which isn't really part of the common law but</p> <p>20 which is there because there's thought to be a good</p> <p>21 reason for it; is that correct?</p> <p>22 A. Yes.</p> <p>23 Q. But in terms of the jurisprudence of the PCC itself --</p> <p>24 take the example of privacy -- does the PCC take into</p> <p>25 account decisions of the courts in framing its own</p> <p style="text-align: center;">Page 21</p>	<p>1 either based on a random selection of file numbers or</p> <p>2 based on certain types of cases -- things like cases</p> <p>3 involving children or cases that had taken more than 12</p> <p>4 weeks to complete or cases involving death -- and they</p> <p>5 would have a look at the files in their entirety and</p> <p>6 make recommendations about how we might improve</p> <p>7 practices check.</p> <p>8 Q. Thank you. Then the appointment of a charter</p> <p>9 Commissioner who could review decisions of the PCC in</p> <p>10 the event of further complaint; is that right?</p> <p>11 A. Yeah. Really on handling grounds, it was established.</p> <p>12 So if someone came to him and said, "I don't think my</p> <p>13 complaint was handled probably", he would, again, get</p> <p>14 the whole file and then, in my role as -- running the</p> <p>15 complaints department, I would have lots of exchanges</p> <p>16 with him where he would talk about the case and then</p> <p>17 come up with a judgment.</p> <p>18 LORD JUSTICE LEVESON: Not too quickly, please, Mr Abell.</p> <p>19 A. Sorry.</p> <p>20 MR JAY: The final point I want to address in terms of</p> <p>21 permanence of evolution is the Editors' Codebook, which</p> <p>22 is a sort of exegesis of the code itself. The codebook,</p> <p>23 however, was written entirely by editors, isn't it?</p> <p>24 A. It's written by the secretary of the Editors' Code of</p> <p>25 Practice committee, but very much in conjunction with</p> <p style="text-align: center;">Page 23</p>
<p>1 response to complaints?</p> <p>2 A. Yes. I think we're all very aware of decisions of the</p> <p>3 courts, and because clause 3 of the code asks the</p> <p>4 Commission to make judgments effectively about the Human</p> <p>5 Rights Act, which is the same exercise employed by the</p> <p>6 courts, that we are very conscious of rulings as they</p> <p>7 come down.</p> <p>8 Q. Thank you. In paragraph 86 at page 33511, you summarise</p> <p>9 Sir Christopher Meyer's permanent evolution, which he</p> <p>10 announced at a speech at the Newspaper Society in May</p> <p>11 2003, which I believe was fairly soon after he arrived;</p> <p>12 is that right?</p> <p>13 A. Yes.</p> <p>14 Q. The key points you summarised: the increase of the lay</p> <p>15 members to 10. So the balance from 2003 has been 10:7;</p> <p>16 is that correct?</p> <p>17 A. Yes.</p> <p>18 Q. Secondly, public members would be appointed following an</p> <p>19 open advertisement process and the first vacancy</p> <p>20 attracted over 1,000 applications. I'm going to deal</p> <p>21 with the issue of selection in a moment.</p> <p>22 Then the creation of a charter compliance panel.</p> <p>23 Could you explain a little bit about that, Mr Abell?</p> <p>24 A. Yeah, the idea was that there would be people who could</p> <p>25 examine and request files on an almost random basis,</p> <p style="text-align: center;">Page 22</p>	<p>1 the office of the PCC. So he will come to us with --</p> <p>2 ask for our thoughts on cases, what we thought were</p> <p>3 significant cases, but he would write it himself in the</p> <p>4 end.</p> <p>5 Q. Thank you. In paragraph 87, the 24-hour emergency</p> <p>6 helpline which was set up in 2003, how well publicised</p> <p>7 is that helpline?</p> <p>8 A. We recently, over the last two years, had an advertising</p> <p>9 campaign which focused quite considerably on it. It's</p> <p>10 one of the things you get drawn attention to when you go</p> <p>11 onto our website. It's one of the parts of our work</p> <p>12 that I think people who work at the PCC are most proud</p> <p>13 of and think can be the most effective, because it means</p> <p>14 that people who are concerned either that there's</p> <p>15 something about to appear in the paper or there's knocks</p> <p>16 on the door late at night or at any time can get in</p> <p>17 contact. So we try and publicise it a lot. It's what</p> <p>18 we spend a lot of time trying to do. We ran an</p> <p>19 advertising campaign I think in 2010, which really made</p> <p>20 clear the existence of this 24-hour hotline.</p> <p>21 Q. Thank you. That ties in with paragraph 89, where you</p> <p>22 explain the desist notice system.</p> <p>23 A. Yeah.</p> <p>24 Q. Which you also say is at the heart of your work today.</p> <p>25 In your own words, please, what is that system and about</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 how often a year is it activated?</p> <p>2 A. It's really designed for people who do not wish to speak</p> <p>3 to the press, either after they've been contacted once</p> <p>4 or twice. Generally, if they're at the centre of a news</p> <p>5 story, most often through no fault of their own, they'll</p> <p>6 be contacted by someone from the press, legitimately in</p> <p>7 most circumstances, but they will take a view that they</p> <p>8 don't wish to speak, and we quickly realised that we</p> <p>9 could co-ordinate that request by circulating it to the</p> <p>10 industry and indeed the broadcasters as well, because</p> <p>11 Ofcom by statute doesn't have any pre-broadcast powers.</p> <p>12 The PCC informally sends these messages both to</p> <p>13 broadcasters and to members of the press. So it's used</p> <p>14 primarily, really, to help members of the public who</p> <p>15 take a view that they don't wish to speak to the press,</p> <p>16 often because they're bereaved, but it may be because of</p> <p>17 anything.</p> <p>18 It's also used by public figures who are concerned</p> <p>19 about paparazzi attention. If they wish to convey to</p> <p>20 the industry their concern about either a particular</p> <p>21 incident involving paparazzi or a pattern of behaviour,</p> <p>22 we communicate that on their behalf, with the intention</p> <p>23 that editors will then be able to take a judgment about</p> <p>24 material which they decide to publish, because once they</p> <p>25 publish it, they take responsibility for the conduct of</p> <p style="text-align: center;">Page 25</p>	<p>1 it? Or is it?</p> <p>2 A. Well, clause 4 of the code makes clear that journalists,</p> <p>3 once asked to desist, must leave the property, stop</p> <p>4 asking questions and move away. So if you convey the</p> <p>5 desist message, the newspapers are aware that they've</p> <p>6 been asked to desist and they return. They would be</p> <p>7 breaching the code, unless there was a public interest</p> <p>8 justification.</p> <p>9 LORD JUSTICE LEVESON: And what would the potential sanction</p> <p>10 for that be?</p> <p>11 A. We would expect, having made contact with the</p> <p>12 complainant, to receive a complaint and it be considered</p> <p>13 as a complaint.</p> <p>14 MR JAY: Is it, following on from that, a more serious</p> <p>15 matter, though, that -- it's not an injunction, because</p> <p>16 it doesn't have that force, but if an instruction by the</p> <p>17 PCC to desist has not been complied with and the</p> <p>18 complaint is brought not specifically because the</p> <p>19 instruction was not being complied with but is brought</p> <p>20 under clause 4 of the code, is it an aggravating factor</p> <p>21 that the recommendation or the notice has not been</p> <p>22 complied with?</p> <p>23 A. It would very much be. Generally speaking, in almost</p> <p>24 every occasion, particularly involving members of the</p> <p>25 public, the people leave. I mean, the virtue of the</p> <p style="text-align: center;">Page 27</p>
<p>1 those who have obtained it, and if there's concern about</p> <p>2 that conduct, it should lead editors to not publishing</p> <p>3 the material, which would affect the market for the</p> <p>4 photographs.</p> <p>5 Q. The issue of paparazzi photographs is one you take up</p> <p>6 later on in your witness statement and we'll come to it.</p> <p>7 A. Okay.</p> <p>8 Q. You tell us in paragraph 94 that when Baroness Buscombe</p> <p>9 became chairman in April 2009, she announced that PCC</p> <p>10 governance would be subject to an independent review.</p> <p>11 The review was completed -- and this is paragraph 98 --</p> <p>12 in July 2010, made 74 recommendations, and I think</p> <p>13 virtually all of those were accepted, weren't they?</p> <p>14 A. Yes.</p> <p>15 Q. Now there's a further review process, perhaps a more</p> <p>16 existential one, in the light of this Inquiry, which to</p> <p>17 some extent supersedes the 2010 review, so we're not</p> <p>18 going to go into the detail of that.</p> <p>19 A. Okay.</p> <p>20 Q. Can I deal in more detail with the issue of the</p> <p>21 structure of the PCC and the way in which members are</p> <p>22 appointed.</p> <p>23 LORD JUSTICE LEVESON: Before you do that, just on the topic</p> <p>24 that you've been talking about, if you issue a desist</p> <p>25 notice, isn't a breach of any code not to comply, is</p> <p style="text-align: center;">Page 26</p>	<p>1 system is that -- and this slightly appeals to</p> <p>2 self-interest of editors who don't want to send</p> <p>3 reporters to somewhere where they're not going to get</p> <p>4 a response, no doubt, but ultimately if there are people</p> <p>5 there, they tend to leave, and the success rate, because</p> <p>6 we often speak to complainants afterwards, is actually</p> <p>7 quite high.</p> <p>8 So the other slight way it can be used is more</p> <p>9 prophylactically, where we have families who are</p> <p>10 bereaved, they know an inquest is going to take place in</p> <p>11 three months' time or three weeks' time, and they can</p> <p>12 use it to make clear to reporters in advance that</p> <p>13 they're not going to speak to reporters and they</p> <p>14 shouldn't be contacted.</p> <p>15 So in my experience, very, very seldom has there</p> <p>16 ever been an issue which follows up, because it has</p> <p>17 actually been rather universally complied with.</p> <p>18 Q. The issue of appointments of members. This is</p> <p>19 paragraph 110 and following of your witness statement,</p> <p>20 but you'll need to turn up bundle B1, tab 6, which is</p> <p>21 the articles of association.</p> <p>22 A. Yes.</p> <p>23 Q. If you look at article 5 at page 34555:</p> <p>24 "The number of members of the Commission shall be</p> <p>25 not less than 9."</p> <p style="text-align: center;">Page 28</p>

<p>1 Well, now it's 17, shall not exceed 17:  2 "Members of the Commission shall be appointed in  3 accordance with Article 6 below, provided at all times  4 the majority of the total number of members who are  5 appointed shall be public members."  6 So there's power there to have the 10:7 split we see  7 now.  8 Three class of member under Article 6: chairman,  9 public, press members. 6.2:  10 "The chairman shall be appointed by PressBoF."  11 That is the industry body which, you explain in  12 paragraph 357 of your witness statement, is comprised  13 only of newspaper members --  14 A. And publishers, yeah.  15 Q. And publishers. Can I ask you about the relationship,  16 as far as you understand it, between PressBoF and the  17 PCC? The PCC is entirely funded, is this right, by the  18 levy which PressBoF imposes on its members?  19 A. Yes, that's right.  20 Q. Do you happen to know how that levy is worked out  21 vis-a-vis PressBoF and its members?  22 A. I don't know the full detail of it. It's based on an  23 equation that really relates to the size and sale of  24 publications, so the bigger publications pay more and  25 it's based on a formula that's agreed with the industry.</p> <p style="text-align: center;">Page 29</p>	<p>1 did PressBoF have a shortlist and then choose for itself  2 from amongst the names put forward?  3 A. My understanding is they consulted with the Commission  4 through the deputy chairman of the PCC but the ultimate  5 decision from the shortlist was taken by PressBoF. The  6 Commission didn't exercise any role in that.  7 Q. Okay. Indeed, under the articles, there's no difference  8 between public and press members, but the position has  9 changed de facto --  10 A. Yes.  11 Q. -- under the Buscombe review. 6.3:  12 "Subject to the provisions of article 5 above, the  13 public members and the press members shall be appointed  14 by the Appointments Commission for such period upon such  15 terms as the Appointments Commission may, in its  16 absolute discretion, think fit."  17 So the Appointments Commission, we can see under  18 clause 10.1, is comprised of the chairman, the PressBoF  19 chairman and three other independent persons who are  20 nominated by the chairman of the PCC and the chairman of  21 PressBoF. That's correct, isn't it?  22 A. That's how it used to be, yes.  23 Q. So under the old regime, both public members and press  24 members were appointed pursuant to those processes; is  25 that correct?</p> <p style="text-align: center;">Page 31</p>
<p>1 Q. Thank you. Obviously, News International will pay more  2 than -- that's one end of the extreme, and a small  3 magazine on the other?  4 A. That's exactly right.  5 Q. Going back to clause 6.2:  6 "The chairman appointed for such period and upon  7 such terms as PressBoF may, in its absolute discretion,  8 think fit, and PressBoF shall be entitled to vary or  9 revoke such appointment."  10 The position, therefore, before the independent  11 review in 2010 -- because there was a change -- is that  12 the chair was appointed entirely at PressBoF's  13 discretion. That's correct, isn't it?  14 A. Yes.  15 Q. The position now, on my understanding -- and this it is  16 paragraph 110 of your statement and therefore would have  17 applied to Lord Hunt but not previously. There's an  18 independent assessor involved?  19 A. Yes.  20 Q. And consultation with the public members of the PCC  21 before the appointment is formally made by PressBoF; is  22 that correct?  23 A. Yes.  24 Q. How did it work in relation to the last appointment?  25 Was it a recommendation which was made to PressBoF or</p> <p style="text-align: center;">Page 30</p>	<p>1 A. Yes.  2 Q. The position now, if I've correctly understood it, is  3 that the press members are nominated by their trade  4 associations, as it were, and the Appointments  5 Commission has no formal role; is that right?  6 A. Well, the Appointments Commission has been abolished.  7 It's now a nominations committee of the PCC comprising  8 lay members only, which was felt to be a better approach  9 because they would have a greater sense of what the  10 Commission would need in terms of personnel. So to make  11 it more independent, that was changed, and it was  12 recommended by the governance review that as editors  13 were being provided in their role as editors, the  14 Appointments Commission wasn't really exercising much of  15 a judgment on them, so it was decided to split the  16 processes and say the lay people should be appointed by  17 a more robust and a more independent process, and the  18 editors would be openly -- were more clearly provided by  19 the trade bodies.  20 Q. So we should look more closely then at the appointment  21 of the lay members, the public members.  22 A. Yes.  23 Q. As you say, they are now appointed or selected by  24 a nominations committee of three lay members of the PCC,  25 together with an external independent assessor; is that</p> <p style="text-align: center;">Page 32</p>

<p>1 correct?</p> <p>2 A. Yes.</p> <p>3 Q. How are the lay members of the PCC chosen to serve on</p> <p>4 the nominations committee?</p> <p>5 A. I believe it was agreed, in the first iteration of it,</p> <p>6 it would be the chairman and the deputy chairman, as</p> <p>7 there was then, plus a volunteer, and then it was</p> <p>8 discussed when the nominations committee was empanelled,</p> <p>9 effectively, by the Commission, and a figure said that</p> <p>10 he would do it and he was the third person. It was</p> <p>11 agreed by the Commission that it would be those three.</p> <p>12 Q. Right. In relation to the public members, as you say in</p> <p>13 paragraph 115 of your statement, there is an open</p> <p>14 competition; is that correct?</p> <p>15 A. Yes.</p> <p>16 Q. Have you been involved in the workings of the</p> <p>17 nominations committee in any way?</p> <p>18 A. Yes.</p> <p>19 Q. Could you tell us a little bit how it works then? Is</p> <p>20 there a long list, a shortlist with interviews, and then</p> <p>21 final selection by the PCC itself on the recommendation</p> <p>22 of the nominations committee?</p> <p>23 A. There is -- the nominations committee met to agree</p> <p>24 criteria for the appointment. That formed the basis of</p> <p>25 the advertisement. We then had 3,000 applicants for the</p> <p style="text-align: center;">Page 33</p>	<p>1 expression and the public's right to know and defence of</p> <p>2 the press from improper pressure.</p> <p>3 Were interviewees asked for their view of and</p> <p>4 possible approach to those general principles?</p> <p>5 A. They were -- I think the list of criteria in my</p> <p>6 statement at 116.5 talks about an interest in and</p> <p>7 appreciation of the dynamics of a free press and freedom</p> <p>8 of expression and a recognition of the need to balance</p> <p>9 with other rights. So they were asked to discuss what</p> <p>10 a free press means, but what it specifically means in</p> <p>11 the context of protecting the rights of people,</p> <p>12 particularly bearing in mind that the preceding comments</p> <p>13 are talking about particularly vulnerable groups of</p> <p>14 people who were in need of assistance.</p> <p>15 Q. Thank you. So it's not just Article 10; it's balancing</p> <p>16 Article 10 against Article 8?</p> <p>17 A. Yes, and I would say that that's -- and the way -- when</p> <p>18 it gets to a complaints process, it's -- Article 8 would</p> <p>19 have slight primacy, but one has to look at it within</p> <p>20 the structure of something that seeks to preserve the</p> <p>21 existence of a free press. Certainly that wouldn't be</p> <p>22 a trump card at all.</p> <p>23 Q. Thank you. The other aspect of the structure, looking</p> <p>24 at it more widely but admittedly outside the PCC, the</p> <p>25 Code of Practice Committee, which you it up on in</p> <p style="text-align: center;">Page 35</p>
<p>1 post. The first sift was undertaken by the independent</p> <p>2 assessor, with help from me and the independent assessor</p> <p>3 together. That led to a reduction to a field of</p> <p>4 a couple of hundred, I think. The nominations committee</p> <p>5 then met to discuss those couple of hundred. There was</p> <p>6 a long list created of up to 50, I think.</p> <p>7 At that point, there was consultation with PressBoF</p> <p>8 of: here is the list of the 50. One of the criteria is</p> <p>9 "must be able to command the respect of the newspaper</p> <p>10 industry". He was invited to make any comments. They</p> <p>11 weren't a veto, by any means, but a chance to make</p> <p>12 comments. None were made in the event.</p> <p>13 The nominations committee then agreed a shortlist</p> <p>14 for interview. The interviews took place with three</p> <p>15 members of the nominations committee, the independent</p> <p>16 assessor and me asking questions. So I sat on the panel</p> <p>17 but -- I don't think I was a voting member but I asked</p> <p>18 questions based on my experience. That led to a very</p> <p>19 short list, which was then promulgated to the Commission</p> <p>20 with the recommendation that they accept it, which in</p> <p>21 the event they did.</p> <p>22 Q. We know from article 53.7 -- we've seen this this</p> <p>23 morning -- that in carrying out its functions in</p> <p>24 relation complaints, the Commission shall have regard to</p> <p>25 generally established freedoms, including freedom of</p> <p style="text-align: center;">Page 34</p>	<p>1 paragraph 350 of your witness statement, that, in formal</p> <p>2 terms, is a subcommittee of PressBoF; is that right?</p> <p>3 A. That's right.</p> <p>4 Q. There's no lay involvement. It's comprised entirely of</p> <p>5 newspaper the proprietors and editors; is that right?</p> <p>6 A. Although the chairman and the director were asked, as</p> <p>7 a result of the governance review, to have a clearer</p> <p>8 role because -- the chairman and director had ten</p> <p>9 meetings and it was decided that they should have a much</p> <p>10 clearer role in representing the views of the Commission</p> <p>11 on the Code Committee.</p> <p>12 Q. And also there is a process for public consultation for</p> <p>13 any amendments to the Code, isn't there?</p> <p>14 A. There's an annual audit where the public are asked to</p> <p>15 make suggestions, the Commission considers whether it</p> <p>16 wants to make any suggestions and interest groups do the</p> <p>17 same, and that feeds into an annual consideration of the</p> <p>18 code.</p> <p>19 Q. So in practice, then, is there a process by which</p> <p>20 ongoing issues and concerns of the PCC, particularly in</p> <p>21 the context of possible code amendments, are fed back to</p> <p>22 the Code of Practice Committee for consideration on an</p> <p>23 annual basis, if not more frequently?</p> <p>24 A. They can be, and if the Commission has a code issue, it</p> <p>25 would be fed back to the Code Committee, and the</p> <p style="text-align: center;">Page 36</p>

<p>1 Commission is asked to ratify changes to the code as 2 well. So the Commission has to be happy with the terms 3 of the code it's working with but the primary 4 consideration of the content of the code is by the 5 Editors' Code committee and the idea is that editors 6 must recognise that that's a document that they can work 7 with. 8 Q. So is this right: there's no possible of the PCC itself 9 imposing an amendment on the Code of Practice Committee; 10 the ultimate decision resides with that committee? 11 A. Yes. The Commission could raise an issue and it could 12 not ratify an amendment with which it disagreed, but it 13 couldn't impose an amendment which the Code Committee 14 wasn't seeking to make. 15 LORD JUSTICE LEVESON: Does that mean it's the lowest common 16 denominator about these rights? Because if it doesn't 17 get through the editors, it never gets anywhere? 18 A. It has to -- the editors have to agree that it's 19 a principle, but I think that they would have to explain 20 why they didn't want to put it in if there was 21 a legitimate reason to put it in. So there's quite 22 a lot of explanation of that point, but ultimately the 23 decision is made by the Code Committee as to whether it 24 should be contained. But it's not entirely a passive 25 process.</p> <p style="text-align: center;">Page 37</p>	<p>1 gathered from commentators and those who criticise the 2 PCC, in terms of the structure and just put them to 3 you -- 4 A. Of course. 5 Q. -- for your comment? Given that the relevant standards 6 are set by the adjudications the PCC makes -- and we can 7 see the number it makes each year -- and given that 8 there is a broad principle of precedent stare decisis 9 which the PCC operates, it's not in the interests of 10 editors generally to make adverse decisions, 11 particularly on important points of principle, in 12 individual cases, because they might find themselves 13 subsequently at the wrong end of a principle which they 14 themselves have participated in creating. (a) Do you 15 see the point, and (b) is it a structural flaw? 16 A. I understand your point, but I don't agree with it. 17 I think that the structural answer to that is to have 18 a body that is not dominated by editors, so the majority 19 of 10:7. I'm not saying that is a definitive -- that's 20 the best ratio that's possible, but what that does mean 21 is there are ten independent-minded people who would 22 ensure that decisions are not being driven by editors, 23 if they were to intend to do that. 24 My experience is that there isn't a resistance or 25 act of propulsion by editors in either direction very</p> <p style="text-align: center;">Page 39</p>
<p>1 Q. Have there been situations where the PCC has been keen 2 to amend the code in a particular way but that hasn't 3 happened, owing to resistance within the Code of 4 Practice Committee? 5 A. To my experience, there's never been anything as 6 definitive as that that I can recall. There have been 7 examples where the Commission has asked for 8 clarification or raised an issue about specific clauses 9 of the code, but I can't recall ever the Commission 10 saying, "In our view, this has to change", and then the 11 Code Committee refusing to change it. I think that 12 would cause a constitutional difficulty if that point 13 was reached. 14 LORD JUSTICE LEVESON: Why? 15 A. I suspect if the Commission felt very strongly that 16 there was something either wrong with the code or there 17 was something not in it that prevented it from doing its 18 job, it would create a difficulty if the Code Committee 19 was point blank refusing to consider it. That's not 20 happened in my experience. 21 MR JAY: The difficulty would be a political one, not 22 a legal one? 23 A. Oh, it would -- it would also, yeah, raise a question 24 about the relationship between the two bodies. 25 Q. Can I raise a number of issues, many of which I've</p> <p style="text-align: center;">Page 38</p>	<p>1 often. It's often a debate around quite fine issues. 2 I think the structural guarantee of having 10 3 independent people means that whatever the editors' 4 views are, there are people who are not editors who 5 ultimately are the majority in the organisation. 6 Q. Although editors are always in a minority numerically, 7 owing to their greater knowledge of the subject matter 8 and perhaps owing to certain personalities, in practice 9 the views of editors tend to overbear those of the lay 10 members. Is that a fair observation? 11 A. No, I don't think it is. I think also a lot of the 12 expertise in the code resides in the staff of the PCC, 13 which has helped to frame some of these decisions. 14 The PCC now has on it a former judge, a former chief 15 constable, a professor in media law -- so there are 16 people there with areas of expertise that possibly go 17 beyond editors' expertise of the code and the law, and 18 I think that they're appointed as independent people. 19 So the personality argument I think doesn't work. 20 The people who sit on the Commission are quite strong 21 personalities. I think to join the PCC, you'd have to 22 have a strong personality. 23 Q. Given the clear interlinkages of personnel, money and 24 power through PressBoF, PCC and the Code of Practice 25 Committee -- we can see the extent to which they're</p> <p style="text-align: center;">Page 40</p>

10 (Pages 37 to 40)

<p>1 interwoven, even in the current improved system -- the                  2 structure is not independent because we see too tightly                  3 interwoven the interests of the press, as it were, over                  4 and above the interests of any individual?                  5 A. I think that there are virtues in the notion of buy-in                  6 and involvement of the industry which are considerable,                  7 but I think that the risk will always remain that it                  8 doesn't look like it's sufficiently independent and                  9 there's a risk that there's not sufficient external                  10 scrutiny of all that is going on, starting from the                  11 funding and the code, going downwards, and I think one                  12 of the virtues of something like this Inquiry is that                  13 it's an entirely external examination of the                  14 over-arching structure. I think a lot of what with we                  15 have at the PCC, particularly in my experience, has                  16 changed a lot of the internal structures, but the                  17 over-arching architecture has remained for                  18 a considerable period of time, and I think that when one                  19 starts considering about appropriate mechanisms in this                  20 area, one has to look at the complete picture, and that                  21 starts with funding and agreement as to powers.                  22 It contains the code of practice and the functions of                  23 the PCC.                  24 So I think there is great virtue in involvement in                  25 the system, and buy-in into the system and you can see,</p> <p style="text-align: center;">Page 41</p>	<p>1 considerably in newspapers and there are retired editors                  2 who this Inquiry will have seen who may not be quite as                  3 in step with the current culture as well.                  4 LORD JUSTICE LEVESON: I can't think who you're talking                  5 about.                  6 A. But it is an issue, and I think the speed of change is                  7 such -- I'm not dogmatic against it and the difference                  8 between appearance and reality is not necessarily                  9 insignificant, because in people's minds they have                  10 a view and that view needs to be shifted.                  11 MR JAY: Do you subscribe to the view that the PCC is not                  12 a regulator in the proper sense of the term but is                  13 rather a complaints-handling service with one or two                  14 add-ons?                  15 A. I think there is a sort of danger of semantics here, but                  16 I think that the PCC is a complaints-handling body which                  17 has pre-publication work, does training work, does                  18 guidance work, and I think it's part of a system that                  19 clearly has regulatory aspects.                  20 If, by "regulator", we mean something that is more                  21 interventionist, the PCC has not shown itself to be                  22 that. I think while it has certain powers invested in                  23 it, I don't think they are sufficiently spelled out or                  24 the structures attendant upon them are sufficiently                  25 clear to place it in the category of regulator that</p> <p style="text-align: center;">Page 43</p>
<p>1 if that stops to happen, where problems can arise. It's                  2 not to be underestimated, but one has to balance that                  3 against the issue of independence, and I think there is                  4 a legitimate demand for external scrutiny on all the                  5 processes to ensure that independence.                  6 Q. It may not be the fact of lack of independence; it may                  7 be the appearance of lack of independence. One way to                  8 improve that and remove that appearance would be, for                  9 example, to say that only retired editors should sit on                  10 the PCC. It is that a proposition with which you would                  11 shall sympathetic or not?                  12 A. I wouldn't be dogmatic against it. I think one could                  13 come up with other ways of involving the industry                  14 without using retired editors. One could have editors                  15 who are more clearly framed as consultants or experts to                  16 an adjudicating panel, rather than voting members.                  17 My concern about ex-editors is simply the speed of                  18 the industry, the way it moves. I think there's quite                  19 considerable change that goes on underneath people's                  20 feet whilst they're in post and once they're out of                  21 post, things do shift. So I think the expertise                  22 argument is strengthened with people who are still in                  23 the heat of the fray.                  24 I think that people who are retired editors -- and                  25 it depends how half you go back. Cultures change quite</p> <p style="text-align: center;">Page 42</p>	<p>1 people might consider it might be.                  2 I think it is, as its articles make clear, primarily                  3 a complaints-handling body. It does have attendant                  4 other roles to perform --                  5 LORD JUSTICE LEVESON: It developed some other roles, rather                  6 than has them. It developed them for itself.                  7 A. And I think -- and the articles give provision for that,                  8 so I think it has been a sort of --                  9 LORD JUSTICE LEVESON: Internally.                  10 A. -- organic development, but the problem with that sort                  11 of development is it lacks clarity and an over-arching                  12 viewpoint. I think that what's happening --                  13 LORD JUSTICE LEVESON: One of the concerns is that people                  14 thinking about a regulator would think about a body that                  15 was over-arching, that took a coherent, cohesive look at                  16 an entire industry, or whatever it was that it's                  17 regulating, identified standards for everybody to meet                  18 and ensured in some way that people came up to those                  19 standards, whereas the PCC is looking at specific cases                  20 and doesn't over-arch in that way.                  21 A. I think there's a very good point there, that the way                  22 the PCC -- and this is not to say the PCC is negligent                  23 on the issue of standards. It's seen itself as taking                  24 small cases and developing broad principles, whereas                  25 what you're talking about is to take broad principles</p> <p style="text-align: center;">Page 44</p>

<p>1 and find a method of enforcing their adherence, and 2 I think whilst there may be provision, in the broadest 3 sense, for the PCC to do that, no concomitant structure 4 has grown up with it to enable it to -- nor is it 5 resourced, as it stands, to do that.</p> <p>6 So I think the attitude towards standards in the PCC 7 is we try and set out more clearly now, so it can be 8 absolutely clear, that what we're doing is to have 9 a complaints system that holds editors to account, have 10 a proactive role to try and get people within that 11 system and to do additional work on guidance and 12 pronouncing on the code. That's what we do, and I think 13 are resourced to do.</p> <p>14 The question I think is a very good one is to say: 15 if we're starting from scratch and having an 16 over-arching view to it, here are a set of standards, 17 and the PCC or the body that there is becomes should 18 have this clear structure and power to enforce that.</p> <p>19 I think the mechanism to do that might be to say to 20 newspapers: "You have your own internal standards much 21 more clearly defined and the role of the new body should 22 be to make sure that you hold yourself to those 23 standards and have proper processes." That's not 24 currently in place at the moment.</p> <p>25 Q. The standards, of course, are set out in the code of Page 45</p>	<p>1 that included, of course, the PCC-brokered amicable 2 solutions.</p> <p>3 Can we seek to summarise it in this way: we've heard 4 about the sifting of new complaints and the extraction 5 of anything which was plainly outside remit or plainly 6 misconceived; is that correct?</p> <p>7 A. Yes. People would write to us -- if it was nothing to 8 do with newspapers, for example, we would send them to 9 the body that it might be appropriate -- it might be 10 about adverts, it might be about behaviour of 11 newsagents. It might be very, very incomplete 12 information, where someone dashes off half an email and 13 we write back to them and say, "What do you actually 14 mean?" and they never come back. A large proportion of 15 people dash off that first email and then do not 16 continue in any way to engage with the process, often 17 because their concerns are more nebulous than focused on 18 a specific article.</p> <p>19 Q. If we're looking at the statistics then for 2010, 821 20 out of the 7,000 were immediately ruled out as being 21 outside remit. We know that from page 36509.</p> <p>22 A. Yes.</p> <p>23 Q. Then 2,274 were not pursued. This was presumably the 24 cases which started with incomplete information or which 25 died an early death; is that correct? Page 47</p>
<p>1 practice but in very general principles. If you want to 2 see the articulation of any more precise standards, you 3 look to the adjudications, which spring from individual 4 complaints. That's the way it operates.</p> <p>5 A. Yeah.</p> <p>6 Q. So if you want to see general rules, the general rules 7 spring only from individual situations, which have given 8 rise to a complaint and not otherwise. That's correct, 9 isn't it?</p> <p>10 A. That's the primary root of them. They have led to 11 general guidance, for example, and I list the 20 or 25 12 guidance notes the PCC has issued. They are rooted in 13 the code and they are likely to have been occasioned by 14 information that was brought to the Commission's 15 attention by virtue of a complaint, but there is that 16 provision to take those specific cases and make a broad 17 lesson, which I think is a valuable role.</p> <p>18 Q. Can I deal with the complaints process, which you 19 address in paragraphs 188 and following. What I'm going 20 to ask you to do is turn up the 2010 annual review, 21 which is tab 49 of bundle B1.</p> <p>22 A. Yes.</p> <p>23 Q. If you look at the annual review and the statistics for 24 2010 at page 36503, you can see the position. There was 25 over 7,000 complaints but rulings in 1,687 cases, and Page 46</p>	<p>1 A. Yes.</p> <p>2 Q. So that accounts for about 3,500, half of all of them. 3 If the complaint is deemed to fall within the remit, 4 there are then two stages. If the complaints officer 5 considers that the complaint raises no prima facie case, 6 it's presented to the Commission for an immediate 7 decision?</p> <p>8 A. Yes.</p> <p>9 Q. But if it's thought to raise an arguable point, it then 10 goes through to a fuller investigation; is that correct?</p> <p>11 A. Yes, and the Commission, if they disagree with that 12 first prima facie presentation, their first step would 13 be to say, "Actually, we don't have enough information 14 on this", or: "This looks like it might be something 15 more significant. Please go and write to the editor and 16 find out more information."</p> <p>17 Q. Right. We heard from Mr Toulmin what happens when the 18 investigation starts. The newspaper must reply within 19 seven days and then the process of mediation starts. 20 Can I just have your view as to the role the PCC takes 21 within the context of that mediation --</p> <p>22 A. Yeah.</p> <p>23 Q. -- and the extent to which it assists the claimants or 24 is entirely impartial. Can you help us with that?</p> <p>25 A. The way I explain it to complaints officers and the way Page 48</p>

12 (Pages 45 to 48)

<p>1 we discuss it internally is I see the role of 2 a complaints officer as 60/40 in favour of the 3 complainant, if that is necessary, in the sense that 4 some complainants will not be best placed to know the 5 full position, know really what the code says or what 6 the newspaper might be expected to do. So I think there 7 is an advocacy role for complaints officers to take on 8 board the concerns of the complainant and drive them. 9 I think the other function -- it can be difficult, 10 but I think it is appropriate for a complaints officer 11 to sort of ride two horses. One would be to push for 12 mediation and to find ways of doing, and the second 13 would be, as that process goes on, to try and ensure 14 that enough information is available that should the 15 mediation not be successful, the Commission will 16 ultimately be able to reach a decision. 17 So I don't think it's a neutral act by complaints 18 people. I think their job is to grip the issues and to 19 try and bring them to a conclusion, and that will 20 invariably be by assisting the complainant. 21 Q. Thank you. If the mediation process succeeds, 22 self-evidently that's the end of the matter. 23 Correction, apology, bouquet of flowers or whatever the 24 solution might be. But if the matter then is not 25 resolved amicably, as we heard this morning, the matter</p> <p style="text-align: center;">Page 49</p>	<p>1 and more work done on it. 2 What tends to happen if a commissioner doesn't feel 3 very strongly about it or if feels the merits of the 4 argument run in counter to their own, they may well bow 5 to the will of the majority, content that they can stand 6 behind the decision, but the movement will be to try and 7 have everyone say what they think and a consensus 8 position reached. 9 Q. You attend these meetings as secretary to the 10 Commission -- 11 A. Yes. 12 Q. -- and separately as an officer of the Commission's 13 director, no doubt. Just give us a sense of how 14 decision-making breaks down to this extent -- obviously 15 we're not concerned with the confidentiality of 16 individual decisions, but do you get a sense that the 17 press members tend to line up on one side and the public 18 members on another side, or is it far more nuanced and 19 complex than that? 20 A. It's more complicated, and it really depends on the 21 issues of each case. I've very seldom, if ever, seen 22 all editors agreeing and all lay commissioners taking an 23 opposite view. It's often people raising different 24 issues. Editors will say in their experience what they 25 would think. Sometimes they say, "We wouldn't have done</p> <p style="text-align: center;">Page 51</p>
<p>1 proceeds for ruling or determination, and there are 2 three possibilities: either no breach of the code, or 3 breach of the code but publication has offered 4 sufficient remedial action, in which case no adverse 5 ruling is made, or finally there's adjudication. 6 An adjudication might be either upholding the 7 complaint or rejecting the complaint; is that correct? 8 A. Yes. 9 Q. Can I ask you about what happens in Commission meetings. 10 You explain in paragraph 204 that the full file is seen, 11 presumably by each commissioner, and under 205, there 12 isn't a formal vote but a consensus is sought to be 13 attained. How does that operate in practice? 14 A. The office will disclose the full file. It will make 15 a recommendation to the Commission of one direction or 16 another. The chairman will then invite comments from 17 commissioners. Sometimes the Commission will all 18 declare they are content with the officer's proposed 19 recommendation. Other times they will start raising 20 comments. 21 It's then the role of the chairman, together with 22 the director, to bring those comments together, with the 23 intention of reaching an agreed decision. Now, 24 commissioners can say that they fundamentally disagree 25 with the decision, in which case it will be taken away</p> <p style="text-align: center;">Page 50</p>	<p>1 this in our paper for the following reasons", which 2 I think commissioners give regard to, as one might 3 expect, but they are quite often long, complicated 4 exchanges where people will also say at the start, 5 "I think one thing", and at the other end they will say, 6 equally fervently, they think something else. 7 So there is quite a lot of exchange and 8 deliberation, which is proper, I believe. 9 Q. Thank you. Now look at some key rulings in your 10 statement. 11 LORD JUSTICE LEVESON: Just before we go to the rulings, 12 before we forget the point, you've spoken about 13 mediation, which then allows the complaint to drop out 14 of the system and it goes nowhere else; is that right? 15 A. It used to be more like that -- one of the things that 16 has changed in the last couple of years is if there's 17 something significant in it -- often the complaints 18 officer will flag it up to me and then to the chairman 19 of the Commission, who will write to the editor or write 20 to the managing editor and say, "This looks like 21 a significant issue. Can you reassure us what happened 22 here?" 23 LORD JUSTICE LEVESON: It's not just that that I'm thinking 24 about; I'm thinking about the industry as a whole. If 25 lots of the cases are being mediated, then the rest of</p> <p style="text-align: center;">Page 52</p>

<p>1 the industry will not know what are the issues and how 2 they're being resolved so that their own guidelines 3 internally can be changed or modified in accordance with 4 the views --</p> <p>5 A. I think that's a fair point which has been sought to be 6 addressed by (a) the statements of resolution are now 7 very, very full indeed. So when we do resolve a case, 8 we publish a full summary of it, which we then 9 communicate via Twitter and on our website.</p> <p>10 The training that the PCC undertakes is not only 11 about adjudicated decisions; it also takes in resolved 12 cases. So if a resolved case raises a specific issue, 13 we use that as an example. One case I can recall was 14 when a woman was photographed in a public place outside 15 a shopping centre and the photograph was used by 16 a magazine in a discussion about her potential ill 17 health with an eating disorder. The editor of the 18 magazine eventually settled with a very prominent 19 apology and undertakings about the future, but it was 20 relatively near the Naomi Campbell decision and it was 21 an example of a photograph in a public place but 22 containing a quality of information that related to 23 privacy, and therefore it was a significant issue for 24 the PCC, and in our training that we've done, in our 25 public pronouncements, we've specifically drawn</p> <p style="text-align: center;">Page 53</p>	<p>1 that will hopefully set standards.</p> <p>2 So we keep in our mind -- I mean, there are three 3 mechanisms by which cases can go to be sort of formally 4 promulgated by the PCC. One is that commissioners can 5 see it via correspondence and feel it's significant 6 enough to warrant that. One is that it's a breach of 7 the code that's gone unremedied, and the second is where 8 it's a potentially grey area which would benefit from 9 public discussion.</p> <p>10 So we seek to try and channel that, if possible, 11 whilst still balancing the wishes of the complainant, 12 because the intention should be that the adjudications, 13 of which there aren't many, we have to make a virtue of 14 the fact that they therefore can have more impact when 15 they do come out and if they fix on specific areas, 16 we're keen and alive to bringing that out.</p> <p>17 Q. It may be there are situations where a complaint officer 18 feels that there's been a serious breach of the code, 19 that it would be an open-and-shut case if the matter 20 ever went to adjudication, but if the impetus is to try 21 and broker a settlement, that message may not be 22 communicated to the complainant. Or is it a message 23 which is communicated to the complainant?</p> <p>24 A. I think the idea is that the complaints officers discuss 25 with complainants what they want. So in those sort of</p> <p style="text-align: center;">Page 55</p>
<p>1 attention to that to say to people: although it was 2 settled, which was right and proper and was what the 3 complainant wanted, the issue was more significant than 4 that.</p> <p>5 MR JAY: I think that leads on to -- maybe it's the same 6 point, but the principles of precedent which set the 7 standards or enunciate the standards which we see in the 8 adjudications, either upheld or rejected. To what 9 extent are the adjudications you feel representative of 10 the type of cases the PCC is seeing in any particular 11 year? It may be that statistically they're not because 12 they only represent those cases which, for some reason 13 have not been settled.</p> <p>14 On the other hand, it may be said that's exactly the 15 same as civil litigation, where the vast majority of 16 cases settle and only a few get to court and it's the 17 few which get to court which set the standards. How 18 does it work, do you think?</p> <p>19 A. I think that we're conscious in the office of a case 20 that is significant, with significant implications, and 21 particularly if it's a serious breach of the code, where 22 we will seek to carry out the mediation function, as we 23 always would do, but we'd also try to ensure that if 24 that's not successful, that is flagged up immediately to 25 the Commission as a case that's worthy of publication,</p> <p style="text-align: center;">Page 54</p>	<p>1 cases I would expect a complaints officer so say, "This 2 looks like a fairly straightforward breach of the code, 3 although I can't guarantee" -- what one doesn't want to 4 do is for a complaints officer to promise to 5 a complainant effectively: "This will be upheld", and 6 then that not happen, which I think would be hugely 7 disappointing to someone. But I think -- I would expect 8 them to speak to the complainant and say, "There's 9 a strong argument that this will be handled in this way 10 and published. There's an equally strong argument that 11 the newspaper, because of that, will be willing to do 12 this, that and the other. What do you actually want out 13 of this?"</p> <p>14 There are some cases where no remedy is possible. 15 As soon as we get in the realm of identifying victims of 16 sexual assault or certain serious privacy intrusions, 17 it's very hard to see what the remedy could be. Those 18 cases tend to select themselves, as well.</p> <p>19 Q. You don't have power to fine, but as part and parcel of 20 the conciliation processes, does monetary consideration 21 ever pass hands?</p> <p>22 A. We do allow it to happen and we will be party to it if 23 that is what the newspaper is willing to do and that is 24 what the complainant wants. So we do have cases settled 25 by ex gratia payments.</p> <p style="text-align: center;">Page 56</p>

14 (Pages 53 to 56)

<p>1 Some people in the industry are very happy to do 2 that because they see it as a way of settling complaints 3 in full and final settlement. Others are more reluctant 4 to do that, and so we don't have the formal authority to 5 say, "You have to compensate to X amount", but it does 6 take place as part of the broad mediation process.</p> <p>7 Q. In your experience, is this right, that very few 8 successful complaints, whether resolved amicably or 9 following an adjudication, then turn into civil 10 litigation?</p> <p>11 A. I think, yeah, few -- I think a couple of year, two or 12 three a year that I've become aware of. There may be 13 more that I'm not aware of, but I would expect to be 14 made aware of.</p> <p>15 Q. May I ask you about four or five key rulings, 16 understanding, as one must, that to look at just a few 17 cases in the context of the comfortable number you refer 18 to in your witness statement may not be representative.</p> <p>19 A. Okay.</p> <p>20 Q. I raise them either because -- one case is particularly 21 notorious, but some have been mentioned in this Inquiry. 22 The Clare Balding against the Sunday Times case, 23 "Dyke on a bike", that's 33611 in your witness 24 statement. You comment on that one. That's quite 25 recent, during your time as director.</p> <p style="text-align: center;">Page 57</p>	<p>1 version on that.</p> <p>2 Q. In that case, the final decision was made by the 3 Commission and not by you. Again, was that a case which 4 the Commission reached fairly easily as opposed to 5 officers within the Commission?</p> <p>6 A. I think there was debate about it, because of the 7 cultural issue, because of the almost philosophical 8 point about the meaning of words and their effect, and 9 also because it's relatively rare for the PCC to get 10 a complaint like this, possibly due to the existence 11 of -- if you read papers from the 1980s, use of what 12 might be considered to be discriminatory references to 13 sexuality and particularly homosexuality were very 14 common. We don't get many complaints like this. So 15 there was a full and frank discussion of it, including 16 by editors, but to my recollection it was the unanimous 17 view of the Commission that this was a breach of the 18 code.</p> <p>19 Q. The most controversial case I think the Commission has 20 received in recent years is the Daily Mail Jan Moir 21 article on the death of Stephen Gately. The piece 22 itself was 16 October 2009, before you became director. 23 You were deputy director, I believe, at that stage.</p> <p>24 A. Yes.</p> <p>25 Q. But the adjudication where the complaint was rejected</p> <p style="text-align: center;">Page 59</p>
<p>1 A. Yes.</p> <p>2 Q. We heard from Mr Witherow on this and that the term 3 "dyke" he says is often used in a non-pejorative fashion 4 and therefore either is not discriminatory or might be 5 regarded a fair comment. Clearly, the PCC took 6 a different view. Are you able to assist on why that 7 was so?</p> <p>8 A. I think one has to look at the context of the article 9 itself, and I think Mr Witherow's argument, which I do 10 understand, is that the valency of words changes over 11 the course of time and certain communities can reclaim 12 them and they have different meanings to different 13 people, so a website that treats the term "dyke" might 14 be in the context of a reclamation of a word. It might 15 be in the context of a community of people who feel 16 content with that word.</p> <p>17 My recollection of the article was that it was 18 an attempt to be sort of humorous about Clare Balding in 19 a negative way. I don't feel that one reading that 20 article would regard it as a neutral use of the term. 21 My own view at the time, which remains, is that 22 clause 12 of the code is designed to protect individuals 23 from pejorative use of terminology, and I think "dyke on 24 a bike" to me is a relatively straightforward breach of 25 clause 12 of the code. I don't agree with Mr Witherow's</p> <p style="text-align: center;">Page 58</p>	<p>1 was February 2010. Am I right in saying that you had 2 involvement in -- not in the decision, but at least you 3 observed the decision being taken?</p> <p>4 A. Yes, I was involved in it, absolutely.</p> <p>5 Q. That was a particularly controversial case. I think 6 there were at least 22,000 complaints; is that right?</p> <p>7 A. Yes.</p> <p>8 Q. Your website crashed that day, and the headline, 9 although it was removed soon after by the Daily Mail, 10 was "Why there was nothing natural about 11 Stephen Gately's death". It raised issues under 12 clause 1, accuracy, clause 5, intrusion into grief, and 13 clause 12, discrimination, because it was said that the 14 implication very strongly was that it was homophobic, 15 basically.</p> <p>16 First of all, how did the Commission approach that 17 case and to what extent was there consensus on the 18 conclusion?</p> <p>19 A. When it first happened -- I mean, I think we may have 20 been an example of what was called "Fry-bombing", when 21 Stephen Fry, who has a million people following him on 22 Twitter, directed people to the PCC's website. So he 23 directed a million people to go to the website at one 24 time and that, I think, led to the crash. But there was 25 a large body of people who were deeply concerned about</p> <p style="text-align: center;">Page 60</p>

15 (Pages 57 to 60)

<p>1 this article. We then contacted the family of Mr Gately 2 through the band's PR apparatus to seek their views on 3 it, and his partner subsequently made a formal 4 complaint. 5 This was a case that took a long time through the 6 Commission, and indeed internally at the office, with 7 a lot of considerations on both sides, because on 8 the one hand, there was the issue of comment such as 9 these made in the aftermath of a death, which touched 10 upon lifestyle issues connected to the sexuality of 11 Mr Gately. On the other hand, there was this notion of 12 the right of the press to comment freely and vigorously 13 on matters that were well established in the public 14 domain, even in the context of someone's death, and so 15 there is a balancing exercise to be struck. 16 I think the Commission, if you read the full 17 decision, which is a very long decision that tries to 18 bring out some of these points, sought thoughtfully to 19 engage with each of those issues. It came up to the 20 view that it was just short of a breach of the code, 21 although it did criticise the paper within that 22 framework. I believe there will be some Commissioners 23 who felt it went over the line but the majority and then 24 the consensus was that it just stopped short of the 25 line.</p> <p style="text-align: center;">Page 61</p>	<p>1 diagnosis was not of improper practice or improper 2 behaviour but she was formulating an opinion based on 3 her view of the world and possibly her sense of the view 4 of the world of her readership. It's a difficult point, 5 and I think the Commission wrestled with it, but that 6 was the conclusion that they ultimately drew from it. 7 Q. But if, as a matter of fact, the death was due to 8 natural causes, commentary around alleged lifestyle 9 factors which, by definition, did not contribute to the 10 death as a matter of fact, were inaccurate, weren't 11 they, in the context of clause 1? 12 A. Well, I don't think that the word "natural" necessarily 13 has only a medical connotation there. I think it's 14 a term that one can use as a point of perspective, what 15 is natural and what is not natural. I don't think it's 16 necessarily -- and the Commission did not think it was 17 an inaccuracy in that sense. 18 LORD JUSTICE LEVESON: I think it's probably sensible to 19 take five minutes. 20 MR JAY: Yes. 21 LORD JUSTICE LEVESON: Thank you. 22 (3.35 pm) 23 (A short break) 24 (3.45 pm) 25 MR JAY: Paragraph 240 of your statement, the issue of</p> <p style="text-align: center;">Page 63</p>
<p>1 Q. One point on that case, that the use of -- particularly 2 in the headline -- "Nothing natural about Stephen Gately 3 it's death" -- given that the clear evidence was that he 4 died from natural causes, didn't that necessarily engage 5 a breach of article 1, particularly when one read it in 6 conjunction with other language in the article itself, 7 which had pretty clear homophobic overtones? 8 A. I think the intention of the Commission was certainly to 9 examine it in that context. My understanding of it was 10 the article did make clear the precise medical 11 diagnosis. It seemed to me that the contention of the 12 columnist was that certain lifestyle factors not 13 exclusive to the sexuality of Mr Gately were the subject 14 of her criticism, and so he died -- there was some 15 discussion of drug-taking. There was some discussion of 16 another partner being involved, sort of late nights in 17 at club and going back to a hotel. 18 It seemed to be at least -- or the Commission took 19 this view -- a rhetorical point about -- she was saying 20 that people, to her mind, possibly -- I don't want to 21 speak for her -- that natural death involves people 22 dying quietly of old age in their beds and she took 23 a view that the dissolute circumstances surrounding this 24 made it not natural as a point of opinion. 25 The article did make clear that the medical</p> <p style="text-align: center;">Page 62</p>	<p>1 prominence of the published remedy. That is an issue, 2 I think, which rankles not necessarily most but 3 certainly significantly with many complainants and also 4 features, I think, in the related issue of the public 5 perception of the PCC. 6 Can we take it in stages? In relation to an adverse 7 adjudication, the PCC does not have a right to insist 8 exactly where and how that adjudication is published; is 9 that correct? 10 A. No, although the code was changed at the beginning of 11 this year to say that the location has to be agreed in 12 advance with the PCC through the director. 13 Q. That was introduced in January of last year -- 14 A. No -- 15 Q. -- but does that mean that the PCC can insist where the 16 adjudication is published? 17 A. No, it means it has to be agreed with them. The power 18 to direct where it should appear still does not -- 19 Q. I think I've correctly understood it. It's still 20 a question of negotiation -- you will try and get the 21 editor to follow your will -- but ultimately you might 22 have to yield to the editor's view or it becomes 23 a matter, again, of discussion and consensus; is that 24 so? 25 A. Yes, or if the editor exercises his discretion and</p> <p style="text-align: center;">Page 64</p>

16 (Pages 61 to 64)

<p>1 publishes it in a way that the Commission finds not to 2 be sufficiently prominent, it would give rise to the 3 case being considered again and possibly upheld 4 a further time.</p> <p>5 Q. Is this right as well: it's not just a question of the 6 location of the publication of the adjudication, but 7 also the size of print and exactly how it's headlined? 8 These are also matters which would be up for discussion?</p> <p>9 A. Yes. The code has a requirement that the PCC is 10 referenced in the headline. So that's a matter of 11 requirement and a failure to do that would require some 12 form of action. But the precise layout is not something 13 on which the Commission tends formally to take a view.</p> <p>14 Q. Wouldn't you agree, particularly in this context, where 15 there's been an adverse adjudication by the PCC, that 16 it's evidence of a weakness in a system which depends 17 ultimately on consent that the PCC, as quasi-regulator, 18 if that's what it is -- it may be less than that -- 19 cannot insist to the editor in breach to publish the 20 adverse adjudication in a particular way according to 21 the wish of the PCC, rather than the wish of the 22 newspaper?</p> <p>23 A. I think it's -- it sets a limit to the power of the 24 sanction, certainly, and if one were to look, as I've 25 been thinking about, to the future, one could conceive</p> <p style="text-align: center;">Page 65</p>	<p>1 demonstrates that the PCC is without teeth because it 2 can't even insist in an adjudication case how the 3 newspaper must publish the offending adjudication."</p> <p>4 Do you accept that?</p> <p>5 A. I think there's a risk with any over-arching system of 6 self-regulation that newspapers in this case don't 7 provide sufficient provision and that would lead to 8 people losing confidence in it. I think if you actually 9 look at the way newspapers historically have responded 10 to apologising, one could argue that they would garner 11 greater trust with their readers if they did it more 12 readily and more openly. But sometimes a view is taken 13 on a specific case or as a matter of principle that 14 doesn't push in that direction.</p> <p>15 LORD JUSTICE LEVESON: That's interesting. One of the 16 greatest complaints I heard in the weeks that I heard 17 evidence on this topic was you labour away at the PCC 18 complaining, batting forward the correspondence, and 19 then you need a very large magnifying glass to read the 20 ruling in your favour. You must have read the evidence 21 that I received.</p> <p>22 A. Yes.</p> <p>23 LORD JUSTICE LEVESON: But that does seem to have a degree 24 of force to it.</p> <p>25 A. I think there's a -- and I think that one can look at</p> <p style="text-align: center;">Page 67</p>
<p>1 of increasing the power of sanction by saying either 2 that all adjudications must be referenced, for example, 3 on the front page, whatever the circumstance, and 4 secondly that the precise location would be a matter 5 dictated by the organisation itself.</p> <p>6 The argument has always been that things move very 7 quickly and pages change shape and the right to put 8 things in a certain way in a newspaper, notwithstanding 9 the terms of what the code require, must be a matter for 10 the editor, and I think that's often been a prevailing 11 argument. But it seems to me -- and I think people 12 would agree with me on this on the Commission -- that if 13 one were to look at a way of increasing the power of the 14 critical sanction, which would not involve anything 15 massively significant other than the agreement of the 16 industry that this would take place, one could say 17 adjudications should appear always trailed on the front 18 page and always in a location dictated by the 19 organisation.</p> <p>20 Q. It might be said that the newspapers' holding out for 21 some sort of control over the publication of 22 adjudications or even the publications of apologies and 23 corrections is short-sighted because it might be 24 contributing to the demise of the PCC itself, because in 25 terms of public perception, the public say, "This</p> <p style="text-align: center;">Page 66</p>	<p>1 a process of improvement here but one that perhaps 2 hasn't gone far enough, and I'm very conscious that the 3 rulings that we do now I think are longer and require 4 greater prominence in their promulgation by the paper, 5 but I think that there's been a process of improvement 6 in this area. You might well conclude, and we may well 7 conclude, that it could have gone further and should go 8 further in the future. I don't -- I think that's 9 a legitimate position to take.</p> <p>10 LORD JUSTICE LEVESON: Paying for it to be published in 11 somebody else's newspaper? That was an idea that 12 somebody had.</p> <p>13 A. Yeah, I'd not heard that idea before. With all these 14 things, if everyone agreed to it, it could be done. 15 I think if people didn't agree to it, it would seem hard 16 to legislate, even with a small 'l', for. I think the 17 idea of publicising very clearly when it has happened is 18 something that should be considered -- I think 19 newspapers can control their own publication -- and the 20 work of the PCC has been to try and publicise it 21 ourselves. So we tweet about it, we encourage other 22 people to write about it. So that notion is something 23 that we're quite warm on, I think.</p> <p>24 MR JAY: Ultimately, is there a philosophical question here 25 that the PCC feels there's only a certain distance it</p> <p style="text-align: center;">Page 68</p>

17 (Pages 65 to 68)

<p>1 can go in terms of insisting because we are dealing with 2 a system of self-regulation which depends on the consent 3 of the newspaper, or is it a question of the PCC pulling 4 punches which it could land if it wished to? 5 A. I think -- certainly my experience is that in this area 6 we strain as much as possible to get prominence. 7 I think the system is consensual and there's no getting 8 away from it, but as I said, that carries with it 9 a benefit because you can get things which would be 10 fought against if the system was non-voluntary, 11 particularly the fast-moving stuff. So getting stuff 12 taken off websites very quickly, the anti-harassment 13 work, the pre-publication guidance work -- that is 14 a feature of a system that is pitched at the flexible, 15 fast-moving end. What you lose at that end which you 16 would gain by a greater certainty of powers -- you lose, 17 I suppose, some element of authority, because it's 18 authority that is -- that at the moment is based on 19 collaboration and -- 20 LORD JUSTICE LEVESON: I don't understand why you would lose 21 the fast-moving end if you had a little bit more power 22 at the other end. 23 A. I think provided that power was accepted and established 24 and structural present, I'm not disagreeing with you. 25 What I'm saying is that at the moment the certain</p> <p style="text-align: center;">Page 69</p>	<p>1 code could change to say the general expectation will be 2 that there is prior notification, and the editor will be 3 expected to make an argument why that hasn't taken place 4 in a particular case, because one can conceive of 5 investigative journalism where it would be wrong to put 6 someone on notice of things that are about to appear. 7 But one could easily say that should be an argument that 8 it should be for an editor to make and explain clearly 9 why they've got done it. 10 The issue we've sometimes had -- we had a case last 11 year where the editor felt that the information was not 12 contentious, it came from a source close to the person, 13 and they didn't go to that person for comment. Now, 14 I think we, in our view, concluded that was a wrong 15 decision, but it was a relatively fine decision to have 16 to make, not because I think the editor was concerned 17 about the risk of injunction but rather they took 18 a common sense view, as they saw it, that the issue 19 wasn't such that would benefit from a comment. 20 So I think there's quite a large area of this where 21 it's a fine decision to make. I don't think it's always 22 very straightforward. The example you've discussed with 23 Tim Toulmin about Burrell was relatively clearcut, but 24 there will be areas that drift into the grey a little 25 bit.</p> <p style="text-align: center;">Page 71</p>
<p>1 flexible side of things are in the nonformal 2 consideration. So if the system had a greater 3 formality, then the work of removing things quickly or 4 giving advice may become more structured and that may 5 lose some of its speed, but I'm not disagreeing with 6 that. 7 MR JAY: Issue of pre-notification. The DCMS Select 8 Committee in February 2010, paragraphs 91 to 93, 9 recommended that pre-notification should be the norm and 10 the code should be amended to make that clear. That 11 hasn't happened, has it? 12 A. No. 13 Q. Why not? 14 A. I think the Code Committee were awaiting the outcome of 15 Mosley, which was a judicial consideration of some of 16 those issues. I think it's recently considered it 17 further. I don't think it's entirely finalised its 18 position. I think some people in the Code Committee 19 read the Mosley decision as arguing against 20 a codification of a general principle. I think the PCC 21 in its interpretation of the code in the area of 22 accuracy has gone some way to defining the need to 23 contact in advance, particularly on contentious issues. 24 So I think that the code has certain provisions for 25 it in accuracy. I think there's an argument that the</p> <p style="text-align: center;">Page 70</p>	<p>1 Q. I don't think the DCMS committee were concerned with 2 grey areas in that sense. All they were saying was that 3 as the general rule, pre-notification should be written 4 into the code. That means, of course, that there may be 5 exceptions from the general rule and the editor would 6 have to demonstrate that an individual case fell within 7 the exception, but that would simply reflect the sound 8 common sense position, which would do justice to both 9 sides in the balance between free speech on the one hand 10 and privacy on the other; would you accept that? 11 A. I don't disagree with that. 12 Q. The decision of the European Court of Human Rights was 13 solely on Article 8. It wasn't on domestic law or on 14 good practice, was it? 15 A. No, and I think that there's -- as I say, the work of 16 the PCC in this area has pointed towards good practice, 17 best practice, in the area particularly of accuracy. 18 Q. Is there a sense you feel within the Commission that the 19 Mosley case, as it were, has dictated the agenda? "We 20 don't like Mr Mosley very much anyway" -- 21 Sir Christopher Meyer has, in effect, said that, as 22 I will make clear to him tomorrow -- "and that means we 23 will not move towards an amendment of the code"? 24 A. No, I don't think that at all. I think, speaking 25 personally, and I would say probably for the majority of</p> <p style="text-align: center;">Page 72</p>

<p>1 the Commissioners, one should have a great deal of 2 personal sympathy for Mr Mosley based on those peculiar 3 circumstances of his case, because of he -- reading that 4 information and seeing those pictures and that video 5 about himself without being aware that it was going to 6 come, at a personal level one can see how terrible that 7 would have been.</p> <p>8 So I don't think there's any view of the Commission 9 corporately about Mr Mosley, except to say on the 10 specifics of the case it was quite likely he would have 11 found favour with the judgment of the Commission if they 12 had been asked to make one. So I certainly don't accept 13 that at all as a motivating factor.</p> <p>14 Q. Okay. I'm going to pass over significant further 15 sections of your statement and take them as read, 16 because many of them are expository, and pick up the 17 story in relation to phone hacking at paragraph 513.</p> <p>18 A. Yes.</p> <p>19 Q. As far as you're concerned, you're director now 20 from December 2009, so you produce a paper in January 21 2010 in which you refer to additional evidence which had 22 come to light. You've also -- I perhaps should cover 23 this -- in paragraph 510, page 33788, referred to libel 24 proceedings by Mr Mark Lewis in the context of something 25 Baroness Buscombe said at a lecture. So additional</p> <p style="text-align: center;">Page 73</p>	<p>1 News of the World newsroom at the relevant time, has 2 accepted an official version of events. Four 3 award-winning reporters who have done first hand 4 investigation of their own have arrived at a directly 5 opposite conclusion. So did the judge who heard the 6 evidence in the Goodman case."</p> <p>7 Did that letter cause you any disquiet?</p> <p>8 A. Absolutely -- well, I don't think it took that letter to 9 necessarily cause me disquiet. I was aware of the 10 New York Times piece being prepared really from the time 11 I became director onwards. It subsequently appeared. 12 We had this letter from Alan Rusbridger, who I'd met 13 when I became director to discuss his concerns with what 14 had happened in the past. I then prepared for the 15 Commission a summary of the position as I saw it, based 16 on Mr Rusbridger's letter but also based on what the 17 New York Times had said and what had been around really 18 in the preceding six months.</p> <p>19 So it did cause me disquiet and I reflected that 20 disquiet to the Commission and asked them to consider 21 it.</p> <p>22 Q. Yes, you did that in a paper which I think you wrote 23 in September of 2010. It's under tab 75, so it's going 24 to be in the next of the B files. It summarises the 25 position. I'm right in saying that you wrote this,</p> <p style="text-align: center;">Page 75</p>
<p>1 material which comes to light but which, I think I'm 2 right in saying, doesn't cause you to update the report 3 at that stage; is that correct?</p> <p>4 A. That's correct.</p> <p>5 Q. Then the DCMS report in February 2010, and we can recall 6 the conclusions they came to --</p> <p>7 A. Yes.</p> <p>8 Q. -- referring to the "for Neville" email, the February 9 2005 contract, the Taylor settlement and the various 10 other matters.</p> <p>11 A. Yeah.</p> <p>12 Q. In paragraph 515, you received a letter from 13 Mr Rusbridger in September 2010 criticising your report 14 and drawing your attention to a piece in the New York 15 Times. Maybe we should turn up that particular letter. 16 It's in file B4, tab 74, at the very back of the first 17 B4 file. Page 41447, where Mr Rusbridger draws your 18 attention to certain evidence which we know about but 19 which I'm not going to read out, draws attention to the 20 New York Times work and then says, at 41449, level with 21 the lower hole punch or just above it: 22 "The contrast between the PCC's report and the 23 evidence of people with direct knowledge of events at 24 the time is striking. The PCC, which has not, to my 25 knowledge, spoken to a single journalist inside the</p> <p style="text-align: center;">Page 74</p>	<p>1 am I?</p> <p>2 A. Yes.</p> <p>3 Q. Can I ask you to look at page 41466, paragraph 39, under 4 the heading "The validity of the 2009 report reopening 5 the inquiry": 6 "The Commission must consider whether the fresh 7 material means that the 2009 report should be revisited 8 (as suggested by Rusbridger). In 2009, the Commission 9 was seeking to take a view on the material that it had 10 seen in relation specifically to the issue of whether it 11 had been misled in 2007. It is, of course, wrong (and 12 mischievous) to suggest that we instigated an 'inquiry' 13 into the practice itself ... and somehow exonerated the 14 News of the World. That perception persists, however, 15 as does the argument that we should have instigated such 16 an Inquiry (even if we didn't)."</p> <p>17 So you were having it every single way you could 18 there, I think.</p> <p>19 A. Well, I'm trying to reflect, I think, the fact -- as I 20 go on to say, the problem with how this was considered 21 by the Commission was a lack of clarity about what it 22 should and shouldn't be trying to achieve here and how 23 it then sought to go perform that.</p> <p>24 Q. You take this up again in paragraph 46: 25 "The latest information perhaps suggests we should</p> <p style="text-align: center;">Page 76</p>

<p>1 examine internally how we came to the conclusions we did 2 and the extent to which we were clear enough about our 3 remit and role from the beginning. This is still 4 potentially perilous: would we commit to issuing 5 a statement on the subject? We might actually consider 6 this as part of our ongoing response to the governance 7 review, which recommends the Commission give 8 consideration specifically to the clarity of its role in 9 difficult areas such as this."</p> <p>10 What internal examination was given, do you think, 11 to the issue of the use of the term company "inquiry", 12 whether it was an inquiry and whether it should have 13 been an inquiry if it wasn't an inquiry?</p> <p>14 A. I think -- certainly what then subsequently happened 15 when we created, in January 2011, the phone-hacking 16 review committee, almost it's primary function, or one 17 of its functions, was to look at these reforms and come 18 to a view about why -- how we operated in this way, 19 if -- what mistakes were made and how one could, within 20 the current structure, have done things differently.</p> <p>21 LORD JUSTICE LEVESON: Just before you go to January 2011, 22 still in your report, there's a prescient comment in 23 paragraph 52: 24 "There's no doubt that the breadth of the 25 allegations is damaging to the PCC in that it will</p> <p style="text-align: center;">Page 77</p>	<p>1 language. My point is that the system of 2 self-regulation, the existence of the Code Committee, 3 the role of the PCC, the role of PressBoF in funding 4 that, that is a system of self-regulation, and the 5 question has to be asked -- and I think that we were 6 right to ask it -- was: in this specific case, how did 7 that system succeed or fail?</p> <p>8 And it is about self-imposed standards. That's what 9 I take "self-regulation" to mean in the purest sense 10 about it. That's to say there is a systemic point there 11 to say newspapers are undertaking to restrain and 12 regulate their own behaviour, and the PCC is the 13 mechanism that that's enforced currently.</p> <p>14 But I don't disagree. I think the key question that 15 comes out of phone hacking always has been not only the 16 precise behaviour of the PCC, but the -- whether the 17 system was such as to provide a proper mechanism for 18 stopping it happening in the first place. It did not 19 stop it happening in the first place. One can make an 20 argument that if people are going to commit criminal 21 acts and then conceal them, there are very few systems 22 in the world that can catch them, but that doesn't mean 23 that this system shouldn't be held responsible for 24 allowing it to happen.</p> <p>25 LORD JUSTICE LEVESON: I understand that, and I readily</p> <p style="text-align: center;">Page 79</p>
<p>1 suggest to people that a system that allows such 2 behaviour to take place is no fit system at all."</p> <p>3 That's right, isn't it?</p> <p>4 A. And I think the point I've always said is that the 5 over-arching systems, including the PCC's role in this, 6 and in how the rule of law was enforced, the fact that 7 this went on and it went on to whatever extent -- and we 8 are still trying to establish -- we, by which I mean 9 everyone, are still trying to establish the extent of 10 it. It is a legitimate criticism that a system of 11 self-imposed standards, enforced by the PCC -- which 12 I don't want to suggest hasn't achieved material gains 13 in other areas, but while that system was existent in 14 2003, 2004, 2005 -- allowed this to take place and 15 I think we have to accept, very clearly, responsibility.</p> <p>16 LORD JUSTICE LEVESON: A system of self-imposed standards? 17 That's getting much closer, actually, to what you do, 18 but when you wrote to Mr Rusbridger, you still used the 19 word "self-regulation" in a way that actually blurs just 20 this point, when you say: 21 "I know you are a supporter of effective 22 self-regulation and hope you will continue to help the 23 PCC in achieving it."</p> <p>24 A. I think that perhaps a lot of people have been guilty -- 25 and I wouldn't recuse myself from this -- of imprecise</p> <p style="text-align: center;">Page 78</p>	<p>1 recognise that there will be questions about the police 2 and many others.</p> <p>3 A. Of course.</p> <p>4 LORD JUSTICE LEVESON: But presumably one could devise 5 a system that identifies self-imposed standards which 6 actually is rather less dependent upon consensual opt-in 7 than the present system.</p> <p>8 A. I think that if one were to spell this out first, you 9 could still have the element of agreement to it but it 10 would have to be very, very clearly set out in advance, 11 and that seems to me to be to say -- and we got close to 12 this in the work of the phone hacking review committee. 13 You need to say -- newspapers have to take 14 responsibility for having internal processes that deal 15 with the access of personal information, including from 16 third parties, and that would have to be across the 17 industry. The role of a future -- more of a regulatory 18 body would be to say, "And our function would be to 19 check that you're doing that, and if you fail to do 20 that, to impose sanctions for that."</p> <p>21 That, to me, is the standards work, that although 22 the PCC has had a role in standards and certain powers, 23 that leap has not been made yet, and I think one of the 24 virtues of this Inquiry -- and you will make your own 25 judgments about this -- will be just to take a step back</p> <p style="text-align: center;">Page 80</p>

20 (Pages 77 to 80)

<p>1 and look at the over-arching structure and see what's 2 missing or what might be changed. That, to me, I think 3 is a standards function.</p> <p>4 I'm not entirely sure it couldn't be achieved by 5 agreement, but it would have to be set up and 6 established for all to see, so that people then clearly 7 consent to it.</p> <p>8 LORD JUSTICE LEVESON: I'm going to run ahead of myself. 9 I'd rather let Mr Jay take the line forward but there 10 are a number of things there that I'd very much like to 11 take up with you. I'll wait my turn patiently.</p> <p>12 MR JAY: I do want to leave half of hour of your evidence to 13 cover these matters.</p> <p>14 You're confronted with the horns of a dilemma to 15 this extent: either the PCC had power to investigate and 16 should have investigated, on the one hand, or it didn't 17 have power to investigate but should have had the power 18 to investigate, and therefore there's a systemic problem 19 on the other hand. There isn't really a mid-position 20 here, is there?</p> <p>21 A. No, although I think the PCC clearly, because it 22 exercised this, had the ability to ask questions. It 23 clearly came to a judgment about the answers of those 24 questions. Now, either because it didn't consider 25 itself to have the full authority or the resource to</p> <p style="text-align: center;">Page 81</p>	<p>1 should be that newspapers volunteer accurate information 2 to it, and if the PCC took the view that the 3 News of the World were very, very strong in their 4 position, one would expect them to be honest and full 5 and frank with the PCC.</p> <p>6 LORD JUSTICE LEVESON: It depends upon their relationship 7 with the PCC, and that's one of the issues, isn't it? 8 What is the culture of the relationship?</p> <p>9 A. What I find interesting is even if you speak to people 10 who are more hostile to the News of the World, like 11 Mr Driscoll, who has reasons to have concerns about the 12 News of the World -- it talked about the seriousness 13 with which they dealt with complaints, and I can testify 14 to that and that of other newspapers, that if you get 15 a complaint, their response to it -- they, in my view, 16 do take it seriously and I feel that they have a 17 responsibility, which they exercise, to be frank and 18 co-operative with the PCC.</p> <p>19 In this area -- and to take it to a logical 20 conclusion, when Mr Toulmin wrote to them saying, "What 21 information do you have, is it a rogue reporter?" one 22 would expect them to be honest about that.</p> <p>23 MR JAY: There are two aspects of culture, if I may, which 24 I can take up with you in the context of the 25 News of the World and its response to the PCC.</p> <p style="text-align: center;">Page 83</p>
<p>1 pursue this fully, I think the PCC doesn't have the 2 clearly defined mechanism to explore this type of 3 systemic issue with the News of the World properly.</p> <p>4 You might say that it theoretically had the power 5 and didn't test that out. Either it regarded itself as 6 having limited power or indeed the power and resources 7 that were available to it were insufficient, but it got 8 into a position where it was making, as I say, 9 a qualitative judgment about information that it wasn't 10 really in a position to do, and the Select Committee, 11 which has, arguably, greater powers than the PCC in 12 terms of calling witnesses and having oral hearings to 13 test it, they didn't necessarily reach any greater 14 findings of facts, but they were more sceptical about 15 the information which they did receive, which I think is 16 a factor in this.</p> <p>17 Q. Yes, and they also, although it wasn't on oath, 18 interviewed a significant number of witnesses, didn't 19 they?</p> <p>20 A. Exactly.</p> <p>21 Q. Which the PCC did have power to do, but it didn't 22 clearly have the will and perhaps not the resources --</p> <p>23 A. I think it had the ability to ask questions, and -- you 24 know, you spoke to Mr Toulmin about this. If -- one of 25 the points of a system of self-regulation over-arching</p> <p style="text-align: center;">Page 82</p>	<p>1 The first point: would you accept that if one knows 2 that the body to whom you speaking, here the PCC, does 3 not truly have teeth, you might have reasonable grounds 4 for feeling that you can get away with more and perhaps 5 be less economical with the truth, whereas if you're --</p> <p>6 LORD JUSTICE LEVESON: Probably more economical with the 7 truth.</p> <p>8 Q. Yes, pardon me. Whereas if you're dealing with 9 a regulator in the strict sense, you wouldn't dare 10 misrepresent the position to them. Would you accept 11 that?</p> <p>12 A. I think clearly the notion of financial sanctions is 13 a power that the PCC doesn't have and would focus the 14 mind. What I'm surprised about, looking back on it, is 15 that things were said both to the Select Committee and 16 the PCC in a public forum, when there were people who 17 will have seen evidence, wouldn't have known that that 18 wasn't necessarily the true position.</p> <p>19 So to me, I think one would expect newspapers, if 20 they're speaking to an external body that is likely to 21 publicise what they say, that would be a reasonable 22 check on what they disclose.</p> <p>23 Q. One wouldn't dispute the generality of that, but I was 24 making it slightly more piquant to this extent: that if, 25 for example, a lawyer were to misrepresent the position</p> <p style="text-align: center;">Page 84</p>

21 (Pages 81 to 84)

<p>1 to his or her professional body, the automatic 2 consequence would be erasure or being struck off. It's 3 as simple as that.</p> <p>4 That's not going to happen in this context because 5 you don't have any teeth. Although the expectation 6 might be the newspaper tells you the truth, ultimately 7 the newspaper knows that there's no sanction if it 8 doesn't tell you the truth. That's true, isn't it?</p> <p>9 A. Yeah, and I think that as we internally -- and this has 10 been discussed externally -- look at ways for 11 improvements to the system, one could have as a -- 12 whether you agree with the contractual notion or not, 13 one could have, as a matter of agreement, by contract in 14 advance, disclosure of information and clearly a fixed 15 penalty for failing to do that, and I think that's 16 a perfectly reasonable proposal, taking on board the 17 lessons of the News of the World.</p> <p>18 Q. Yes. The other cultural point -- it's a slightly more 19 loaded or possibly even sinister one -- is that there's 20 there may be a special relationship between 21 News International, a particularly power body, and the 22 PCC, which caused the PCC, either consciously or perhaps 23 subconsciously, to pull its punches. Is that fair, do 24 you think?</p> <p>25 A. I don't think it's fair, no, not in my direct experience</p> <p style="text-align: center;">Page 85</p>	<p>1 United Kingdom, the Danish Press Council. You explain 2 it's established by legislation and entirely funded by 3 the media. Do you happen to know who sets the relevant 4 standards? Is it the council itself or is it the 5 legislation?</p> <p>6 A. I do not know, I'm afraid. I could find out, but 7 I don't know.</p> <p>8 Q. Funding. Paragraph 694. The longer-established Press 9 Council is generally funded in full by the media 10 industries they operate, although in some jurisdictions 11 there's some degree of state subvention; is that right?</p> <p>12 A. Yes, the most notable example being Germany, which has 13 a no-strings-attached grant from the government.</p> <p>14 Q. Paragraph 701: 15 "The primary work of all press councils is the 16 investigation of complaints." 17 To your knowledge, do any press councils or 18 commissions set out standards more generally?</p> <p>19 A. No, I think that they are considered to be primarily 20 complaints-handling bodies.</p> <p>21 Q. You give the answer to this, 705 --</p> <p>22 LORD JUSTICE LEVESON: Does that mean they have no standards 23 bodies?</p> <p>24 A. I think that -- my understanding is that they are -- no, 25 they are primarily -- these are the bodies that exist in</p> <p style="text-align: center;">Page 87</p>
<p>1 of the relationship with News International at all.</p> <p>2 In terms of complaints, in my time, there was no 3 News International person on the Commission while I've 4 been director, and so the relationship we had with those 5 papers were primarily on the complaints function, and in 6 that sense, their managing editors were quite good at 7 dealing with the PCC in terms of complaints.</p> <p>8 There may be an issue here of the PCC's 9 relationships with managing editors and some of these 10 responses may have come from a more corporate position.</p> <p>11 Q. International comparisons. Paragraph 688. Can we just 12 try and summarise the position here? Accepting, of 13 course, that historically, culturally, socially, the 14 position of the press in any particular country is going 15 to vary, and we won't necessarily understand, for 16 example, how it might operate in Denmark as opposed to 17 the Balkans, as opposed to Estonia or wherever.</p> <p>18 A. No, I agree with that.</p> <p>19 Q. You point out in paragraph 691 that all bar three, 20 I think, of the PCC-like organisations in Europe are 21 voluntary in nature. There are three that have some 22 basis in legislation: Denmark, Luxembourg and Lithuania; 23 is that correct?</p> <p>24 A. Yes, as understand it.</p> <p>25 Q. If we can take the one that's possibly closest to the</p> <p style="text-align: center;">Page 86</p>	<p>1 these countries, and they're primarily public-facing 2 complaints bodies.</p> <p>3 LORD JUSTICE LEVESON: But does that mean that in these 4 other countries, there may be somebody to whom you can 5 go if you have a complaint about the press but there is 6 no body that oversees standards at all, even if it's not 7 called a Press Council?</p> <p>8 A. My understanding would be that there is not another 9 body. I know that the ombudsman in Sweden has an 10 educational role in terms of training and promotional 11 work, but there's a large extent to which that crosses 12 over with the PCC as well. I don't believe that there 13 is another body to which I'm not referring here.</p> <p>14 MR JAY: Culturally, the country which has the closest 15 association with the United Kingdom, of course, will be 16 the Republic of Ireland.</p> <p>17 A. Yes.</p> <p>18 Q. You tell us a little bit about the system. They have an 19 ombudsman system, one which is akin to an ombudsman, 20 I think in paragraph 711; is that correct?</p> <p>21 A. That's right.</p> <p>22 Q. Do you have direct knowledge of the system in Ireland 23 which you can share with us?</p> <p>24 A. A little bit. To my understanding, it is rather similar 25 to the PCC, except for this two tier approach that it</p> <p style="text-align: center;">Page 88</p>

<p>1 takes, and the fact that its existence is referenced in 2 the Defamation Act, which I think is a significant 3 factor to which you will no doubt refer, and I think is 4 an important one.</p> <p>5 LORD JUSTICE LEVESON: I think you're probably right, yes.</p> <p>6 A. Actually in terms of structure, it is -- they used quite 7 a lot of PCC expertise in terms of setting it up, so it 8 is primarily a complaints-handling body. The ombudsman 9 takes a lot of complaints. He refers them up if he 10 thinks there's a breach of the code. That, though the 11 council acts as an appeal to a certain extent to the 12 ombudsman role, but they tend to track the work of the 13 PCC, so they would have developed, I believe, an 14 anti-harassment service following on from the PCC 15 developing it.</p> <p>16 Structurally, the ombudsman/Press Council 17 relationship is significant, and it's the Swedish model, 18 but in reality that's just a two-tier approach to the 19 same thing, which is really dealing with complaints.</p> <p>20 LORD JUSTICE LEVESON: Is that voluntary? 21 A. It is voluntary, yes, although it's incentivised, 22 I believe, by the Defamation Act.</p> <p>23 LORD JUSTICE LEVESON: Incentivised by the Defamation Act? 24 In other words, there's some benefit? 25 A. There's a Reynolds-type benefit, but to say --</p> <p style="text-align: center;">Page 89</p>	<p>1 Northern &amp; Shell pulled out, because that was in 2 mid-January.</p> <p>3 A. Yeah.</p> <p>4 Q. There was warning of it because they refused to pay the 5 subscription.</p> <p>6 A. Exactly.</p> <p>7 Q. As I think they'd done in 2008 and 2009? 8 A. That's right. The difference then was that we continued 9 to consider complaints but that position had changed by 10 2010/2011.</p> <p>11 Q. The point you made, if I can paraphrase it, in the 12 middle of the page, is that if they're not going to pay 13 and indicate they're going to stall payment, the next 14 step is for the PCC to decline to deal with complaints 15 about the titles:</p> <p>16 "This will inevitably cause the PCC practical, 17 philosophical and procedural problems."</p> <p>18 Then you attach two papers. The papers are 19 available, but what I'm going to ask you to do is to 20 summarise for us those three problems.</p> <p>21 A. It sounds -- I think I was getting carried away with my 22 own rhetoric there. I think the practical and 23 procedural are probably closely linked together. If 24 people wish to make complaints, particularly members of 25 the public, and we're not able to offer a service to</p> <p style="text-align: center;">Page 91</p>
<p>1 I believe, and I don't want to hold myself out as an 2 expert in this --</p> <p>3 LORD JUSTICE LEVESON: You don't need to concern yourself. 4 We'll find out.</p> <p>5 A. But my understanding is the incentivisation is that if 6 you are a member, you can have at least a shot at 7 a Reynolds defence by saying you're a responsible 8 journalist.</p> <p>9 MR JAY: If you're not a member, you can't? 10 A. No, although I think the difficulty that exists is that 11 if you're, say, an NGO or a charity, you can still say 12 you have your own set of standards internally that 13 you're following which still will allow you to avail 14 yourself with Reynolds, but I suspect if you're 15 a newspaper that's not a member, the judge would look 16 pretty dimly on you trying to say you're a responsible 17 journalist if you're not a member of a system which 18 deals with responsible journalists.</p> <p>19 Q. Before we look at the future, may I just touch on the 20 Desmond problem, as it's been described to us by others. 21 In this smaller file, which is section 5, it's under 22 tab 34. B5. 23 A. Section 5, tab 34? 24 Q. Yes. It's an email that you sent to the Commissioners 25 on 4 January 2011, which is just before, I think,</p> <p style="text-align: center;">Page 90</p>	<p>1 them, that is a significant practical problem.</p> <p>2 There is the secondary problem of a lot of our work 3 is based on pre-publication work, and that's based on 4 willing co-operation. That would no longer necessarily 5 be forthcoming.</p> <p>6 The philosophical problem is the one that you'll be 7 very familiar with, which is that if you're going to 8 have a system, in the broad sense of a term, of 9 self-regulation and a major player doesn't want to be 10 part of it, that raises a serious issue about the 11 functionality of that system.</p> <p>12 Q. That's the penultimate paragraph of the email at 43237. 13 It's also in one of the two attaches papers, 42331, 14 paragraph 15. 15 A. Yes. 16 Q. Thank you. The strengths of the PCC -- many of these 17 you've covered in your evidence. Can I just ask you to 18 clarify one point, which is the time it takes for 19 complaints and investigations to be determined on 20 average. This is paragraph 723, point 2, page 33871. 21 A. Yeah. 22 Q. When you say investigations take an average of 33 23 working days, what are you including within 24 "investigations"? More precisely, are you excluding the 25 investigations which fail at the first hurdle because</p> <p style="text-align: center;">Page 92</p>

23 (Pages 89 to 92)

<p>1 they're out of remit or they fail to raise a prima facie 2 case?</p> <p>3 A. Yes. We're excluding those. The overall turnover of 4 all complaints in 2010, I think, was 17 days, but that 5 includes all those which go at the first hurdle. The 6 investigation is one where we've taken it up with the 7 editor and are having an exchange with correspondence.</p> <p>8 Q. Thank you. I think in 2010 we had 1,229 of those?</p> <p>9 A. Yes, and I think it's gone up to 13,00 and something in 10 2011.</p> <p>11 Q. So an average of 33 working days.</p> <p>12 The weaknesses. First of all, existential. It's 13 not a regulator in what you call the classical sense, 14 possibly in any sense of the term, would you agree, 15 Mr Abell?</p> <p>16 A. I'm happy that we shouldn't use the term "regulator" to 17 describe the PCC. I think it performs some functions 18 that a regulator would. I think pre-publication 19 intervention, having a code of practice, training, they 20 are regulatory functions, but I'm -- that's why I don't 21 believe it is should self-describe as a regulator. 22 That's why I say it there.</p> <p>23 Q. In 725, you address a philosophical question about 24 whether an industry with freedom of expression at its 25 centre should be subject to the more formal -- and then Page 93</p>	<p>1 that industry, what checks should be placed on the 2 circulation and dissemination of information? I think 3 that's a very important philosophical question, whatever 4 the structure you're debating.</p> <p>5 Q. There are at least two different concepts there. Are 6 you saying that given the nature of the activities 7 newspapers habitually and traditionally carry out, the 8 weight that should be given to Article 10, freedom of 9 speech considerations, which we do see in article 53.7 10 of the articles of association, should be very much 11 stronger than the Article 8 or privacy rights of 12 individuals?</p> <p>13 A. No, I don't --</p> <p>14 Q. Is it a matter of philosophy?</p> <p>15 A. No, I don't think that's right. I think on the specific 16 cases they have to be weighed properly. My mission is 17 if you're thinking about a structure, one has to have 18 regard for the nature of the industry itself, and 19 I think that can't come at a compromise of the rights of 20 individuals.</p> <p>21 I very strongly believe that the way the PCC has 22 operated has never been Article 10 at the expense of 23 Article 8, and I don't think even its construction is 24 based on Article 10 at the expense of Article 8. My 25 point is: in those cases you have to conduct the Page 95</p>
<p>1 you have "statutory" in brackets -- regulation. Can you 2 explain what you mean by that?</p> <p>3 A. Yeah, I think there's two points there. One is the 4 statutory point, which will be endlessly and rightly 5 discussed, which is: if you versus a statutory 6 involvement in the system, how far can you have that 7 whilst still preserving freedom of expression?</p> <p>8 Then there's the second point, which is not even an 9 issue, I think, necessarily to do with statute, which is 10 that if we believe in a relatively unfettered 11 circulation of information, then the powers of any body, 12 whether based on statute or not, to intervene, to impact 13 on editorial decisions, has to be carefully considered 14 and weighed up.</p> <p>15 So I'm not saying merely that self-regulation is 16 good, statutory regulation is bad, which is often a very 17 simplistic way of looking at it. My point is that at 18 the heart of the newspaper industry is legitimately the 19 notion of people exercising their freedoms to be 20 polemical sometimes, editors exercising their discretion 21 about what information should be included, responding to 22 the needs and wishes of their readers.</p> <p>23 That doesn't necessarily break down into 24 a statutory/self-argument, but actually breaks down into 25 a more fundamental one, which is: within the context of Page 94</p>	<p>1 requisite balancing act, but I think regard has to be 2 given to the nature of the industry when coming up with 3 the over-arching structure for doing that.</p> <p>4 Q. Possibly I'll come back to that point. Is there truly 5 an objection to statutory regulation if it's made 6 absolutely clear that neither the legislative nor the 7 executive will be responsible for the imposition of any 8 standards?</p> <p>9 LORD JUSTICE LEVESON: Or indeed whether the standards have 10 been broken. The question is -- and I think you might 11 have put it correctly -- that statutory and self is an 12 artificial description of the debate.</p> <p>13 A. I think that the risk of legislation is that the course 14 of legislation can lead to things being added and 15 amended by the system of Parliament we have, and so 16 there's a risk inherent in legislation because titles 17 can be changed of bills and amendments can be made and 18 debated. That's right and proper, but it does raise the 19 spectre of a parliamentary involvement in setting out 20 the principles and therefore the effect of the 21 regulation.</p> <p>22 But I think, speaking personally, that if one can 23 conceive of statutory recognition of a body, or a system 24 where the existence of it and its broad framework was 25 recognised by the state, that comes short of statutory Page 96</p>

<p>1 regulation. I think that's a perfectly legitimate aim 2 to be examined. I think that is different to either 3 conferring powers to the state or even conferring 4 backstop powers to the state, because I think that does 5 raise legitimate questions.</p> <p>6 LORD JUSTICE LEVESON: This goes back to what Mr Jay called 7 the Desmond question. Mr Desmond made it abundantly 8 clear why he withdrew from the PCC. He clearly has very 9 serious differences with some very big players in the 10 PCC.</p> <p>11 A. Well, actually, my understanding -- Mr Desmond, I think, 12 didn't want to pay the money, was the first thing that 13 I ever heard about this and consistently heard about 14 this. His objections, I think, were less to the PCC as 15 to the -- and maybe this doesn't matter, but I think it 16 was to the over-arching system. Mr Desmond does not 17 regard himself collegiately with other people in the 18 industry who do subscribe to the system. I don't think 19 he likes the idea of a funding body like PressBoF on 20 which sits people with whom he is not in tune.</p> <p>21 So I think his concern is notions of collegiality 22 which he doesn't feel.</p> <p>23 LORD JUSTICE LEVESON: That may be a fair way of putting it 24 but it's not a very happy position to be in that our 25 system, whatever the system is, depends upon that.</p> <p style="text-align: center;">Page 97</p>	<p>1 Post, who I understand would be willing to get involved 2 voluntarily -- you could create that which would cover 3 the vast majority of what people conceive of as 4 significant players. That, I think, is an achievable 5 aim.</p> <p>6 To come up with the notion that everyone who 7 performs a newspaper-like function should be caught and 8 compelled, and if they don't agree or play along with 9 that compulsion, that would need to be enforced by 10 someone, the state saying, "We are catching you as 11 a newspaper, we expect you to do this and we will have 12 some form of enforcement if you don't go along with 13 it" -- that, to me, I don't think is actually 14 practicable any more in the world we live in.</p> <p>15 So I entirely agree that you have to have the 16 players in and you have to try and encourage membership 17 but -- and try and bind them in once they are members, 18 but I think the notion of a compulsion across the board 19 for universality, personally speaking, I don't believe 20 it achievable any more.</p> <p>21 LORD JUSTICE LEVESON: Whether it's desirable to achieve is 22 another matter. Don't set me a challenge. The 23 desirability of it may be something else, for reasons 24 that you forcefully argue.</p> <p>25 MR JAY: In paragraph 725, you identify a number of Page 99</p>
<p>1 A. No, but I think one -- and this may not be a hugely 2 helpful answer but either you believe that there is 3 a prospect of universality of a system or you don't.</p> <p>4 Now, to me personally, the advent of online, the 5 number of people who look like they can be 6 newspaper-like products online with varying 7 jurisdictions means notions of universality which 8 existed very strongly 20 years ago -- "Here are the 9 following papers which exist" -- becomes harder to 10 manage. Clearly, the system has to have the buy-in and 11 the binding agreement of the major players action that's 12 why the Desmond problem is called the Desmond problem; 13 correctly, in my view.</p> <p>14 LORD JUSTICE LEVESON: But it's not just, actually. There 15 are magazines that aren't in the PCC.</p> <p>16 A. Sorry, my point is this: major players have to be 17 involved. How does one conceive of a system which 18 definitionally encompasses everyone who is performing 19 a newspaper-like function? Private Eye's not a member 20 of the system either. I don't think universality 21 actually is possible in the new world we live in, but 22 clearly every significant player needs to be caught. 23 That, to me, I think is a real dilemma facing everybody, 24 because if you had a system which Richard Desmond signed 25 into and was bound by and people like the Huffington Page 98</p>	<p>1 weaknesses. It's not clear whether you're saying these 2 are perceived weaknesses in certain quarters or they're 3 weaknesses which you believe have validity.</p> <p>4 A. I think some -- and to me there's a -- if a perception 5 is sufficiently widely held, it is as significant as 6 something that is real. So I don't wish to diminish 7 something by merely saying it's a perception. People 8 can do that and that diminishes the importance of 9 perception.</p> <p>10 For example, concerns about independence to me -- in 11 terms of the practical work of the PCC in the complaints 12 handling, I have no personal concerns about 13 independence, but if people feel that they can't have 14 confidence in the system because of concerns about 15 independence, that's a very real concern.</p> <p>16 I feel, from my experience and some of the work 17 we've done, that people have regard and confidence in 18 the PCC as a complaints-handling body. I firmly believe 19 that. But notions about independence are absolutely 20 crucial to the whole system.</p> <p>21 So I don't want to necessarily always draw the 22 distinction between perception and reality, because 23 I might have a view of the reality but that doesn't mean 24 I don't have to deal with the perception.</p> <p>25 Q. No, that's a very fair point. What about the issue of Page 100</p>

25 (Pages 97 to 100)

<p>1 sanctions, for example, where you say:                  2 "Some observers question whether sanctions ..."                  3 I think it may be fairer to say that most observers                  4 do outside the newspaper industry itself.                  5 A. I think the issue of sanctions to me has always been                  6 predicated on how you would introduce, say, fines into                  7 a fast-moving, complaints-handling system. I think the                  8 answer to that may be that you don't but if you were to                  9 be much more obvious in the future -- in a future                  10 manifestation of systemic issues, what might be called                  11 standards issues -- so you deal with the complaints in                  12 a fast, economical way, which I think you can make an                  13 argument does not include a monetary aspect, because                  14 that could slow it down, but you then have a systemic                  15 role to look at issues of broad standards or internal                  16 systems that could carry with it a financial penalty,                  17 because it would be a much more drawn out process                  18 anyway, much more formal, and the issue of fines then                  19 could be brought in without necessarily compromising the                  20 ombudsman function, if you like, the complaints-handling                  21 function. And once you make that mental leap into sort                  22 of two prongs, to me the notion of fines becomes more of                  23 an attractive option.                  24 Q. But if the fines are only going to be levied in the                  25 context of an investigation which has identified</p> <p style="text-align: center;">Page 101</p>	<p>1 for the future.                  2 I think that people would want to see that, and                  3 reading the evidence here, one of the things that people                  4 say, quite rightly, is whatever happened to them, one                  5 can talk about how that should be remedied but they                  6 don't want to see it happen to someone else. So that,                  7 I think, is a very powerful step that the public would                  8 want to see.                  9 Q. I think with much of this, when you're identifying                  10 either the perceived weaknesses or weaknesses which some                  11 observers have identified, it keeps returning to the                  12 extension problem or the definitional one. Is the body                  13 we're talking about effectively going to be                  14 a self-regulator in the sense in which you define the                  15 term -- namely, it's responsible for standards within                  16 the industry which the industry itself imposes and                  17 itself ultimately enforces through the PCC -- or are we                  18 talking about a regulator with greater teeth, possibly                  19 with a statutory framework, but not necessarily one                  20 which --                  21 A. To me, I think you can go a long way with definitional                  22 clarity, and which can include greater teeth by                  23 saying -- that's why the two-pronged approach -- and                  24 leave aside the potential third prong, which I know                  25 you're interested in, to do with arbitral reactions to</p> <p style="text-align: center;">Page 103</p>
<p>1 a systemic failing, possibly there are two problems.                  2 First of all, the complainant won't see any link between                  3 the transgression in his or her case and the imposition                  4 of a condign punishment. Do you agree with that?                  5 A. That's possible, but if you're clear enough about it and                  6 you still have imposed a suitable sanction in respect of                  7 the complaint, then he or she, the complainant would                  8 have the advantage of whatever that sanction may be, or                  9 settlement even, but the systemic point would be                  10 addressed post hoc.                  11 If people are aware of that, and indeed if they're                  12 informed about it when it arises, then I think they                  13 would take some succour from that potentially.                  14 Q. The second point is that given we're investigating or                  15 might be investigating systemic issues of the nature the                  16 PCC or its successor body would only be doing that                  17 exceptionally, there would be considerable delay. That                  18 would not necessarily bolster public confidence, would                  19 it?                  20 A. I think what it would be able to do is you would still                  21 be able to offer swift redress to complaints. There                  22 would still be all the existing operations of the other                  23 authorities, but there would be an appropriate response                  24 after the event that would lead to standards changing --                  25 punishment, if that is necessary, but systems changing</p> <p style="text-align: center;">Page 102</p>	<p>1 libel and privacy, which I think is something that can                  2 be brought in or out as you or others decide.                  3 You have a two-prong approach, and if it's agreed in                  4 advance -- and this seems to me to be the clear benefit                  5 for the future. We have been internally discussing --                  6 and I know Lord Hunt will go into this in detail -- his                  7 proposals that have followed on from the work of the                  8 reform committee to which I refer in a sort of                  9 confluence of ideas.                  10 If you have it contractualised, and whether or not                  11 you think that's sufficient and you require                  12 a legislative background, but at least, even if you                  13 don't have that legislative background, you have it                  14 accepted and agreed in advance that these will be the                  15 two functions, that these will be the penalties for                  16 failing to disclose or failing to maintain internal                  17 standards, and yet this will be the complaints function,                  18 which I think the PCC -- and I do want to be clear about                  19 this. While I'm very keen to come up with proposals                  20 that may or may not be useful to you to how to make it                  21 better, I don't want to leave the impression that                  22 I don't think the people at the PCC have not done                  23 a tremendous job in helping people, because I firmly                  24 believe that they have.                  25 But if -- the real benefit would be clarity and</p> <p style="text-align: center;">Page 104</p>

<p>1 agreement, and I think you could achieve that by                  2 a contract in advance to say, "We expect the body to do                  3 the following things and we will contribute to the body                  4 in the following ways", and that would be agreed in                  5 advance, irrespective of what the legislation ended up.                  6 Q. We'll hear more about this tomorrow. Framework which                  7 you're suggesting may be the way forward is                  8 a contractual framework, possible statutory mention of                  9 it, but not imposition of the framework through statute,                  10 clear understanding of what the rights and obligations                  11 are under the contract, and, is this right,                  12 participation in the contract for a fixed-term, but on                  13 the other hand you can't compel people to join up to the                  14 contract in the first place?                  15 A. No --                  16 Q. Did I get all of that correct?                  17 A. To my mind, that is how I see it. Now, the notion of                  18 compelling people to be a member is not one I can offer                  19 the perfect answer to.                  20 LORD JUSTICE LEVESON: Well, the way you can do it is not so                  21 much with a stick --                  22 A. As with a carrot.                  23 LORD JUSTICE LEVESON: -- as with a carrot, and the                  24 question then -- and you've identified a possible carrot                  25 yourself, that there is recognition of your membership</p> <p style="text-align: center;">Page 105</p>	<p>1 universality, and if the consensus is that that is                  2 doable, then I think that allows practical consequences                  3 that mean something is achievable there.                  4 LORD JUSTICE LEVESON: I don't see why it shouldn't be                  5 universal if the carrot is sufficiently attractive.                  6 A. True, but if some people are carrot averse, and they                  7 decide not to do it, then if we can live with that,                  8 I suppose, is the question. But you're right, the more                  9 attractive that you make it, the less of a problem it                  10 would be.                  11 MR JAY: I think we're all agreed the problems are going to                  12 arise more acutely if a major national player refuses to                  13 take up the carrot, on the one hand, and the smaller                  14 online outfit does so on the other because we may be                  15 able to live with the latter and not the former,                  16 politically --                  17 A. Politically, and I think from a consumer perspective we                  18 shouldn't have to live with a big-player problem.                  19 Q. What happens under the contractual model if, after                  20 a year or two, the major national player says, "I don't                  21 like this system any more; I'm out", although in theory                  22 it's a five-year contract or whatever, how do you                  23 enforce --                  24 A. No, there are questions whether you can build in                  25 compensation arrangements, because in a contract you</p> <p style="text-align: center;">Page 107</p>
<p>1 of the club, or whatever you want to call it, when                  2 consideration is given to perhaps available defences or                  3 indeed to whether there is a risk for exemplary damages.                  4 A. I think that sort of incentivisation is very appropriate                  5 and should be strongly considered. I suppose the                  6 difficulty one has to come up with is if that                  7 incentivisation leads to every major newspaper player,                  8 some online sources that otherwise would be outside the                  9 system wanting to be members, a general kite-marked view                  10 that if, by doing so, you're declaring to your standards                  11 you have a set of standards -- something we've been very                  12 keen to push and I'd remain keen to push -- if with all                  13 that you get all the major players, a few online people,                  14 so you're starting to create a clearly regulated sphere,                  15 if that is considered to be enough, then I think that is                  16 very workable and doable.                  17 To me, the risk comes, which I don't agree with, in                  18 saying, "But anyone who looks like a newspaper online                  19 has to be in", because I don't think that's achievable,                  20 and if we can all be honest enough to say we need to                  21 have the majority of people, or the most significant                  22 people, or people who are performing a newspaper-like                  23 function the most, that readers would expect to have                  24 standards, that is a legitimate aim, and I think should                  25 be achieved, but that means dropping the notion of</p> <p style="text-align: center;">Page 106</p>	<p>1 can't build in penalties, but you can build in                  2 compensation, but that would be difficult.                  3 I think the bottom line with all of this is that if                  4 major players aren't willing to be part of a system,                  5 then, even though it doesn't want to, and even though it                  6 creates huge difficulties, something more impositional                  7 from the state will have to take place.                  8 Q. So is the contractual model then yet another iteration                  9 of the last-chance saloon --                  10 A. I don't think it is.                  11 Q. -- let's see how that plays out before we look at the                  12 statutory model?                  13 A. I don't think it is because I think (a) it doesn't                  14 preclude a statutory model, because I think we can talk                  15 about -- I think it's really important for the newspaper                  16 industry that they don't just throw their hands up about                  17 statutory regulation the whole time. I always say that                  18 there's a sort of -- Voltaire on his death bed, the                  19 priest said, "Do you deny the devil in all of his form?"                  20 and Voltaire, said, "This is the wrong time for me to be                  21 making enemies." I think the newspapers have to be                  22 exactly that way in regard to statutory regulation or                  23 statutory involvement. They have to accept that people                  24 need to be involved in this. It has to be a measurable                  25 set of standards that they're following up to.</p> <p style="text-align: center;">Page 108</p>

<p>1 So the contractual thing is not in the absence of 2 a legislative recognition, but to me offers a more 3 solid, a more explicit and a more enforceable model than 4 there is at the moment.</p> <p>5 LORD JUSTICE LEVESON: Do you think that each one of those 6 advantages is itself desirable? More explicit, more 7 solid, more enforceable?</p> <p>8 A. Yes.</p> <p>9 MR JAY: I think I'll leave it there.</p> <p>10 LORD JUSTICE LEVESON: There's a rather small detail that 11 I'd like to ask you about. It's not considered small by 12 those who complain about it. You may have read or seen 13 the evidence of a number of groups last week who spoke 14 with real feeling about the failure of the PCC to be 15 prepared to deal with complaints from such groups --</p> <p>16 A. Yes.</p> <p>17 LORD JUSTICE LEVESON: -- where, by definition, there would 18 not necessarily be an individual complainant. Domestic 19 violence, women's groups, those concerned about 20 Islamophobia and the science group. Is there any reason 21 why the code should not be devised in such a way that 22 permitted such groups to pursue complaints? There will 23 always be the remedy of being able to knock out the ones 24 that you feel don't advance anything or don't otherwise 25 engage the code.</p> <p style="text-align: center;">Page 109</p>	<p>1 terminology", for example, "How do we stop this 2 happening?" and then we host seminars with them and 3 bring in the newspaper industry to lead to a change in 4 the manner of reporting.</p> <p>5 In science reporting, we do take complaints from 6 members of the public. We also then contact the 7 scientists themselves and even if they don't want to 8 complain, ask them to just give us an overview of their 9 own position.</p> <p>10 So I think we have to do more to reassure these 11 people and actually have to do more directly to help 12 them, but I think there is provision there for that work 13 to be done, and I took their evidence as a concern that 14 they didn't feel that we were offering that and actually 15 as a legitimate challenge to find a ways to do it.</p> <p>16 LORD JUSTICE LEVESON: Another challenge is the mismatch 17 between headlines and text, and the willingness of the 18 PCC to read into the small print words of qualification 19 to headlines which, on the face of it, are clear and 20 explicit. Do you think there's work to be done in that 21 area?</p> <p>22 A. I think there is. I think there are several examples of 23 cases where, although one should always look at the 24 article, it doesn't provide a get-out-of-jail for 25 a misleading headline. There's a case we've done very</p> <p style="text-align: center;">Page 111</p>
<p>1 A. Yes.</p> <p>2 LORD JUSTICE LEVESON: But there is a concern -- and it's 3 not just been expressed by them -- that the definitional 4 provisions are used to exclude what might be legitimate 5 complaints, taken in the round, but which don't actually 6 tick the boxes. I'm sure you understand the point.</p> <p>7 A. Yeah, I do. I think that what we've done rather better 8 recently is -- I actually think that it's the duty of 9 the PCC to engage with groups like that.</p> <p>10 If you look at the parallel case of, say, mental 11 health reporting. That's where we've worked very 12 closely with various mental health charities who do 13 raise complaints about terminology or points of issue. 14 Even though there's no first party to the complaint, we 15 take those complaints. We have done something similar 16 with the Islamic community, although as the evidence 17 suggests, not sufficiently.</p> <p>18 So I think there's work that has been done and can 19 be done to have these people complain to us about 20 general issues of fact, particularly, where you don't 21 require a first party, and I think the work we've done 22 with mental health is a good model for that. We have 23 quite close links with Broadmoor hospital, but more 24 generally with Shift and with mental health charities, 25 where they come to us and say, "Here's a problem in</p> <p style="text-align: center;">Page 110</p>	<p>1 recently, which we'll publish shortly, on that point.</p> <p>2 So I think -- no, there are examples of us doing it 3 and I know individual commissioners feel equally 4 strongly about it, that while one should look at the two 5 together, you have to be very careful that you don't 6 allow a late paragraph to be used to apparently negate 7 an inference drawn from the headline. So I think I am 8 conscious of that.</p> <p>9 LORD JUSTICE LEVESON: Thank you. Mr Abell, I think that's 10 sufficient, although I don't rule out the prospect of 11 asking you to return at some time if I want to try out 12 ideas on you when they are more fully formed.</p> <p>13 A. I'd be very happy to do that.</p> <p>14 LORD JUSTICE LEVESON: Thank you very much.</p> <p>15 Anyone interested in the evidence of Mr Abell should 16 not believe that it is restricted to that which we have 17 heard over the last few hours. His 408-page statement 18 is utterly comprehensive and deals with each aspect of 19 the work of the Council. I repeat my thanks to him for 20 it. Right.</p> <p>21 MR JAY: There's a problem about the availability of one of 22 tomorrow's witnesses. May I find out what it is and 23 perhaps report back in a couple of minutes?</p> <p>24 LORD JUSTICE LEVESON: Yes, certainly.</p> <p>25 (5.00 pm)</p> <p style="text-align: center;">Page 112</p>

1 2 (5.08 pm) 3 (The hearing adjourned until 10 o'clock the following day) 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	
Page 113	

<b>A</b>	<b>adheres</b> 5:23	<b>aim</b> 97:1 99:5 106:24	<b>applied</b> 30:17	95:24 111:24	49:14 82:7	61:22 88:12
<b>Abell</b> 4:13 19:17	<b>adjourned</b> 113:3	<b>akin</b> 88:19	<b>applying</b> 14:7	<b>articles</b> 18:4	91:19 106:2	89:13,22 90:1
19:18,20,21,22	<b>adjudicated</b> 53:11	<b>Alan</b> 75:12	<b>appointed</b> 22:18	19:12 28:21	<b>average</b> 92:20,22	93:21 94:10
20:7,15 22:23	<b>adjudicating</b> 42:16	<b>alighted</b> 12:12	26:22 29:2,5	31:7 44:2,7	93:11	95:21 98:2
23:18 93:15	<b>adjudication</b> 50:5,6 55:20	<b>alive</b> 55:16	29:10 30:6,12	95:10	<b>averse</b> 107:6	99:19 100:3,18
112:9,15	57:9 59:25	<b>allegation</b> 14:10	31:13,24 32:16	<b>articulation</b> 46:2	<b>awaiting</b> 70:14	104:24 112:16
<b>ability</b> 81:22	64:7,8,16 65:6	<b>allegations</b> 5:20	32:23 40:18	<b>artificial</b> 96:12	<b>award-winning</b> 75:3	<b>benefit</b> 55:8 69:9
82:23	65:15,20 67:2	77:25	<b>appointment</b> 23:8 30:9,21	<b>aside</b> 103:24	<b>aware</b> 4:22 22:2	71:19 89:24,25
<b>able</b> 25:23 34:9	67:3	<b>alleged</b> 63:8	30:24 32:20	<b>asked</b> 1:10,18	27:5 57:12,13	104:4,25
49:16 58:6	<b>adjudications</b> 39:6 46:3 54:8	<b>allow</b> 21:6 56:22	33:24	6:2 18:2 27:3,6	57:14 73:5	<b>bereaved</b> 25:16
91:25 102:20	54:9 55:12	90:13 112:6	<b>appointments</b> 28:18 31:14,15	34:17 35:3,9	75:9 102:11	28:10
102:21 107:15	66:2,17,22	<b>allowed</b> 78:14	31:17 32:4,6	36:6,14 37:1		<b>best</b> 39:20 49:4
109:23	<b>admittedly</b> 35:24	<b>allows</b> 52:13	32:14	38:7 73:12		72:17
<b>abolished</b> 32:6	<b>advance</b> 28:12	78:1 107:2	<b>appreciation</b> 35:7	75:20 79:5	<b>B</b>	<b>better</b> 13:24 14:9
<b>absence</b> 14:4	64:12 70:23	<b>amend</b> 38:2	<b>approach</b> 2:16	<b>asking</b> 4:14	<b>b</b> 1:24 39:15	32:8 104:21
109:1	80:10 85:14	<b>amended</b> 70:10	3:9 13:12 32:8	11:15 27:4	75:24	110:7
<b>absolute</b> 30:7	104:4,14 105:2	96:15	35:4 60:16	34:16 112:11	<b>back</b> 5:16 11:13	<b>beyond</b> 9:19
31:16	105:5 109:24	<b>amendment</b> 37:9	88:25 89:18	<b>asks</b> 22:3	11:23 13:21	40:17
<b>absolutely</b> 45:8	<b>advantage</b> 9:23	37:12,13 72:23	103:23 104:3	<b>aspect</b> 4:3,4	30:5 36:21,25	<b>big</b> 97:9
60:4 75:8 96:6	12:12 102:8	<b>amendments</b> 36:13,21 96:17	<b>approaching</b> 13:3	35:23 101:13	42:25 47:13,14	<b>bigger</b> 29:24
100:19	<b>advantages</b> 109:6	36:13,21 96:17	<b>appropriate</b> 2:8	112:18	62:17 74:16	<b>big-player</b> 107:18
<b>abundantly</b> 97:7	<b>advent</b> 98:4	<b>amicable</b> 47:1	41:19 47:9	<b>aspects</b> 4:2 43:19	80:25 84:14	<b>bike</b> 57:23 58:24
<b>accept</b> 34:20	<b>adverse</b> 39:10	<b>amicably</b> 49:25	49:10 102:23	83:23	96:4 97:6	<b>billing</b> 12:5
67:4 72:10	50:4 64:6	57:8	106:4	<b>assault</b> 56:16	112:23	<b>bills</b> 96:17
73:12 78:15	65:15,20	<b>amount</b> 20:9	<b>April</b> 26:9	<b>assessor</b> 30:18	<b>background</b> 104:12,13	<b>bind</b> 99:17
84:1,10 108:23	<b>advertisement</b> 22:19 33:25	57:5	<b>arbitral</b> 103:25	32:25 34:2,2	<b>backstop</b> 97:4	<b>binding</b> 98:11
<b>accepted</b> 26:13	<b>advertising</b> 24:8	<b>amounted</b> 6:24	<b>architecture</b> 41:17	34:16	<b>bad</b> 94:16	<b>biscuits</b> 17:14
69:23 75:2	24:19	<b>analysis</b> 20:10	<b>area</b> 41:20 55:8	<b>assist</b> 58:6	<b>balance</b> 22:15	<b>bit</b> 13:23 22:23
104:14	<b>adverts</b> 47:10	<b>announced</b> 22:10 26:9	68:6 69:5	<b>assistance</b> 35:14	35:8 42:2 72:9	33:19 69:21
<b>Accepting</b> 86:12	<b>advice</b> 1:4 70:4	<b>annual</b> 36:14,17	70:21 71:20	<b>assisting</b> 49:20	<b>balancing</b> 35:15	71:25 88:18,24
<b>access</b> 80:15	<b>advocacy</b> 49:7	36:23 46:20,23	72:16,17 83:19	<b>assists</b> 48:23	55:11 61:15	<b>blank</b> 38:19
<b>account</b> 21:25	<b>affect</b> 26:3	<b>anonymous</b> 8:5	111:21	<b>association</b> 28:21 88:15	96:1	<b>blurs</b> 78:19
45:9	<b>affirmed</b> 19:18	<b>answer</b> 2:10 3:7	<b>areas</b> 40:16	95:10	<b>Balding</b> 57:22	<b>board</b> 6:16 11:19
<b>accounts</b> 48:2	<b>afraid</b> 87:6	8:24 39:17	55:15 71:24	<b>associations</b> 32:4	58:18	11:21 12:16
<b>accuracy</b> 60:12	<b>aftermath</b> 4:15	87:21 98:2	72:2 77:9	<b>assumptions</b> 8:12 9:8	<b>Balkans</b> 86:17	13:1 49:8
70:22,25 72:17	61:9	101:8 105:19	78:13	<b>assurances</b> 13:20	<b>band's</b> 61:2	85:16 99:18
<b>accurate</b> 83:1	<b>age</b> 62:22	<b>answers</b> 81:23	<b>arguable</b> 48:9	<b>attach</b> 91:18	<b>bar</b> 86:19	<b>bodies</b> 32:19
<b>achievable</b> 99:4	<b>agenda</b> 72:19	<b>anti-harassment</b> 19:10 69:12	<b>arguably</b> 18:5	<b>attaches</b> 92:13	<b>Baroness</b> 26:8	38:24 87:20,23
99:20 106:19	<b>agendas</b> 16:23	89:14	82:11	<b>attained</b> 50:13	73:25	87:25 88:2
107:3	<b>aggravating</b> 27:20	89:14	<b>argue</b> 67:10	<b>attempt</b> 58:18	<b>based</b> 2:16 8:15	<b>body</b> 16:13 18:12
<b>achieve</b> 76:22	<b>ago</b> 98:8	<b>anybody</b> 1:16	99:24	<b>attend</b> 51:9	11:11 23:1,2	29:11 39:18
99:21 105:1	<b>agree</b> 5:14 33:23	<b>anyway</b> 72:20	<b>arguing</b> 70:19	<b>attendant</b> 43:24	29:22,25 34:18	43:16 44:3,14
<b>achieved</b> 12:24	37:18 39:16	101:18	<b>argument</b> 40:19	44:3	63:2 69:18	45:17,21 47:9
78:12 81:4	58:25 65:14	<b>apart</b> 15:13	42:22 51:4	<b>attention</b> 4:17	73:2 75:15,16	60:25 80:18
106:25	66:12 68:15	<b>apologies</b> 66:22	56:9,10 58:9	24:10 25:19	92:3,3 94:12	84:2,20 85:1
<b>achieving</b> 78:23	85:12 86:18	<b>apologising</b> 67:10	66:6,11 70:25	46:15 54:1	95:24	85:21 88:6,9
<b>act</b> 17:12 22:5	93:14 99:8,15	<b>apology</b> 49:23	71:3,7 76:15	74:14,18,19	<b>basically</b> 60:15	88:13 89:8
39:25 49:17	102:4 106:17	53:19	79:20 101:13	<b>attest</b> 13:2	<b>basis</b> 13:19 17:14	94:11 96:23
89:2,22,23	<b>agreed</b> 16:21	<b>apparatus</b> 61:2	<b>arises</b> 102:12	<b>attitude</b> 45:6	22:25 33:24	97:19 100:18
96:1	29:25 33:5,11	<b>apparently</b> 5:5	<b>arrangements</b> 107:25	<b>attracted</b> 22:20	36:23 86:22	102:16 103:12
<b>action</b> 50:4 65:12	34:13 50:23	112:6	<b>arrived</b> 22:11	<b>attractive</b> 101:23	<b>batting</b> 67:18	105:2,3
98:11	64:11,17 68:14	<b>appeal</b> 89:11	75:4	107:5,9	<b>bearing</b> 35:12	<b>bolster</b> 102:18
<b>activated</b> 25:1	104:3,14 105:4	<b>appeals</b> 28:1	<b>article</b> 28:23	<b>audit</b> 36:14	<b>bed</b> 108:18	<b>bore</b> 8:25
<b>activities</b> 9:21	107:11	<b>appear</b> 13:17	29:3,8 31:12	<b>author</b> 6:8	<b>beds</b> 62:22	<b>bottom</b> 16:9
13:17 95:6	<b>agreeing</b> 51:22	24:15 64:18	34:22 35:15,16	<b>authorities</b> 102:23	<b>beginning</b> 64:10	108:3
<b>activity</b> 14:6,24	<b>agreement</b> 41:21	66:17 71:6	35:16,18 47:18	<b>authority</b> 57:4	77:3	<b>bound</b> 98:25
<b>acts</b> 79:21 89:11	66:15 80:9	<b>appearance</b> 42:7	58:8,17,20	69:17,18 81:25	<b>behalf</b> 15:22	<b>bouquet</b> 49:23
<b>acutely</b> 107:12	81:5 85:13	42:8 43:8	59:21 61:1	<b>automatic</b> 85:1	25:22	<b>bow</b> 51:4
<b>added</b> 96:14	98:11 105:1	<b>appeared</b> 8:16	62:5,6,10,25	<b>avail</b> 90:13	<b>behaviour</b> 4:20	<b>boxes</b> 110:6
<b>additional</b> 45:11	<b>ahead</b> 2:8 81:8	75:11	72:13 95:8,9	<b>availability</b> 112:21	25:21 47:10	<b>brackets</b> 94:1
73:21,25		<b>applicants</b> 33:25	95:11,22,23,24	<b>available</b> 2:9 8:2	63:2 78:2	<b>breach</b> 26:25
<b>address</b> 23:20		<b>applications</b> 22:20		8:12,20 9:8	79:12,16	50:2,3 54:21
46:19 93:23				16:24 19:23	<b>believe</b> 2:20	55:6,18 56:2
<b>addressed</b> 53:6					13:15 20:24	58:24 59:17
102:10					22:11 33:5	61:20 62:5
<b>add-ons</b> 43:14					52:8 59:23	65:19 89:10
<b>adherence</b> 45:1						

<b>breaching</b> 27:7	<b>carrying</b> 34:23	30:11 38:10,11	100:1 102:5	23:17 24:1	46:14 51:12	88:5 102:7
<b>breadth</b> 77:24	<b>case</b> 5:5 6:15	42:19,25 43:6	104:4,18	26:6 42:13	<b>commit</b> 77:4	110:14
<b>break</b> 63:23	18:10,17 23:16	66:7 71:1	105:10 111:19	47:14 55:15	79:20	<b>complaints</b> 14:2
94:23 113:1	48:5 50:4,25	111:3	<b>clearcut</b> 71:23	73:6,22 77:17	<b>committee</b> 3:16	18:12 22:1
<b>breaks</b> 51:14	51:21 53:7,12	<b>changed</b> 16:3	<b>clearer</b> 36:7,10	86:10 95:19	9:12,14 23:25	23:15 34:24
94:24	53:13 54:19,25	17:16 31:9	<b>clearly</b> 5:19	96:4 99:6	32:7,24 33:4,8	35:18 45:9
<b>brilliantly</b> 16:6	55:19 57:20,22	32:11 41:16	12:24 16:18	104:19 106:6	33:17,22,23	46:4,18,25
<b>bring</b> 49:19	59:2,3,19 60:5	52:16 53:3	17:10,15 18:11	110:25	34:4,13,15	47:4 48:4,25
50:22 61:18	60:17 61:5	64:10 81:2	20:9 32:18	<b>comes</b> 12:8 74:1	35:25 36:11,22	49:2,7,10,17
111:3	62:1 65:3 67:2	91:9 96:17	42:15 43:19	79:15 96:25	36:25 37:5,9	52:17 55:24
<b>bringing</b> 55:16	67:6,13 71:4	<b>changes</b> 37:1	45:7,21 58:5	106:17	37:10,13,23	56:1,4 57:2,8
<b>broad</b> 3:20 39:8	71:10 72:6,19	58:10	68:17 71:8	<b>comfortable</b>	38:4,11,18	59:14 60:6
44:24,25 46:16	73:3,10 75:6	<b>changing</b> 17:10	78:15 80:10	57:17	40:25 70:8,14	67:16 83:13
57:6 92:8	79:6 93:2	102:24,25	81:6,21,23	<b>coming</b> 96:2	70:18 72:1	86:2,5,7 87:16
96:24 101:15	102:3 110:10	<b>channel</b> 55:10	82:2,22 84:12	<b>command</b> 34:9	77:16 79:2	88:2 89:9,19
<b>broadcasters</b>	111:25	<b>charities</b> 110:12	85:14 97:8	<b>comment</b> 39:5	80:12 82:10	91:9,14,24
25:10,13	<b>cases</b> 23:2,2,3,4	110:24	98:10,22	57:24 58:5	84:15 104:8	92:19 93:4
<b>broadest</b> 45:2	24:2,3 39:12	<b>charity</b> 90:11	106:14	61:8,12 71:13	<b>common</b> 21:15	100:11 101:11
<b>Broadmoor</b>	44:19,24 46:16	<b>charter</b> 22:22	<b>clients</b> 15:22	71:19 77:22	21:16,19 37:15	102:21 104:17
110:23	46:25 47:24	23:8	<b>Clive</b> 2:23 4:20	<b>commentary</b>	59:14 71:18	109:15,22
<b>broken</b> 96:10	52:25 53:12	<b>check</b> 1:22 23:7	5:2	63:8	72:8	110:5,13,15
<b>broker</b> 55:21	54:10,12,16	80:19 84:22	<b>close</b> 19:5 71:12	<b>commentators</b>	<b>communicate</b>	111:5
<b>brought</b> 27:18	55:3 56:1,14	<b>checks</b> 95:1	80:11 110:23	39:1	25:22 53:9	<b>complaints-dri...</b>
27:19 46:14	56:18,24 57:17	<b>chief</b> 40:14	<b>closely</b> 32:20	<b>comments</b> 34:10	<b>communicated</b>	16:15
101:19 104:2	95:16,25	<b>children</b> 23:3	91:23 110:12	34:12 35:12	55:22,23	<b>complaints-ha...</b>
<b>build</b> 107:24	111:23	<b>choose</b> 31:1	<b>closer</b> 78:17	50:16,20,22	<b>communities</b>	43:13,16 44:3
108:1,1	<b>catch</b> 79:22	<b>chosen</b> 33:3	<b>closest</b> 86:25	<b>Commission</b> 2:7	58:11	87:20 89:8
<b>bullet</b> 4:18	<b>catching</b> 99:10	<b>Christopher</b>	88:14	2:15 3:10 6:19	<b>community</b>	100:18 101:7
<b>bundle</b> 8:14,22	<b>category</b> 43:25	1:21 19:5 22:9	<b>club</b> 62:17 106:1	6:25 7:19 8:15	58:15 110:16	101:20
19:22,23,25	<b>caught</b> 98:22	72:21	<b>code</b> 14:8 21:11	9:25 10:13,16	<b>company</b> 77:11	<b>complement</b>
28:20 46:21	99:7	<b>circulating</b> 25:9	21:17 22:3	10:25 11:15	<b>comparisons</b>	3:21
<b>bundles</b> 11:7	<b>cause</b> 38:12 74:2	<b>circulation</b> 94:11	23:22,24 26:25	12:3,9 13:1,8	86:11	<b>complete</b> 23:4
<b>Burrell</b> 71:23	75:7,9,19	95:2	27:2,7,20	16:16 17:16	<b>compel</b> 105:13	<b>completed</b> 26:11
<b>Buscombe</b> 26:8	91:16	<b>circumscribed</b>	35:25 36:11,13	18:15 22:4	<b>compelled</b> 99:8	<b>complex</b> 51:19
31:11 73:25	<b>caused</b> 85:22	13:15	36:18,21,22,24	28:24 29:2	<b>compelling</b>	<b>compliance</b>
<b>buy-in</b> 41:5,25	<b>causes</b> 62:4 63:8	<b>circumstance</b>	36:25 37:1,3,4	31:3,6,14,15	105:18	22:22
98:10	<b>centre</b> 25:4	66:3	37:5,9,13,23	31:17 32:5,6	<b>compensate</b> 57:5	<b>complicated</b>
<b>B1</b> 28:20 46:21	53:15 93:25	<b>circumstances</b>	38:2,3,9,11,16	32:10,14 33:9	<b>compensated</b>	51:20 52:3
<b>B4</b> 74:16,17	<b>certain</b> 1:4 4:11	25:7 62:23	38:18 40:12,17	33:11 34:19,24	17:24	<b>complied</b> 27:17
<b>B5</b> 90:22	21:6 23:2 40:8	73:3	40:24 41:11,22	36:10,15,24	<b>compensation</b>	27:19,22 28:17
	43:22 56:16	<b>civil</b> 54:15 57:9	45:12,25 46:13	37:1,2,11 38:7	17:21 107:25	<b>comply</b> 26:25
	58:11 62:12	<b>claimants</b> 48:23	49:5 50:2,3	38:9,15 40:20	108:2	<b>comprehensive</b>
	66:8 68:25	<b>claims</b> 3:24	54:21 55:7,18	48:6,11 49:15	<b>compete</b> 41:20	20:10 112:18
<b>C</b>	69:25 70:24	<b>Clare</b> 57:22	56:2 58:22,25	50:9,15,17	<b>competition</b>	<b>comprised</b> 29:12
<b>c</b> 2:19	74:18 80:22	58:18	59:18 61:20	51:10 52:19	33:14	31:18 36:4
<b>call</b> 93:13 106:1	89:11 100:2	<b>clarification</b>	64:10 65:9	54:25 59:3,4,5	<b>complain</b> 18:13	<b>comprising</b> 32:7
<b>called</b> 60:20 88:7	<b>certainly</b> 1:14	38:8	66:9 70:10,14	59:17,19 60:16	109:12 110:19	<b>compromise</b>
97:6 98:12	13:2 17:25	<b>clarify</b> 92:18	70:18,21,24	61:6,16 62:8	111:8	95:19
101:10	18:17 35:21	<b>clarity</b> 44:11	71:1 72:4,23	62:18 63:5,16	<b>complainant</b>	<b>compromising</b>
<b>calling</b> 82:12	62:8 64:3	76:21 77:8	79:2 89:10	65:1,13 66:12	27:12 49:3,8	101:19
<b>Cambridge</b>	65:24 69:5	103:22 104:25	93:19 109:21	72:18 73:8,11	49:20 54:3	<b>compulsion</b> 99:9
20:19	73:12 77:14	<b>class</b> 29:8	109:25	75:15,20 76:6	55:11,22,23	99:18
<b>campaign</b> 19:7	112:24	<b>classical</b> 93:13	<b>codebook</b> 23:21	76:8,21 77:7	56:5,8,24	<b>conceal</b> 79:21
24:9,19	<b>certainty</b> 69:16	<b>clause</b> 21:16,18	23:22	86:3	102:2,7 109:18	<b>conceive</b> 65:25
<b>Campbell</b> 53:20	<b>chair</b> 30:12	22:3 27:2,20	<b>codification</b>	<b>commissioner</b>	<b>complainants</b>	71:4 96:23
<b>capacities</b> 20:23	<b>chairman</b> 3:15	30:5 31:18	70:20	1:7 23:9 50:11	28:6 49:4	98:17 99:3
<b>capture</b> 11:13	19:12 26:9	58:22,25 60:12	<b>coherent</b> 44:15	51:2	55:25 64:3	<b>concepts</b> 95:5
<b>capturing</b> 10:1	29:8,10 30:6	60:12,13 63:11	<b>cohesive</b> 44:15	<b>commissioners</b>	<b>complaining</b>	<b>conceptually</b>
<b>card</b> 35:22	31:4,18,19,20	<b>clauses</b> 21:17	<b>collaboration</b>	11:8 50:17,24	67:18	21:11
<b>careful</b> 112:5	31:20 33:6,6	38:8	69:19	51:22 52:2	<b>complaint</b> 6:12	<b>concern</b> 4:9
<b>carefully</b> 94:13	36:6,8 50:16	<b>clear</b> 1:15 24:20	<b>collegiality</b> 97:21	55:4 61:22	14:4 19:9,11	25:20 26:1
<b>carried</b> 13:14,16	50:21 52:18	27:2 28:12	<b>collegiately</b>	73:1 90:24	23:10,13 27:12	42:17 90:3
91:21	<b>challenge</b> 99:22	40:23 43:25	97:17	112:3	27:13,18 46:8	97:21 100:15
<b>carries</b> 69:8	111:15,16	44:2 45:8,18	<b>columnist</b> 62:12	<b>commissions</b>	46:15 48:3,5	110:2 111:13
<b>carrot</b> 105:22,23	<b>chance</b> 16:25	62:3,7,10,25	<b>come</b> 15:11	87:18	50:7,7 52:13	<b>concerned</b> 7:12
105:24 107:5,6	17:1 34:11	70:10 72:22	16:23 17:2,4	<b>Commission's</b>	55:17 59:10,25	24:14 25:18
107:13	<b>change</b> 16:22,23	77:2 96:6 97:8	17:13 22:7	7:11 10:9	61:4 83:15	51:15 60:25
<b>carry</b> 54:22 95:7						
101:16						

71:16 72:1	24:9 43:1	<b>contractual</b>	21:25 22:3,6	46:18 73:1	39:19	<b>died</b> 47:25 62:4
73:19 109:19	<b>consideration</b>	85:12 105:8	<b>cover</b> 73:22	80:14 91:14	<b>degree</b> 67:23	62:14
<b>concerns</b> 36:20	2:5,6,11,17	107:19 108:8	81:13 99:2	100:24 101:11	87:11	<b>difference</b> 31:7
44:13 47:17	36:17,22 37:4	109:1	<b>covered</b> 92:17	109:15	<b>delay</b> 102:17	43:7 91:8
49:8 75:13	56:20 70:2,15	<b>contractualised</b>	<b>co-operation</b>	<b>dealing</b> 5:6 69:1	<b>deliberately</b> 13:9	<b>differences</b> 97:9
83:11 100:10	77:8 106:2	104:10	92:4	84:8 86:7	<b>deliberation</b>	<b>different</b> 6:10
100:12,14	<b>considerations</b>	<b>contrast</b> 74:22	<b>co-operative</b>	89:19	52:8	51:23 58:6,12
<b>conciliation</b>	61:7 95:9	<b>contribute</b> 63:9	83:18	<b>deals</b> 90:18	<b>demand</b> 42:4	58:12 95:5
56:20	<b>considered</b> 2:15	105:3	112:18	112:18	<b>demise</b> 66:24	97:2
<b>conclude</b> 12:4	27:12 59:12	<b>contributing</b>	<b>co-ordinate</b> 25:9	<b>dealt</b> 83:13	<b>demonstrate</b>	<b>differently</b> 77:20
13:20 68:6,7	65:3 68:18	66:24	<b>crash</b> 60:24	<b>death</b> 23:4 47:25	13:17 72:6	<b>difficult</b> 14:12
<b>concluded</b> 71:14	70:16 76:20	<b>control</b> 66:21	<b>crashed</b> 60:8	59:21 60:11	<b>demonstrates</b>	38:18 49:9
<b>conclusion</b> 49:19	87:19 94:13	68:19	<b>create</b> 38:18 99:2	61:9,14 62:3	67:1	63:4 77:9
60:18 63:6	106:5,15	<b>controversial</b>	<b>created</b> 34:6	62:21 63:7,10	<b>denied</b> 6:4	108:2
75:5 83:20	109:11	59:19 60:5	77:15	108:18	<b>Denmark</b> 86:16	<b>difficulties</b> 108:6
<b>conclusions</b> 6:20	<b>considering</b>	<b>Convention</b>	<b>creates</b> 108:6	<b>debate</b> 40:1 59:6	86:22	<b>difficulty</b> 38:12
7:8 9:14 10:14	41:19	21:16	<b>creating</b> 39:14	96:12	<b>denominator</b>	38:21 90:10
10:14,18,21,22	<b>considers</b> 36:15	<b>conversation</b>	<b>creation</b> 22:22	<b>debated</b> 96:18	37:16	106:6
11:2,16,23	48:5	19:2	<b>criminal</b> 14:20	<b>debating</b> 95:4	<b>deny</b> 108:19	<b>dilemma</b> 81:14
13:13 74:6	<b>consistently</b>	<b>convey</b> 25:19	79:20	<b>December</b> 20:24	<b>department</b>	98:23
77:1	97:13	27:4	<b>criteria</b> 33:24	21:1 73:20	23:15	<b>diminish</b> 100:6
<b>concomitant</b>	<b>constable</b> 40:15	<b>copies</b> 2:2,3 3:8	34:8 35:5	<b>decide</b> 25:24	<b>dependent</b> 80:6	<b>diminishes</b> 100:8
45:3	<b>constitutional</b>	<b>corporate</b> 86:10	<b>critical</b> 66:14	104:2 107:7	<b>depends</b> 42:25	<b>dimly</b> 90:16
<b>condign</b> 102:4	38:12	<b>corporately</b> 73:9	<b>criticise</b> 39:1	<b>decided</b> 3:10	51:20 65:16	<b>direct</b> 2:20 3:2
<b>conduct</b> 25:25	<b>constrained</b>	<b>correct</b> 1:18 9:11	61:21	32:15 36:9	69:2 83:6	64:18 74:23
26:2 95:25	15:16	21:21 22:16	<b>criticising</b> 74:13	<b>decision</b> 6:25	97:25	85:25 88:22
<b>conducted</b> 8:7	<b>construction</b>	30:13,22 31:21	<b>criticism</b> 62:14	10:2,7,9,9 15:1	<b>deputy</b> 18:22	<b>directed</b> 60:22
<b>conferring</b> 97:3	95:23	31:25 33:1,14	78:10	31:5 37:10,23	31:4 33:6	60:23
97:3	<b>consultants</b>	46:8 47:6,25	<b>crosses</b> 88:11	48:7 49:16	59:23	<b>direction</b> 39:25
<b>confidence</b> 67:8	42:15	48:10 50:7	<b>crucial</b> 100:20	50:23,25 51:6	<b>describe</b> 6:7	50:15 67:14
100:14,17	<b>consultation</b>	64:9 74:3,4	<b>cultural</b> 59:7	53:20 59:2	11:10 93:17	<b>directly</b> 75:4
102:18	30:20 34:7	86:23 88:20	85:18	60:2,3 61:17	<b>described</b> 90:20	111:11
<b>confidentiality</b>	36:12	105:16	<b>culturally</b> 86:13	61:17 70:19	<b>description</b>	<b>director</b> 10:10
51:15	<b>consulted</b> 31:3	<b>Correction</b>	88:14	71:15,15,21	96:12	18:23 20:18,24
<b>confluence</b> 104:9	<b>consumer</b>	49:23	<b>culture</b> 43:3 83:8	72:12	<b>designed</b> 25:2	36:6,8 50:22
<b>confronted</b>	107:17	<b>corrections</b>	83:23	<b>decisions</b> 10:11	58:22	51:13 57:25
81:14	<b>contact</b> 19:5,8	66:23	<b>Cultures</b> 42:25	21:25 22:2	<b>desirability</b> 18:9	59:22,23 64:12
<b>conjunction</b>	24:17 27:11	<b>correctly</b> 32:2	<b>current</b> 20:18	23:9 39:10,22	99:23	73:19 75:11,13
23:25 62:6	70:23 111:6	64:19 96:11	41:1 43:3	40:13 51:16	<b>desirable</b> 99:21	86:4
<b>connected</b> 61:10	<b>contacted</b> 25:3,6	98:13	77:20	53:11 94:13	109:6	<b>disagree</b> 48:11
<b>connotation</b>	28:14 61:1	<b>correspondence</b>	<b>currently</b> 45:24	<b>decision-making</b>	<b>desist</b> 24:22	50:24 72:11
63:13	<b>contained</b> 37:24	3:8,13 55:5	79:13	11:18 51:14	26:24 27:3,5,6	79:14
<b>conscious</b> 22:6	<b>containing</b> 53:22	67:18 93:7		<b>decisis</b> 39:8	27:17	<b>disagreed</b> 37:12
54:19 68:2	<b>contains</b> 41:22	<b>council</b> 19:3 87:1		<b>declare</b> 50:18	<b>Desmond</b> 90:20	<b>disagreeing</b>
112:8	<b>content</b> 37:4	87:4,9 88:7	<b>D</b>	<b>declaring</b> 106:10	97:7,7,11,16	69:24 70:5
<b>consciously</b>	50:18 51:5	89:11,16	<b>Daily</b> 59:20 60:9	<b>decline</b> 91:14	98:12,12,24	<b>disappointing</b>
85:22	58:16	112:19	<b>damages</b> 106:3	<b>deemed</b> 48:3	<b>detail</b> 26:18,20	56:7
<b>consensual</b> 69:7	<b>contention</b> 62:11	<b>councils</b> 87:15	<b>danger</b> 43:15	<b>deeply</b> 60:25	29:22 104:6	<b>disclose</b> 50:14
80:6	<b>contentious</b>	87:17	<b>Danish</b> 87:1	<b>Defamation</b> 89:2	109:10	84:22 104:16
<b>consensus</b> 50:12	70:23 71:12	<b>counter</b> 51:4	<b>dare</b> 84:9	89:22,23	<b>detectives</b> 2:1	<b>disclosure</b> 85:14
51:7 60:17	<b>context</b> 35:11	<b>countries</b> 88:1,4	<b>dash</b> 47:15	<b>defamatory</b> 18:4	<b>determination</b>	<b>discovered</b> 11:12
61:24 64:23	36:21 48:21	<b>country</b> 86:14	<b>dashes</b> 47:12	19:11	50:1	<b>discretion</b> 30:7
107:1	57:17 58:8,14	88:14	<b>data</b> 1:12	<b>defence</b> 35:1	<b>determined</b>	30:13 31:16
<b>consent</b> 65:17	58:15 61:14	<b>couple</b> 34:4,5	<b>dated</b> 3:16 20:3	90:7	92:19	64:25 94:20
69:2 81:7	62:9 63:11	52:16 57:11	<b>Davies</b> 4:13 7:22	<b>defences</b> 106:2	<b>developed</b> 17:20	<b>discrimination</b>
<b>consequence</b>	65:14 73:24	112:23	<b>day</b> 60:8 113:3	<b>define</b> 103:14	44:5,6 89:13	60:13
85:2	83:24 85:4	<b>course</b> 9:14 10:6	<b>days</b> 6:13 17:11	<b>defined</b> 45:21	<b>developing</b> 44:24	<b>discriminatory</b>
<b>consequences</b>	94:25 101:25	13:5 14:25	17:11 18:24	82:2	89:15	58:4 59:12
107:2	<b>continue</b> 47:16	20:16,18 39:4	48:19 92:23	<b>defining</b> 70:22	<b>development</b>	<b>discuss</b> 10:16
<b>consider</b> 38:19	78:22	45:25 47:1	93:4,11	<b>definition</b> 63:9	17:17 44:10,11	34:5 35:9 49:1
44:1 75:20	<b>continued</b> 3:12	58:11 72:4	<b>DCMS</b> 3:15 70:7	109:17	<b>devil</b> 108:19	55:24 75:13
76:6 77:5	91:8	76:11 80:3	72:1 74:5	<b>definitional</b>	<b>devise</b> 80:4	<b>discussed</b> 2:7
81:24 91:9	<b>continuing</b> 4:3	86:13 88:15	<b>de</b> 31:9	103:12,21	<b>devised</b> 109:21	11:2 33:8
<b>considerable</b>	<b>contract</b> 74:9	96:13	<b>dead</b> 12:1	110:3	<b>diagnosis</b> 62:11	71:22 85:10
41:6,18 42:19	85:13 105:2,11	<b>court</b> 19:14	<b>deal</b> 3:13 8:11	<b>definitionally</b>	63:1	94:5
102:17	105:12,14	54:16,17 72:12	9:7 21:7,10	98:18	<b>dictated</b> 66:5,18	<b>discussing</b> 104:5
<b>considerably</b>	107:22,25	<b>courts</b> 14:21	22:20 26:20	<b>definitive</b> 38:6	72:19	<b>discussion</b> 6:14

6:15 11:10 21:4 53:16 55:9 59:15 62:15,15 64:23 65:8 <b>dismissing</b> 10:4 <b>disorder</b> 53:17 <b>dispensed</b> 14:21 <b>dispute</b> 84:23 <b>disquiet</b> 75:7,9 75:19,20 <b>dissemination</b> 95:2 <b>dissolute</b> 62:23 <b>distance</b> 68:25 <b>distinction</b> 100:22 <b>doable</b> 106:16 107:2 <b>document</b> 37:6 <b>documentation</b> 1:25 <b>dogmatic</b> 42:12 43:7 <b>doing</b> 6:16 38:17 45:8 49:12 80:19 96:3 102:16 106:10 112:2 <b>domain</b> 9:10 61:14 <b>domestic</b> 72:13 109:18 <b>dominated</b> 39:18 <b>door</b> 24:16 <b>doubt</b> 10:5 28:4 51:13 77:24 89:3 <b>downwards</b> 41:11 <b>draft</b> 6:14 7:1,2 7:3 10:14,18 10:20 11:14 12:19 <b>drafted</b> 6:18 <b>drafts</b> 7:5 <b>dramatic</b> 12:5 <b>draw</b> 4:17 100:21 <b>drawing</b> 74:14 <b>drawn</b> 24:10 53:25 101:17 112:7 <b>draws</b> 74:17,19 <b>drew</b> 63:6 <b>drift</b> 71:24 <b>Driscoll</b> 83:11 <b>drive</b> 49:8 <b>driven</b> 39:22 <b>driving</b> 15:3,4 <b>drop</b> 52:13 <b>dropping</b> 106:25 <b>drug-taking</b> 62:15 <b>due</b> 59:10 63:7 <b>duty</b> 110:8 <b>dying</b> 62:22	<b>dyke</b> 57:23 58:3 58:13,23 <b>dynamics</b> 35:7 <hr/> <b>E</b> <b>earlier</b> 1:20 11:1 <b>early</b> 18:18,22 47:25 <b>easily</b> 59:4 71:7 <b>easy</b> 14:25 <b>eating</b> 53:17 <b>economical</b> 84:5 84:6 101:12 <b>economically</b> 3:14 <b>editor</b> 48:15 52:19,20 53:17 64:21,25 65:19 66:10 71:2,8 71:11,16 72:5 93:7 <b>editorial</b> 94:13 <b>editors</b> 16:23 21:11 23:21,23 23:24 25:23 26:2 28:2 32:12,13,18 36:5 37:5,5,17 37:18 39:10,18 39:22,25 40:3 40:4,6,9,17 42:9,14,14,24 43:1 45:9 51:22,24 59:16 86:6,9 94:20 <b>editor's</b> 64:22 <b>educational</b> 88:10 <b>effect</b> 13:13 59:8 72:21 96:20 <b>effective</b> 24:13 78:21 <b>effectively</b> 22:4 33:9 56:5 103:13 <b>egregious</b> 18:10 <b>eight</b> 3:22 <b>either</b> 23:1 24:14 25:3,20 38:16 39:25 50:2,6 54:8 57:20 58:4 66:1 81:15,24 82:5 85:22 97:2 98:2,20 103:10 <b>element</b> 21:14 69:17 80:9 <b>elements</b> 21:14 <b>else's</b> 68:11 <b>email</b> 8:9,13 47:12,15 74:8 90:24 92:12 <b>emergency</b> 24:5 <b>empanelled</b> 33:8 <b>employed</b> 22:5 <b>enable</b> 45:4 <b>encompasses</b>	98:18 <b>encourage</b> 68:21 99:16 <b>ended</b> 105:5 <b>endlessly</b> 94:4 <b>enemies</b> 108:21 <b>enforce</b> 45:18 107:23 <b>enforceable</b> 109:3,7 <b>enforced</b> 78:6,11 79:13 99:9 <b>enforcement</b> 99:12 <b>enforces</b> 103:17 <b>enforcing</b> 45:1 <b>engage</b> 18:15 47:16 61:19 62:4 109:25 110:9 <b>engagement</b> 18:13 <b>England</b> 19:1 <b>enquiries</b> 2:20 8:7 <b>ensure</b> 39:22 42:5 49:13 54:23 <b>ensured</b> 44:18 <b>entire</b> 44:16 <b>entirely</b> 21:2 23:23 29:17 30:12 36:4 37:24 41:13 48:24 70:17 81:4 87:2 99:15 <b>entirety</b> 23:5 <b>entitled</b> 30:8 <b>enunciate</b> 54:7 <b>equally</b> 52:6 56:10 112:3 <b>equation</b> 29:23 <b>erasure</b> 85:2 <b>essential</b> 16:6 <b>establish</b> 78:8,9 <b>established</b> 18:11 23:11 34:25 61:13 69:23 81:6 87:2 <b>Estonia</b> 86:17 <b>Europe</b> 86:20 <b>European</b> 72:12 <b>event</b> 23:10 34:12,21 102:24 <b>events</b> 8:8 74:23 75:2 <b>eventually</b> 53:18 <b>everybody</b> 12:11 44:17 98:23 <b>evidence</b> 4:14 7:14 9:17,19 10:3,4,8 20:4 20:16 21:5 62:3 65:16	67:17,20 73:21 74:18,23 75:6 81:12 84:17 92:17 103:3 109:13 110:16 111:13 112:15 <b>evolution</b> 22:9 23:21 <b>ex</b> 56:25 <b>exactly</b> 11:3,5,10 30:4 54:14 64:8 65:7 82:20 91:6 108:22 <b>examination</b> 41:13 77:10 <b>examine</b> 22:25 62:9 77:1 <b>examined</b> 97:2 <b>example</b> 21:15 21:24 42:9 46:11 47:8 53:13,21 60:20 66:2 71:22 84:25 86:16 87:12 100:10 101:1 111:1 <b>examples</b> 38:7 111:22 112:2 <b>exceed</b> 29:1 <b>excellent</b> 15:23 <b>exception</b> 4:20 72:7 <b>exceptionally</b> 102:17 <b>exceptions</b> 72:5 <b>exchange</b> 52:7 93:7 <b>exchanges</b> 23:15 52:4 <b>exclude</b> 110:4 <b>excluding</b> 92:24 93:3 <b>exclusive</b> 62:13 <b>executive</b> 96:7 <b>executives</b> 2:21 3:3 4:21 9:20 <b>exegesis</b> 23:22 <b>exemplary</b> 106:3 <b>exercise</b> 22:5 31:6 61:15 83:17 <b>exercised</b> 81:22 <b>exercises</b> 2:23 64:25 <b>exercising</b> 32:14 94:19,20 <b>exist</b> 87:25 98:9 <b>existed</b> 98:8 <b>existence</b> 24:20 35:21 59:10 79:2 89:1 96:24 <b>existent</b> 78:13 <b>existential</b> 26:16 93:12 <b>existing</b> 102:22	<b>exists</b> 90:10 <b>exonerated</b> 76:13 <b>expect</b> 27:11 52:3 56:1,7 57:13 83:4,22 84:19 99:11 105:2 106:23 <b>expectation</b> 14:19 17:23 71:1 85:5 <b>expected</b> 49:6 71:3 <b>expense</b> 95:22,24 <b>experience</b> 28:15 34:18 38:5,20 39:24 41:15 51:24 57:7 69:5 85:25 100:16 <b>expert</b> 90:2 <b>expertise</b> 40:12 40:16,17 42:21 89:7 <b>experts</b> 42:15 <b>explain</b> 11:16 22:23 24:22 29:11 37:19 48:25 50:10 71:8 87:1 94:2 <b>explanation</b> 37:22 <b>explicit</b> 109:3,6 111:20 <b>explore</b> 82:2 <b>expository</b> 7:17 21:3 73:16 <b>Express</b> 18:5 <b>expressed</b> 110:3 <b>expression</b> 35:1 35:8 93:24 94:7 <b>extension</b> 103:12 <b>extent</b> 1:11 26:17 40:25 48:23 51:14 54:9 60:17 77:2 78:7,9 81:15 84:24 88:11 89:11 <b>external</b> 32:25 41:9,13 42:4 84:20 <b>externally</b> 85:10 <b>extra</b> 21:18 <b>extraction</b> 47:4 <b>extreme</b> 30:2 <b>ex-editors</b> 42:17 <b>Eye's</b> 98:19 <hr/> <b>F</b> <b>face</b> 111:19 <b>facie</b> 48:5,12 93:1 <b>facing</b> 98:23 <b>fact</b> 4:13 13:2 42:6 55:14	63:7,10 76:19 78:6 89:1 110:20 <b>facto</b> 31:9 <b>factor</b> 27:20 73:13 82:16 89:3 <b>factors</b> 62:12 63:9 <b>facts</b> 8:12 9:7,9 82:14 <b>fail</b> 79:7 80:19 92:25 93:1 <b>failing</b> 85:15 102:1 104:16 104:16 <b>failure</b> 65:11 109:14 <b>fair</b> 6:7 11:16,22 40:10 53:5 58:5 85:23,25 97:23 100:25 <b>fairer</b> 101:3 <b>fairly</b> 8:21,22 22:11 56:2 59:4 <b>faith</b> 13:3 14:21 <b>fall</b> 48:3 <b>false</b> 5:22 <b>falsely</b> 13:10 <b>familiar</b> 92:7 <b>families</b> 28:9 <b>family</b> 61:1 <b>far</b> 2:21 6:23 12:14 13:1 29:16 51:18 68:2 73:19 94:6 <b>fashion</b> 58:3 <b>fast</b> 101:12 <b>fast-moving</b> 69:11,15,21 101:7 <b>fault</b> 25:5 <b>favour</b> 49:2 67:20 73:11 <b>feature</b> 69:14 <b>features</b> 64:4 <b>February</b> 9:15 60:1 70:8 74:5 74:8 <b>fed</b> 36:21,25 <b>feeds</b> 36:17 <b>feel</b> 51:2 54:9 55:5 58:15,19 72:18 83:16 97:22 100:13 100:16 109:24 111:14 112:3 <b>feeling</b> 84:4 109:14 <b>feels</b> 51:3 55:18 68:25 <b>feet</b> 42:20 <b>fell</b> 72:6 <b>felt</b> 32:8 38:15 61:23 71:11	<b>fervently</b> 52:6 <b>field</b> 34:3 <b>figure</b> 33:9 <b>figures</b> 5:4 25:18 <b>file</b> 23:1,14 50:10 50:14 74:16,17 90:21 <b>files</b> 22:25 23:5 75:24 <b>final</b> 10:22 23:20 33:21 57:3 59:2 <b>finalised</b> 70:17 <b>finally</b> 17:9 50:5 <b>financial</b> 84:12 101:16 <b>find</b> 19:24 39:12 45:1 48:16 49:12 83:9 87:6 90:4 111:15 112:22 <b>findings</b> 82:14 <b>finds</b> 65:1 <b>fine</b> 40:1 56:19 71:15,21 <b>finer</b> 101:6,18,22 101:24 <b>finished</b> 15:12 <b>firmly</b> 100:18 104:23 <b>first</b> 4:17,23 5:10 10:18 14:13 20:17 21:10 22:19 33:5 34:1 47:15 48:12,12 60:16 60:19 74:16 75:3 79:18,19 80:8 84:1 92:25 93:5,12 97:12 102:2 105:14 110:14 110:21 <b>first-hand</b> 8:7 <b>fit</b> 30:8 31:16 78:2 <b>five</b> 57:15 63:19 <b>five-year</b> 107:22 <b>fix</b> 55:15 <b>fixed</b> 85:14 <b>fixed-term</b> 105:12 <b>flag</b> 52:18 <b>flagged</b> 54:24 <b>flaw</b> 39:15 <b>flexible</b> 69:14 70:1 <b>flogged</b> 12:1 <b>flowers</b> 49:23 <b>focus</b> 84:13 <b>focused</b> 24:9 47:17 <b>follow</b> 64:21 <b>followed</b> 104:7 <b>following</b> 9:15 22:18 27:14 28:19 46:19
---	--	--	--	---	--	---

52:1 57:9	49:5 50:10,14	<b>give</b> 1:11 11:17	73:1	75:14 77:14	<b>hope</b> 19:23 78:22	103:16
60:21 89:14	53:7,8 57:3	21:15 44:7	<b>greater</b> 32:9 40:7	103:4	<b>hopefully</b> 55:1	<b>imposing</b> 37:9
90:13 98:9	59:15 61:16	51:13 52:2	67:11 68:4	<b>happening</b> 44:12	<b>horns</b> 81:14	<b>imposition</b> 96:7
105:3,4 108:25	81:25 83:4	65:2 77:7	69:16 70:2	79:18,19 111:2	<b>horses</b> 49:11	102:3 105:9
113:3	87:9	87:21 111:8	82:11,13	<b>happens</b> 48:17	<b>hospital</b> 110:23	<b>impositional</b>
<b>follows</b> 28:16	<b>fuller</b> 48:10	<b>given</b> 1:4 2:5,6,9	103:18,22	50:9 107:19	<b>hospitals</b> 21:19	108:6
<b>force</b> 27:16	<b>fully</b> 82:1 112:12	2:11,17 12:6	<b>greatest</b> 67:16	<b>happy</b> 37:2 57:1	<b>host</b> 111:2	<b>imprecise</b> 78:25
67:24	<b>function</b> 49:9	16:25 17:1	<b>grey</b> 55:8 71:24	93:16 97:24	<b>hostage</b> 12:25	<b>impression</b>
<b>forgetfully</b> 99:24	54:22 77:16	39:5,7 40:23	72:2	112:13	<b>hostile</b> 83:10	104:21
<b>forget</b> 52:12	80:18 81:3	46:7 62:3	<b>grief</b> 60:12	<b>hard</b> 56:17 68:15	<b>hotel</b> 62:17	<b>impressive</b> 13:8
<b>form</b> 18:8 65:12	86:5 98:19	77:10 95:6,8	<b>grip</b> 49:18	<b>harder</b> 98:9	<b>hotline</b> 24:20	<b>improper</b> 35:2
99:12 108:19	99:7 101:20,21	96:2 102:14	<b>grips</b> 14:15	<b>head</b> 5:11 20:22	<b>hour</b> 81:12	63:1,1
<b>formal</b> 3:19 11:4	104:17 106:23	106:2	<b>grounds</b> 23:11	<b>headed</b> 6:13	<b>hours</b> 112:17	<b>improve</b> 15:11
20:4 32:5 36:1	<b>functionality</b>	<b>giving</b> 70:4	84:3	<b>heading</b> 76:4	<b>Huffington</b>	23:6 42:8
50:12 57:4	92:11	<b>glass</b> 67:19	<b>group</b> 16:17	<b>headline</b> 60:8	98:25	<b>improved</b> 41:1
61:3 93:25	<b>functions</b> 34:23	<b>go</b> 11:12 13:18	109:20	62:2 65:10	<b>huge</b> 18:18 108:6	<b>improvement</b>
101:18	41:22 77:17	15:24 16:23	<b>groups</b> 16:21	111:25 112:7	<b>hugely</b> 56:6 98:1	15:9 68:1,5
<b>formality</b> 70:3	93:17,20	24:10 26:18	35:13 36:16	<b>headlined</b> 65:7	<b>Human</b> 17:12	<b>improvements</b>
<b>formally</b> 30:21	104:15	40:16 42:25	109:13,15,19	<b>headlines</b> 111:17	22:4 72:12	85:11
55:3 65:13	<b>fundamental</b>	48:15 52:11	109:22 110:9	111:19	<b>humorous</b> 58:18	<b>inaccuracy</b>
<b>formed</b> 33:24	94:25	55:3 60:23	<b>grown</b> 45:4	<b>health</b> 53:17	<b>hundred</b> 34:4,5	63:17
112:12	<b>fundamentally</b>	68:7 69:1	<b>guarantee</b> 40:2	110:11,12,22	<b>Hunt</b> 30:17	<b>inaccurate</b> 63:10
<b>former</b> 40:14,14	50:24	71:13 76:20,23	56:3	110:24	104:6	<b>inaudible</b> 12:7
107:15	<b>funded</b> 29:17	77:21 88:5	<b>Guardian</b> 1:4	<b>hear</b> 105:6	<b>hurdle</b> 92:25	<b>incentivisation</b>
<b>formula</b> 29:25	87:2,9	93:5 99:12	3:25 4:15 5:20	<b>heard</b> 14:11 47:3	93:5	90:5 106:4,7
<b>formulated</b> 12:8	<b>funding</b> 41:11,21	103:21 104:6	8:16	48:17 49:25		<b>incentivised</b>
<b>formulating</b> 63:2	79:3 87:8	<b>goes</b> 42:19 48:10	<b>Guardian's</b> 8:5	58:2 67:16,16		89:21,23
<b>forthcoming</b>	97:19	49:13 52:14	10:4 12:4	68:13 75:5		<b>incident</b> 25:21
92:5	<b>further</b> 4:6,14,16	97:6	13:10	97:13,13		<b>include</b> 101:13
<b>fortune</b> 12:25	6:1,20 7:23	<b>going</b> 1:16 9:13	<b>guidance</b> 43:18	112:17		103:22
<b>forum</b> 84:16	21:4 23:10	10:24 16:2	45:11 46:11,12	<b>hearing</b> 113:3		<b>included</b> 47:1
<b>forward</b> 15:18	26:15 65:4	18:7,8 20:17	69:13	<b>hearings</b> 9:12		94:21
18:14 31:2	68:7,8 70:17	21:5 22:20	<b>guidelines</b> 53:2	82:12		<b>includes</b> 93:5
67:18 81:9	73:14	26:18 28:3,10	<b>guilty</b> 78:24	<b>heart</b> 17:6 24:24		<b>including</b> 1:17
105:7	<b>future</b> 15:15	28:13 30:5		94:18		34:25 59:15
<b>fought</b> 69:10	53:19 65:25	41:10,11 46:19		<b>heat</b> 42:23		78:5 80:15
<b>found</b> 2:24 3:7	68:8 80:17	62:17 73:5,14		<b>held</b> 79:23 100:5		92:23
16:18 18:23	90:19 101:9,9	74:19 75:23		<b>help</b> 12:4 16:4		<b>incomplete</b> 10:8
73:11	103:1 104:5	79:20 81:8		18:16,20 25:14		47:11,24
<b>four</b> 57:15 75:2		85:4 86:14		34:2 48:24		<b>increase</b> 22:14
<b>frame</b> 40:13		91:12,13,19		78:22 111:11		<b>increasing</b> 66:1
<b>framed</b> 42:15		92:7 101:24		<b>helped</b> 18:25		66:13
<b>framework</b>		103:13 107:11		40:13		<b>independence</b>
61:22 96:24	<b>gain</b> 69:16	<b>good</b> 1:11 5:9		<b>helpful</b> 20:13		42:3,5,6,7
103:19 105:6,8	<b>gains</b> 78:12	13:3 14:21		98:2		100:10,13,15
105:9	<b>garner</b> 67:10	15:7,21 17:13		<b>helping</b> 19:6		100:19
<b>framing</b> 21:25	<b>Gately</b> 59:21	21:20 44:21		104:23		<b>independent</b>
<b>frank</b> 59:15 83:5	61:1,11 62:2	45:14 72:14,16		<b>helpline</b> 24:6,7		26:10 30:10,18
83:17	62:13	86:6 94:16		<b>he'll</b> 19:13		31:19 32:11,17
<b>frankly</b> 15:17	<b>Gately's</b> 60:11	110:22		<b>high</b> 28:7		32:25 34:1,2
<b>fray</b> 42:23	<b>gathered</b> 1:8	<b>Goodman</b> 2:23		<b>hindsight</b> 9:23		34:15 40:3,18
<b>free</b> 15:23 35:7	39:1	4:20 5:2 8:11		12:12,15,24		41:2,8
35:10,21 72:9	<b>general</b> 35:4	9:19,20 13:18		15:4		<b>independent-...</b>
<b>freedom</b> 34:25	46:1,6,6,11	75:6		<b>historically</b> 67:9		39:21
35:7 93:24	70:20 71:1	<b>Goodman/Mul...</b>		86:13		<b>indicate</b> 91:13
94:7 95:8	72:3,5 106:9	5:5		<b>hoc</b> 102:10		<b>individual</b> 21:17
<b>freedoms</b> 34:25	110:20	<b>Gordon</b> 2:22		<b>hold</b> 45:22 90:1		39:12 41:4
94:19	<b>generality</b> 84:23	<b>governance</b>		<b>holding</b> 66:20		46:3,7 51:16
<b>freely</b> 61:12	<b>generally</b> 18:13	26:10 32:12		<b>holds</b> 45:9		72:6 109:18
<b>frequently</b> 36:23	25:4 27:23	36:7 77:6		<b>hole</b> 74:21		112:3
<b>fresh</b> 76:6	34:25 39:10	87:9,18 110:24		<b>home</b> 19:4		<b>individuals</b> 5:7
<b>front</b> 66:3,17	87:9,18 110:24	<b>genesis</b> 14:24		<b>homophobic</b>		58:22 95:12,20
<b>Fry</b> 60:21	<b>Germany</b> 87:12	<b>government</b>		60:14 62:7		<b>industries</b> 87:10
<b>Fry-bombing</b>	<b>getting</b> 14:15	87:13		<b>homosexuality</b>		<b>industry</b> 14:14
60:20	69:7,11 78:17	<b>graduated</b> 20:19		59:13		14:16 16:25
<b>full</b> 13:14,22	91:21	<b>grant</b> 87:13		<b>honest</b> 83:4,22		17:4 25:10,20
19:20 29:22	<b>get-out-of-jail</b>	<b>grateful</b> 20:8		106:20		29:11,25 34:10
	111:24	<b>gratia</b> 56:25				
		<b>great</b> 4:9 41:24				

41:6 42:13,18 44:16 52:24 53:1 57:1 66:16 80:17 93:24 94:18 95:1,18 96:2 97:18 101:4 103:16,16 108:16 111:3 <b>inevitably</b> 91:16 <b>inference</b> 112:7 <b>influence</b> 12:15 <b>informally</b> 25:12 <b>information</b> 1:7 7:20,24 13:19 46:14 47:12,24 48:13,16 49:14 53:22 71:11 73:4 76:25 80:15 82:9,15 83:1,21 85:14 94:11,21 95:2 <b>informed</b> 102:12 <b>inherent</b> 96:16 <b>initially</b> 12:6 <b>injunction</b> 27:15 71:17 <b>inquest</b> 28:10 <b>inquiries</b> 13:16 <b>inquiry</b> 3:2,20 3:21 4:7 7:11 11:25 12:1 13:14 20:5 26:16 41:12 43:2 57:21 76:5,12,16 77:11,12,13,13 80:24 <b>inside</b> 74:25 <b>insight</b> 11:17 <b>insignificant</b> 43:9 <b>insist</b> 64:7,15 65:19 67:2 <b>insisting</b> 69:1 <b>instigated</b> 76:12 76:15 <b>instruction</b> 6:19 27:16,19 <b>insufficient</b> 82:7 <b>intend</b> 39:23 <b>intention</b> 25:22 50:23 55:12 62:8 <b>interaction</b> 11:8 <b>interest</b> 27:7 35:6 36:16 <b>interested</b> 16:1 103:25 112:15 <b>interesting</b> 67:15 83:9 <b>interests</b> 39:9 41:3,4 <b>interlinkages</b> 40:23 <b>internal</b> 41:16 45:20 77:10	80:14 101:15 104:16 <b>internally</b> 44:9 49:1 53:3 61:6 77:1 85:9 90:12 104:5 <b>International</b> 1:24 4:4 5:6 30:1 85:21 86:1,3,11 <b>International's</b> 3:23 <b>Internet</b> 17:11 <b>interpretation</b> 70:21 <b>intervene</b> 18:9,9 94:12 <b>intervention</b> 93:19 <b>interventionist</b> 43:21 <b>interview</b> 34:14 <b>interviewed</b> 82:18 <b>interviewees</b> 35:3 <b>interviews</b> 33:20 34:14 <b>interwoven</b> 41:1 41:3 <b>introduce</b> 101:6 <b>introduced</b> 64:13 <b>intrusion</b> 60:12 <b>intrusions</b> 17:24 56:16 <b>invariably</b> 49:20 <b>invested</b> 43:22 <b>investigate</b> 81:15 81:17,18 <b>investigated</b> 81:16 <b>investigating</b> 102:14,15 <b>investigation</b> 4:3 4:7 7:13 48:10 48:18 75:4 87:16 93:6 101:25 <b>investigations</b> 1:9 92:19,22 92:24,25 <b>investigative</b> 71:5 <b>investigatory</b> 3:19 <b>invite</b> 50:16 <b>invited</b> 34:10 <b>involve</b> 66:14 <b>involved</b> 15:1 30:18 33:16 60:4 62:16 98:17 99:1 108:24 <b>involvement</b> 36:4 41:6,24 60:2 94:6	96:19 108:23 <b>involves</b> 62:21 <b>involving</b> 23:3,4 25:21 27:24 42:13 <b>Ireland</b> 88:16,22 <b>irrespective</b> 105:5 <b>irresponsible</b> 5:21 <b>Islamic</b> 110:16 <b>Islamophobia</b> 109:20 <b>issue</b> 3:6 6:10,17 14:20,20 16:9 22:21 26:5,20 26:24 28:16,18 36:24 37:11 38:8 42:3 43:6 44:23 52:21 53:12,23 54:3 59:7 61:8 63:25 64:1,4 70:7 71:10,18 76:10 77:11 82:3 86:8 92:10 94:9 100:25 101:5 101:18 110:13 <b>issued</b> 46:12 <b>issues</b> 16:19 17:15 18:25 36:20 38:25 40:1 49:18 51:21,24 53:1 60:11 61:10,19 70:16,23 83:7 101:10,11,15 102:15 110:20 <b>issuing</b> 77:4 <b>iteration</b> 33:5 108:8 <b>iterative</b> 10:20	74:25 90:8,17 <b>journalists</b> 1:16 2:24 4:21 19:3 27:2 90:18 <b>judge</b> 5:5,7 40:14 75:5 90:15 <b>judgment</b> 10:3,8 23:17 25:23 32:15 73:11 81:23 82:9 <b>judgments</b> 22:4 80:25 <b>judicial</b> 70:15 <b>July</b> 1:4 3:16 4:15 26:12 <b>jurisdictions</b> 87:10 98:7 <b>jurisprudence</b> 21:23 <b>justice</b> 2:13 12:18,21 13:25 14:13 15:3,7 19:16 20:7,13 23:18 26:23 27:9 37:15 38:14 43:4 44:5,9,13 52:11,23 63:18 63:21 67:15,23 68:10 69:20 72:8 77:21 78:16 79:25 80:4 81:8 83:6 84:6 87:22 88:3 89:5,20 89:23 90:3 96:9 97:6,23 98:14 99:21 105:20,23 107:4 109:5,10 109:17 110:2 111:16 112:9 112:14,24 <b>justification</b> 27:8 <b>justified</b> 4:6	78:21 82:24 87:3,6,7 88:9 103:24 104:6 112:3 <b>knowledge</b> 1:9 8:8 40:7 74:23 74:25 87:17 88:22 <b>known</b> 84:17 <b>knows</b> 84:1 85:7	<hr/> <b>L</b> <hr/> 1 68:16 <b>labour</b> 67:17 <b>lack</b> 42:6,7 76:21 <b>lacks</b> 44:11 <b>land</b> 13:9 69:4 <b>landscape</b> 17:9 <b>language</b> 12:7 62:6 79:1 <b>large</b> 47:14 60:25 67:19 71:20 88:11 <b>last-chance</b> 108:9 <b>late</b> 13:5 24:16 62:16 112:6 <b>latest</b> 7:11 76:25 <b>launching</b> 3:20 <b>law</b> 21:15,16,19 40:15,17 72:13 78:6 <b>lawyer</b> 84:25 <b>lay</b> 13:8 22:14 32:8,16,21,24 33:3 36:4 40:9 51:22 <b>layout</b> 65:12 <b>lead</b> 26:2 67:7 96:14 102:24 111:3 <b>leads</b> 54:5 106:7 <b>leaked</b> 6:2 <b>leap</b> 80:23 101:21 <b>leave</b> 27:3,25 28:5 81:12 103:24 104:21 109:9 <b>lecture</b> 73:25 <b>led</b> 34:3,18 46:10 60:24 <b>left</b> 13:22 <b>legal</b> 38:22 <b>legislate</b> 68:16 <b>legislation</b> 17:3 86:22 87:2,5 96:13,14,16 105:5 <b>legislative</b> 96:6 104:12,13 109:2 <b>legitimate</b> 37:21 42:4 68:9 78:10 97:1,5 106:24 110:4 111:15	<b>legitimately</b> 25:6 94:18 <b>lesson</b> 46:17 <b>lessons</b> 16:7 85:17 <b>letter</b> 1:3 3:4,15 5:16 74:12,15 75:7,8,12,16 <b>let's</b> 108:11 <b>level</b> 73:6 74:20 <b>LEVESON</b> 2:13 12:18,21 13:25 14:13 15:3,7 19:16 20:7,13 23:18 26:23 27:9 37:15 38:14 43:4 44:5,9,13 52:11,23 63:18 63:21 67:15,23 68:10 69:20 77:21 78:16 79:25 80:4 81:8 83:6 84:6 87:22 88:3 89:5,20,23 90:3 96:9 97:6 97:23 98:14 99:21 105:20 105:23 107:4 109:5,10,17 110:2 111:16 112:9,14,24 <b>levied</b> 101:24 <b>levy</b> 29:18,20 <b>Lewis</b> 73:24 <b>libel</b> 73:23 104:1 <b>lifestyle</b> 61:10 62:12 63:8 <b>light</b> 26:16 73:22 74:1 <b>likes</b> 97:19 <b>liking</b> 17:14 <b>limit</b> 65:23 <b>limitations</b> 16:11 <b>limited</b> 2:9 7:23 9:9 13:15,19 82:6 <b>line</b> 51:17 61:23 61:25 81:9 108:3 <b>lines</b> 3:22 <b>link</b> 102:2 <b>linked</b> 91:23 <b>links</b> 110:23 <b>list</b> 7:15 33:20 34:6,8,19 35:5 46:11 <b>Lithuania</b> 86:22 <b>litigation</b> 54:15 57:10 <b>little</b> 22:23 33:19 69:21 71:24 88:18,24 <b>live</b> 12:5 98:21 99:14 107:7,15 107:18	<b>loaded</b> 85:19 <b>location</b> 64:11 65:6 66:4,18 <b>logical</b> 20:17 83:19 <b>long</b> 20:1,3 33:20 34:6 52:3 61:5 61:17 103:21 <b>longer</b> 15:15 68:3 92:4 <b>longer-establish...</b> 87:8 <b>look</b> 10:19,20,21 11:22 14:7 23:5 28:23 32:20 35:19 41:8,20 44:15 46:3,23 52:9 57:16 58:8 65:24 66:13 67:9,25 76:3 77:17 81:1 85:10 90:15,19 98:5 101:15 108:11 110:10 111:23 112:4 <b>looked</b> 5:17 6:9 6:17 <b>looking</b> 15:19 35:23 44:19 47:19 84:14 94:17 <b>looks</b> 48:14 52:20 56:2 106:18 <b>Lord</b> 2:13 12:18 12:21 13:25 14:13 15:3,7 19:16 20:7,13 23:18 26:23 27:9 30:17 37:15 38:14 43:4 44:5,9,13 52:11,23 63:18 63:21 67:15,23 68:10 69:20 77:21 78:16 79:25 80:4 81:8 83:6 84:6 87:22 88:3 89:5,20,23 90:3 96:9 97:6 97:23 98:14 99:21 104:6 105:20,23 107:4 109:5,10 109:17 110:2 111:16 112:9 112:14,24 <b>lose</b> 69:15,16,20 70:5 <b>losing</b> 67:8 <b>lot</b> 17:18 24:17 24:18 37:22 40:11 41:14,16 52:7 61:7 78:24 89:7,9
--	--	---	---	---	---	---	---

92:2	43:20 47:14	9:18 27:5	49:25	47:14 95:22	<b>notion</b> 41:5	55:17 56:1,4
<b>lots</b> 23:15 52:25	55:2 60:19	55:21,22	<b>Mosley</b> 70:15,19	<b>Neville</b> 8:9,13	61:11 68:22	<b>officers</b> 48:25
<b>lower</b> 74:21	64:15 78:8	<b>messages</b> 25:12	72:19,20 73:2	74:8	84:12 85:12	49:7 55:24
<b>lowest</b> 37:15	79:9,22 87:22	<b>met</b> 2:7 33:23	73:9	<b>new</b> 9:17 45:21	94:19 99:6,18	59:5
<b>loyalty</b> 15:16	88:3 94:2	34:5 75:12	<b>motivating</b> 73:13	47:4 74:14,20	101:22 105:17	<b>officer's</b> 50:18
<b>Luxembourg</b>	100:23 107:3	<b>method</b> 45:1	<b>Motorman</b> 1:9	75:10,17 98:21	106:25	<b>official</b> 10:11
86:22	<b>meaning</b> 59:8	<b>Meyer</b> 1:21 19:5	2:23,24 3:1	<b>news</b> 1:24 2:21	<b>notions</b> 97:21	75:2
<hr/>	<b>meanings</b> 58:12	72:21	<b>move</b> 27:4 66:6	3:3,23 4:4,24	98:7 100:19	<b>Oh</b> 38:23
<b>M</b>	<b>means</b> 24:13	<b>Meyer's</b> 22:9	72:23	5:6,17 7:13 9:4	<b>notorious</b> 57:21	<b>Okay</b> 1:23 11:20
<b>Madeleine</b> 18:25	34:11 35:10,10	<b>middle</b> 91:12	<b>movement</b> 51:6	9:20 25:4 30:1	<b>notwithstanding</b>	21:9 26:7,19
<b>magazine</b> 30:3	40:3 64:17	<b>mid-January</b>	<b>moves</b> 42:18	75:1 76:14	66:8	31:7 57:19
53:16,18	72:4,22 76:7	91:2	<b>Mulcaire</b> 5:6	82:3 83:3,10	<b>November</b> 6:5	73:14
<b>magazines</b> 98:15	98:7 106:25	<b>mid-position</b>	8:11 9:19	83:12,25 85:17	<b>no-strings-atta...</b>	<b>old</b> 31:23 62:22
<b>magnifying</b>	<b>measurable</b>	81:19	13:18	85:21 86:1,3	87:13	<b>ombudsman</b>
67:19	108:24	<b>mightn't</b> 13:23	<b>Mulcaire's</b> 9:21	<b>newsagents</b>	<b>nuanced</b> 51:18	16:5 17:5 88:9
<b>Mail</b> 59:20 60:9	<b>mechanism</b> 14:2	<b>million</b> 60:21,23	<b>Myler</b> 3:4 4:5,10	47:11	<b>number</b> 7:20 8:6	88:19,19 89:8
<b>maintain</b> 16:8	16:24 45:19	<b>millions</b> 16:1	4:17 5:17,18	<b>newspaper</b> 3:9	15:10 28:24	89:12 101:20
104:16	79:13,17 82:2	<b>mind</b> 35:12 55:2	7:21 9:10	4:21 8:8 14:7	29:4 38:25	<b>ombudsman/P...</b>
<b>major</b> 10:5 12:14	<b>mechanisms</b>	62:20 84:14	13:16	15:25 16:17	39:7 57:17	89:16
12:25 13:9	41:19 55:3	105:17	<b>Myler's</b> 13:19	22:10 29:13	81:10 82:18	<b>once</b> 15:11 25:3
16:17 92:9	<b>media</b> 40:15 87:3	<b>minds</b> 43:9	<hr/>	34:9 36:5	98:5 99:25	25:24 27:3
98:11,16 106:7	87:9	<b>minority</b> 40:6	<b>N</b>	48:18 49:6	109:13	42:20 99:17
106:13 107:12	<b>mediated</b> 52:25	<b>minutes</b> 63:19	<b>name</b> 19:20	56:11,23 65:22	<b>numbers</b> 23:1	101:21
107:20 108:4	<b>mediation</b> 48:19	112:23	<b>names</b> 1:15 2:23	66:8 67:3	<b>numerically</b> 40:6	<b>ones</b> 18:1 109:23
<b>majority</b> 29:4	48:21 49:12,15	<b>mischievous</b>	5:3 31:2	68:11 69:3	<hr/>	<b>one's</b> 12:1
39:18 40:5	49:21 52:13	76:12	<b>Naomi</b> 53:20	85:6,7 90:15	<b>O</b>	<b>one-off</b> 12:18
51:5 54:15	54:22 57:6	<b>misconceived</b>	<b>national</b> 107:12	94:18 99:11	<b>oath</b> 82:17	<b>ongoing</b> 36:20
61:23 72:25	<b>medical</b> 62:10,25	47:6	107:20	101:4 106:7,18	<b>objection</b> 96:5	77:6
99:3 106:21	63:13	<b>misleading</b>	<b>natural</b> 60:10	108:15 111:3	<b>objections</b> 97:14	<b>online</b> 98:4,6
<b>making</b> 82:8	<b>meet</b> 10:16 44:17	111:25	62:2,4,21,24	<b>newspapers</b> 18:5	<b>obligations</b>	106:8,13,18
84:24 108:21	<b>meeting</b> 7:3 11:1	7:12,18 11:25	63:8,12,15,15	27:5 43:1	105:10	107:14
<b>man</b> 1:9	11:5	13:21 14:10	<b>nature</b> 86:21	45:20 47:8	<b>observation</b>	<b>onwards</b> 75:11
<b>manage</b> 98:10	<b>meetings</b> 3:10	76:11	95:6,18 96:2	66:20 67:6,9	40:10	<b>on-the-record</b>
<b>managing</b> 52:20	6:10,17 36:9	<b>mismatch</b>	102:15	68:19 79:11	<b>observed</b> 60:3	8:6
86:6,9	50:9 51:9	111:16	<b>near</b> 53:20	80:13 83:1,14	<b>observers</b> 101:2	<b>open</b> 22:19 33:13
<b>manifestation</b>	<b>member</b> 11:21	<b>misrepresent</b>	<b>nebulous</b> 47:17	84:19 95:7	101:3 103:11	<b>openly</b> 32:18
101:10	29:8 34:17	84:10,25	<b>necessarily</b> 15:3	108:21	<b>obtained</b> 7:19,24	67:12
<b>manner</b> 111:4	90:6,9,15,17	<b>missing</b> 18:25	43:8 62:4	<b>newspaper-like</b>	9:9 26:1	<b>open-and-shut</b>
<b>Mark</b> 73:24	98:19 105:18	81:2	63:12,16 64:2	98:6,19 99:7	<b>obtaining</b> 1:12	55:19
<b>market</b> 26:3	<b>members</b> 13:8,8	<b>mission</b> 95:16	75:9 82:13	106:22	17:21	<b>operate</b> 50:13
<b>massively</b> 66:15	17:5 18:19	<b>mistake</b> 10:5	84:18 86:15	<b>newsroom</b> 75:1	<b>obvious</b> 5:12,13	86:16 87:10
<b>material</b> 1:8,10	22:15,18 25:13	12:14,25	92:4 94:9,23	<b>NGO</b> 90:11	14:18 101:9	<b>operated</b> 77:18
1:19 2:4 7:22	25:14 26:21	<b>mistakes</b> 77:19	100:21 101:19	<b>night</b> 24:16	<b>obviously</b> 8:16	95:22
25:24 26:3	27:24 28:18,24	29:2,4,5,9,13	102:18 103:19	<b>nights</b> 62:16	10:2,24 11:17	<b>operates</b> 39:9
74:1 76:7,9	29:2,4,5,9,13	29:18,21 30:20	109:18	<b>Nods</b> 5:11 20:22	16:7,17,20	46:4
78:12	29:18,21 30:20	31:8,13,13,23	<b>necessary</b> 49:3	<b>nominated</b> 31:20	17:7 18:18	<b>operations</b>
<b>materially</b> 11:24	31:8,13,13,23	<b>Mm</b> 4:8 13:12	102:25	32:3	30:1 51:14	102:22
13:20	31:24 32:3,8	<b>Mm-hm</b> 3:17	<b>need</b> 2:13 28:20	<b>nominations</b>	<b>occasion</b> 6:18	<b>opinion</b> 62:24
<b>matter</b> 2:16 3:12	32:21,21,24	<b>mobile</b> 6:3 7:25	32:10 35:8,14	32:7,24 33:4,8	27:24	63:2
4:9 7:11 12:3	33:3,12 34:15	<b>model</b> 89:17	67:19 70:22	33:17,22,23	<b>occasionally</b>	<b>opposed</b> 59:4
13:3 20:7,8	40:10 42:16	107:19 108:8	80:13 90:3	34:4,13,15	17:8	86:16,17
27:15 40:7	51:17,18 91:24	108:12,14	99:9 106:20	<b>nonformal</b> 70:1	<b>occasioned</b> 46:13	<b>opposite</b> 51:23
49:22,24,25	99:17 106:9	109:3 110:22	108:24	<b>non-pejorative</b>	<b>October</b> 10:20	75:5
55:19 63:7,10	111:6	<b>modified</b> 53:3	<b>needs</b> 15:8 17:22	58:3	59:22	<b>option</b> 101:23
64:23 65:10	<b>membership</b>	<b>Moir</b> 59:20	18:12 43:10	<b>non-royal</b> 5:4	<b>Ofcom</b> 25:11	<b>opt-in</b> 80:6
66:4,9 67:13	16:16 99:16	<b>moment</b> 22:21	94:22 98:22	<b>non-voluntary</b>	<b>offending</b> 67:3	<b>oral</b> 82:12
85:13 95:14	105:25	45:24 69:18,25	<b>negate</b> 112:6	69:10	<b>offer</b> 91:25	<b>order</b> 6:19 14:23
97:15 99:22	<b>mental</b> 101:21	109:4	<b>negative</b> 58:19	<b>norm</b> 70:9	102:21 105:18	21:4
<b>matters</b> 14:18	110:10,12,22	<b>monetary</b> 56:20	<b>negligent</b> 44:22	<b>normal</b> 6:21	<b>offered</b> 50:3	<b>organic</b> 44:10
16:3 61:13	110:24	101:13	<b>negotiation</b>	<b>normally</b> 6:11	<b>offering</b> 111:14	<b>organisation</b>
65:8 74:10	<b>mention</b> 105:8	<b>money</b> 40:23	64:20	<b>Northern</b> 91:1	<b>offers</b> 109:2	40:5 66:5,19
81:13	<b>mentioned</b> 7:25	97:12	<b>neither</b> 96:6	<b>notable</b> 87:12	<b>office</b> 1:8 24:1	<b>organisations</b>
<b>McCanns</b> 18:3	57:21	<b>months</b> 16:2	<b>neutral</b> 49:17	<b>notes</b> 11:7 46:12	50:14 54:19	86:20
18:17	<b>merely</b> 4:2 94:15	28:11 75:18	58:20	<b>notice</b> 24:22	61:6	<b>outcome</b> 70:14
<b>mean</b> 9:9 10:10	100:7	<b>monumental</b>	<b>never</b> 1:10,18	26:25 27:21	<b>officer</b> 6:3 7:25	<b>outfit</b> 107:14
12:7,23 27:25	<b>merits</b> 51:3	20:9	13:6 16:8	71:6	48:4 49:2,10	<b>outlines</b> 17:3
37:15 39:20	<b>message</b> 7:14	<b>morning</b> 34:23	37:17 38:5	<b>notification</b> 71:2	51:12 52:18	<b>outside</b> 13:18

16:18 35:24 47:5,21 53:14 101:4 106:8 <b>overall</b> 93:3 <b>overbear</b> 40:9 <b>oversees</b> 88:6 <b>overtones</b> 62:7 <b>overview</b> 111:8 <b>overweening</b> 17:7 <b>over-arch</b> 44:20 <b>over-arching</b> 41:14,17 44:11 44:15 45:16 67:5 78:5 81:1 82:25 96:3 97:16 <b>owing</b> 38:3 40:7 40:8 <b>o'clock</b> 113:3	96:19 <b>parsimonious</b> 13:12 <b>part</b> 16:19 21:19 43:18 56:19 57:6 77:6 92:10 108:4 <b>participated</b> 39:14 <b>participation</b> 105:12 <b>particular</b> 6:2 13:17 18:10 25:20 38:2 54:10 65:20 71:4 74:15 86:14 <b>particularly</b> 4:5 18:3 27:24 35:12,13 36:20 39:11 41:15 54:21 57:20 59:13 60:5 62:1,5 65:14 69:11 70:23 72:17 85:21 91:24 110:20 <b>parties</b> 19:9 80:16 <b>partner</b> 61:3 62:16 <b>parts</b> 21:3,6,7 24:11 <b>party</b> 56:22 110:14,21 <b>pass</b> 56:21 73:14 <b>passage</b> 16:20 <b>passive</b> 37:24 <b>path</b> 20:16 <b>patiently</b> 81:11 <b>pattern</b> 25:21 <b>Paul</b> 19:18,21 <b>pay</b> 29:24 30:1 91:4,12 97:12 <b>Paying</b> 68:10 <b>payment</b> 91:13 <b>payments</b> 8:10 56:25 <b>PCC</b> 1:10,17,18 3:18 6:9,12,17 7:18 8:11,23 9:7,17 10:10 11:9,24 13:5,9 14:21 15:16,21 17:10 18:6,12 19:13 20:11,19 20:20 21:23,24 23:9 24:1,12 25:12 26:9,21 27:17 29:17,17 30:20 31:4,20 32:7,24 33:3 33:21 35:24 36:20 37:8 38:1 39:2,6,9 40:12,14,21,24	41:15,23 42:10 43:11,16,21 44:19,22,22 45:3,6,17 46:12 48:20 53:10,24 54:10 55:4 58:5 59:9 64:5,7,12,15 65:9,15,17,21 66:24 67:1,17 68:20,25 69:3 70:20 72:16 74:24 77:25 78:11,23 79:3 79:12,16 80:22 81:15,21 82:1 82:11,21 83:2 83:5,7,18,25 84:2,13,16 85:22,22 86:7 88:12,25 89:7 89:13,14 91:14 91:16 92:16 93:17 95:21 97:8,10,14 98:15 100:11 100:18 102:16 103:17 104:18 104:22 109:14 110:9 111:18 <b>PCC's</b> 60:22 74:22 78:5 86:8 <b>PCC-brokered</b> 47:1 <b>PCC-like</b> 86:20 <b>peculiar</b> 73:2 <b>pejorative</b> 58:23 <b>penalties</b> 104:15 108:1 <b>penalty</b> 85:15 101:16 <b>penultimate</b> 92:12 <b>people</b> 7:20 8:8 13:2 16:1,19 17:18,21 18:13 18:15 22:24 24:12,14 25:2 27:25 28:4 32:16 35:11,14 39:21 40:3,4 40:16,18,20 42:22,24 44:1 44:13,18 45:10 47:7,15 49:18 51:23 52:4 54:1 57:1 58:13,15 60:21 60:22,23,25 62:20,21 66:11 67:8 68:15,22 70:18 74:23 78:1,24 79:20 81:6 83:9 84:16 91:24 94:19 97:17,20	98:5,25 99:3 100:7,13,17 102:11 103:2,3 104:22,23 105:13,18 106:13,21,22 106:22 107:6 108:23 110:19 111:11 <b>people's</b> 16:23 42:19 43:9 <b>perceived</b> 100:2 103:10 <b>perception</b> 64:5 66:25 76:14 100:4,7,9,22 100:24 <b>perfect</b> 105:19 <b>perfectly</b> 85:16 97:1 <b>perform</b> 44:4 76:23 <b>performing</b> 98:18 106:22 <b>performs</b> 93:17 99:7 <b>perilous</b> 77:4 <b>period</b> 18:3,6 30:6 31:14 41:18 <b>permanence</b> 23:21 <b>permanent</b> 22:9 <b>permitted</b> 109:22 <b>persists</b> 76:14 <b>person</b> 15:24 33:10 71:12,13 86:3 <b>personal</b> 73:2,6 80:15 100:12 <b>personalities</b> 40:8,21 <b>personality</b> 40:19,22 <b>personally</b> 72:25 96:22 98:4 99:19 <b>personnel</b> 32:10 40:23 <b>persons</b> 31:19 <b>perspective</b> 63:14 107:17 <b>philosophical</b> 59:7 68:24 91:17 92:6 93:23 95:3 <b>philosophy</b> 95:14 <b>phone</b> 7:14 9:18 15:12 16:7 73:17 79:15 80:12 <b>phones</b> 5:4 6:4 7:25 <b>phone-hacking</b> 77:15	<b>photograph</b> 53:15,21 <b>photographed</b> 53:14 <b>photographs</b> 26:4,5 <b>physical</b> 19:3 <b>physically</b> 6:23 <b>pick</b> 73:16 <b>picture</b> 41:20 <b>pictures</b> 73:4 <b>piece</b> 4:15 17:3 59:21 74:14 75:10 <b>pinpoint</b> 14:25 <b>piquant</b> 84:24 <b>pitched</b> 69:14 <b>place</b> 7:15 28:10 34:14 43:25 45:24 53:14,21 57:6 66:16 71:3 78:2,14 79:18,19 105:14 108:7 <b>placed</b> 16:4 49:4 95:1 <b>plainly</b> 47:5,5 <b>play</b> 99:8 <b>player</b> 92:9 98:22 106:7 107:12,20 <b>players</b> 97:9 98:11,16 99:4 99:16 106:13 109:14 <b>plays</b> 108:11 <b>please</b> 10:19 23:18 24:25 48:15 <b>plus</b> 33:7 <b>pm</b> 1:2 63:22,24 112:25 113:2 <b>point</b> 2:16 3:18 4:18 5:12 8:2 12:2 19:2 23:20 34:7 37:22 38:12,19 39:15,16 44:21 48:9 52:12 53:5 54:6 59:8 62:1,19,24 63:4,14 78:4 78:20 79:1,10 84:1 85:18 86:19 91:11 92:18,20 94:4 94:8,17 95:25 96:4 98:16 100:25 102:9 102:14 110:6 112:1 <b>pointed</b> 5:2 72:16 <b>points</b> 2:6 22:14 39:11 61:18 82:25 94:3 110:13	<b>polemical</b> 94:20 <b>police</b> 3:21 6:3 7:24 9:13 80:1 <b>political</b> 38:21 <b>politically</b> 107:16,17 <b>position</b> 1:13 4:19 5:23 14:12 30:10,15 31:8 32:2 46:24 49:5 51:8 68:9 70:18 72:8 75:15,25 82:8 82:10 83:4 84:10,18,25 86:10,12,14 91:9 97:24 111:9 <b>possess</b> 15:17 <b>possession</b> 2:1 <b>possibilities</b> 50:2 <b>possible</b> 35:4 36:21 37:8 39:20 55:10 56:14 69:6 98:21 102:5 105:8,24 <b>possibly</b> 40:16 59:10 62:20 63:3 65:3 85:19 86:25 93:14 96:4 102:1 103:18 <b>post</b> 34:1 42:20 42:21 99:1 102:10 <b>potential</b> 27:9 53:16 103:24 <b>potentially</b> 55:8 77:4 102:13 <b>power</b> 2:13 17:8 29:6 40:24 45:18 56:19 64:17 65:23 66:1,13 69:21 69:23 81:15,17 81:17 82:4,6,6 82:21 84:13 85:21 <b>powerful</b> 103:7 <b>powers</b> 2:9 3:19 13:15 25:11 41:21 43:22 69:16 80:22 82:11 94:11 97:3,4 <b>PR</b> 61:2 <b>practicable</b> 99:14 <b>practical</b> 91:16 91:22 92:1 100:11 107:2 <b>practice</b> 4:22 9:18 21:12 23:25 35:25 36:19,22 37:9	38:4 40:8,24 41:22 46:1 50:13 63:1 72:14,16,17 76:13 93:19 <b>practices</b> 23:7 <b>precedent</b> 39:8 54:6 <b>preceding</b> 35:12 75:18 <b>precise</b> 46:2 62:10 65:12 66:4 79:16 <b>precisely</b> 1:13 92:24 <b>preclude</b> 108:14 <b>predicated</b> 101:6 <b>preferable</b> 14:6 <b>prepared</b> 75:10 75:14 109:15 <b>preparing</b> 20:10 <b>prescient</b> 77:22 <b>presence</b> 19:3 <b>present</b> 69:24 80:7 <b>presentation</b> 48:12 <b>presented</b> 48:6 <b>preserve</b> 15:20 35:20 <b>preserving</b> 16:5 94:7 <b>press</b> 17:8 25:3,6 25:13,15 29:9 31:8,13,23 32:3 35:2,7,10 35:21 41:3 51:17 61:12 86:14 87:1,8 87:15,17 88:5 88:7 <b>PressBoF</b> 29:10 29:16,18,21 30:7,8,21,25 31:1,5,18,21 34:7 36:2 40:24 79:3 97:19 <b>PressBoF's</b> 30:12 <b>pressure</b> 35:2 <b>presumably</b> 4:9 47:23 50:11 80:4 <b>pretend</b> 13:5 <b>pretty</b> 62:7 90:16 <b>prevailing</b> 66:10 <b>prevented</b> 38:17 <b>previously</b> 30:17 <b>pre-broadcast</b> 25:11 <b>pre-notification</b> 70:7,9 72:3 <b>pre-publication</b> 43:17 69:13 92:3 93:18 <b>priest</b> 108:19
---	---	---	---	---	--	--

<b>prima</b> 48:5,12 93:1	<b>products</b> 98:6	31:23 32:21	15:14 18:2	79:25	<b>referenced</b> 65:10	<b>relief</b> 16:11
<b>primacy</b> 35:19	<b>professional</b> 85:1	33:12 36:12,14	38:23 45:14	<b>reading</b> 10:22	66:2 89:1	<b>reluctant</b> 57:3
<b>primarily</b> 7:21 25:14 44:2	<b>professor</b> 40:15	51:17 53:14,21	64:20 65:5	58:19 73:3	<b>references</b> 59:12	<b>remain</b> 4:19 41:7 106:12
86:5 87:19,25	<b>prominence</b> 64:1	53:25 55:9	68:24 69:3	103:3	<b>referencing</b> 8:9	<b>remained</b> 41:17
88:1 89:8	68:4 69:6	61:13 64:4	79:5,14 93:23	<b>real</b> 98:23 100:6	8:13	<b>remains</b> 58:21
<b>primary</b> 37:3	<b>prominent</b> 53:18	66:25,25 84:16	95:3 96:10	100:15 104:25	<b>referred</b> 5:5	<b>remedial</b> 50:4
46:10 77:16	65:2	91:25 102:18	97:7 101:2	109:14	73:23	<b>remedied</b> 103:5
87:15	<b>promise</b> 56:4	103:7 111:6	105:24 107:8	<b>realised</b> 25:8	<b>referring</b> 5:8	<b>remedy</b> 56:14,17 64:1 109:23
<b>principal</b> 6:8	<b>promotional</b> 88:10	<b>publication</b> 1:14	<b>questions</b> 4:16	<b>reality</b> 43:8	74:8 88:13	<b>remember</b> 6:23 19:2
<b>principle</b> 37:19	<b>promulgated</b> 34:19 55:4	50:3 54:25	6:1 14:15	89:18 100:22	<b>refers</b> 89:9	<b>remit</b> 47:5,21 48:3 77:3 93:1
39:8,11,13	<b>promulgation</b> 34:19 55:4	65:6 66:21	19:19 27:4	100:23	<b>reflect</b> 72:7	<b>removed</b> 60:9
67:13 70:20	<b>promulgation</b> 68:4	68:19	34:16,18 80:1	<b>really</b> 4:15 5:23	76:19	<b>removing</b> 70:3
<b>principles</b> 35:4	<b>promulgation</b> 68:4	<b>publications</b> 29:24,24 66:22	81:22,24 82:23	10:8 11:15	<b>reflected</b> 75:19	<b>reopening</b> 76:4
44:24,25 46:1	<b>prong</b> 103:24	<b>publicise</b> 24:17	97:5 107:24	17:6 21:14,19	<b>reform</b> 104:8	<b>repeat</b> 112:19
54:6 96:20	<b>prongs</b> 101:22	<b>publicise</b> 24:17	<b>quick</b> 15:23	23:11 24:19	<b>reforms</b> 77:17	<b>reply</b> 48:18
<b>print</b> 65:7	<b>pronounced</b> 3:11	68:20 84:21	<b>quickly</b> 23:18	25:2,14 29:23	<b>refused</b> 91:4	<b>report</b> 6:3,5,7,8 7:7 10:19,24 13:7 74:2,5,13 74:22 76:4,7 77:22 112:23
111:18	<b>pronouncements</b> 53:25	<b>publicised</b> 24:6	25:8 66:7	32:14 49:5	<b>refuses</b> 107:12	<b>reporter</b> 5:24 83:21
<b>prior</b> 71:2	<b>pronouncements</b> 53:25	<b>publicising</b> 68:17	69:12 70:3	51:20 75:10,17	<b>refusing</b> 38:11 38:19	<b>reporters</b> 2:22 3:3 28:3,12,13 75:3
<b>privacy</b> 17:17,24	<b>pronouncing</b> 45:12	<b>public's</b> 35:1	<b>quietly</b> 62:22	81:19 82:10	<b>regard</b> 34:24	<b>reporting</b> 110:11 111:4,5
21:16,24 53:23	<b>pronouncing</b> 45:12	<b>public-facing</b> 88:1	<b>quite</b> 3:13 7:23	89:19 108:15	52:2 58:20	<b>reports</b> 1:14
56:16 72:10	<b>proper</b> 43:12	<b>publish</b> 25:24,25	12:5 24:9 28:7	<b>realm</b> 56:15	95:18 96:1	<b>represent</b> 54:12
95:11 104:1	45:23 52:8	53:8 65:19	37:21 40:1,20	<b>reason</b> 21:21	97:17 100:17	<b>representative</b> 54:9 57:18
<b>private</b> 1:12 2:1	54:2 79:17	67:3 112:1	42:18,25 43:2	37:21 54:12	108:22	<b>representing</b> 36:10
98:19	96:18	9:15 56:10	52:3,7 57:24	109:20	<b>regarded</b> 58:5	<b>Republic</b> 88:16
<b>privately</b> 18:8	<b>properly</b> 82:3	64:1,8,16	68:23 71:20	<b>reasonable</b> 84:3	82:5	<b>request</b> 22:25 25:9
<b>proactive</b> 45:10	95:16	68:10	73:10 86:6	84:21 85:16	<b>regime</b> 31:23	<b>require</b> 19:9 65:11 66:9 68:3 104:11 110:21
<b>probably</b> 5:15	<b>property</b> 27:3	<b>publishers</b> 29:14	89:6 103:4	<b>reasons</b> 52:1	<b>regret</b> 9:22 20:8	<b>reside</b> 37:10 40:12
9:9,22 14:5	<b>property</b> 27:3	29:15	110:23	83:11 99:23	<b>regrettable</b> 10:6	<b>resistance</b> 38:3 39:24
15:13 18:24	<b>prophylactically</b> 28:9	<b>publishes</b> 29:14	<b>R</b>	<b>reassure</b> 52:21	<b>regulate</b> 79:12	<b>resolution</b> 53:6
23:13 63:18	<b>proportion</b> 47:14	<b>publishes</b> 65:1	<b>raise</b> 37:11 38:23	111:10	<b>regulated</b> 106:14	<b>resolve</b> 53:7
72:25 84:6	<b>proportion</b> 47:14	<b>publishing</b> 26:2	38:25 48:9	<b>recalibration</b> 17:22	<b>regulating</b> 44:17	<b>resolved</b> 49:25 53:2,11,12 57:8
89:5 91:23	<b>proposal</b> 85:16	<b>pull</b> 85:23	57:20 93:1	<b>recall</b> 9:16 38:6	<b>regulation</b> 94:1	<b>resolves</b> 15:23
<b>problem</b> 1:11	<b>proposals</b> 104:7	<b>pulled</b> 91:1	96:18 97:5	38:9 53:13	94:16 96:5,21	<b>resource</b> 81:25
13:9 14:9	104:19	<b>pulling</b> 69:3	110:13	74:5	97:1 108:17,22	<b>resourced</b> 45:5 45:13
16:17 18:16	<b>proposed</b> 50:18	<b>punch</b> 74:21	<b>raised</b> 38:8 60:11	<b>receive</b> 27:12	<b>regulator</b> 14:1	<b>resources</b> 82:6 82:22
44:10 76:20	<b>proposition</b> 42:10	<b>punches</b> 69:4	92:10	82:15	43:12,20,25	<b>respect</b> 34:9 102:6
81:18 90:20	<b>proposition</b> 42:10	85:23	<b>raising</b> 50:19	<b>received</b> 59:20	44:14 84:9	<b>responded</b> 67:9
92:1,2,6 98:12	<b>proprietary</b> 16:22 17:13	<b>punishment</b> 102:4,25	51:23	67:21 74:12	93:13,16,18,21	<b>responding</b>
98:12 103:12	36:5	<b>purest</b> 79:9	<b>ramifications</b> 4:11	<b>reclaim</b> 58:11	103:18	
107:9,18	<b>propulsion</b> 39:25	<b>pursuant</b> 31:24	<b>ran</b> 24:18	<b>reclamation</b> 58:14	<b>regulatory</b> 43:19	
110:25 112:21	<b>prospect</b> 98:3	<b>pursue</b> 82:1	<b>random</b> 22:25	80:1	80:17 93:20	
<b>problematic</b> 12:13	112:10	109:22	23:1	<b>recognise</b> 37:6	<b>rejected</b> 54:8	
<b>problems</b> 42:1	<b>protect</b> 58:22	<b>pursued</b> 3:6	<b>ranks</b> 64:2	80:1	59:25	
91:17,20 102:1	<b>protecting</b> 17:6	47:23	<b>rare</b> 59:9	<b>recognised</b> 96:25	<b>rejecting</b> 50:7	
107:11	35:11	<b>push</b> 49:11 67:14	<b>rate</b> 28:5	<b>recognition</b> 35:8	<b>related</b> 53:22	
<b>procedural</b> 91:17,23	<b>protection</b> 21:18	106:12,12	<b>ratify</b> 37:1,12	96:23 105:25	64:4	
<b>proceeded</b> 2:10	<b>proud</b> 24:12	<b>put</b> 4:23 5:10	<b>ratio</b> 39:20	109:2	<b>relates</b> 29:23	
<b>proceedings</b> 73:24	<b>provide</b> 15:23	11:4 18:2 20:9	<b>reach</b> 11:2 15:25	<b>recollection</b> 1:20	<b>relating</b> 1:25	
<b>proceeds</b> 50:1	17:4 21:18	31:2 37:20,21	49:16 82:13	58:17 59:16	11:8	
<b>process</b> 22:19	67:7 79:17	39:2 66:7 71:5	<b>reached</b> 38:13	<b>recommendati...</b> 6:14 27:21	<b>relation</b> 6:2 7:22	
26:15 32:17	111:24	96:11	51:8 59:4	30:25 33:21	7:24 18:2 19:7	
35:18 36:12,19	<b>provided</b> 29:3	<b>putting</b> 3:1 97:23	<b>reaching</b> 18:23	34:20 50:15,19	30:24 33:12	
37:25 46:18	32:13,18 69:23	<b>Q</b>	50:23	<b>recommendati...</b> 7:16 23:6	34:24 64:6	
47:16 48:19	<b>provision</b> 44:7	<b>qualification</b> 111:18	<b>reactions</b> 103:25	26:12	73:17 76:10	
49:13,21 57:6	45:2 46:16	<b>qualitative</b> 10:3	<b>read</b> 5:12 7:7,7	<b>recommended</b> 32:12 70:9	<b>relationship</b> 29:15 38:24	
68:1,5 101:17	67:7 111:12	10:7 82:9	59:11 61:16	<b>recommends</b> 77:7	83:6,8 85:20	
<b>processes</b> 31:24	<b>provisions</b> 31:12	<b>quality</b> 53:22	62:5 67:19,20	<b>recuse</b> 78:25	86:1,4 89:17	
32:16 42:5	70:24 110:4	<b>quarters</b> 100:2	70:19 73:15	<b>redacted</b> 8:18	<b>relationships</b> 86:9	
45:23 56:20	<b>public</b> 9:10,13	<b>quasi-regulator</b> 65:17	74:19 109:12	<b>redress</b> 102:21	<b>relatively</b> 53:20	
80:14	14:23 17:5,7	<b>question</b> 2:11,17	111:18	<b>reduction</b> 34:3	58:24 59:9	
<b>produce</b> 6:13	18:19 22:18	3:20 4:24 5:10	<b>readers</b> 67:11	<b>refer</b> 57:17 73:21	71:15,23 94:10	
73:20	25:14,18 27:7		94:22 106:23	89:3 104:8	<b>release</b> 2:3	
	27:25 29:5,9		<b>readership</b> 63:4		<b>relevant</b> 2:24 9:2	
	30:20 31:8,13		<b>readily</b> 67:12		39:5 75:1 87:3	

94:21	<b>rise</b> 46:8 65:2	15:8 49:5 58:3	80:5	<b>seven</b> 48:19	<b>slow</b> 101:14	<b>spoke</b> 82:24
<b>response</b> 22:1	<b>risk</b> 41:7,9 67:5	74:20 107:20	<b>self-interest</b> 28:2	<b>sexual</b> 56:16	<b>small</b> 30:2 44:24	109:13
28:4 77:6	71:17 96:13,16	<b>sceptical</b> 82:14	<b>self-regulation</b>	<b>sexuality</b> 59:13	68:16 109:10	<b>spoken</b> 7:19
83:15,25	106:3,17	<b>science</b> 109:20	67:6 69:2	61:10 62:13	109:11 111:18	52:12 74:25
102:23	<b>robust</b> 32:17	111:5	78:19,22 79:2	<b>shape</b> 66:7	<b>smaller</b> 90:21	<b>spotted</b> 18:18
<b>responses</b> 86:10	<b>rogue</b> 4:20 5:24	<b>scientists</b> 111:7	79:4,9 82:25	<b>share</b> 1:8,25	107:13	<b>spring</b> 46:3,7
<b>responsibility</b>	83:21	<b>Scotland</b> 2:2,3	92:9 94:15	88:23	<b>socially</b> 86:13	<b>staff</b> 40:12
11:19 25:25	<b>role</b> 23:14 31:6	2:25	<b>self-regulator</b>	<b>shared</b> 1:16	<b>Society</b> 22:10	<b>stage</b> 15:2 59:23
78:15 80:14	32:5,13 36:8	<b>scratch</b> 45:15	103:14	<b>sharp</b> 16:11	<b>solely</b> 72:13	74:3
83:17	36:10 45:10,21	<b>scrutiny</b> 41:10	<b>self-regulatory</b>	<b>Shell</b> 91:1	<b>solid</b> 109:3,7	<b>stages</b> 48:4 64:6
<b>responsible</b> 10:1	46:17 48:20	42:4	14:17	<b>shift</b> 42:21	<b>solution</b> 49:24	<b>stall</b> 91:13
79:23 90:7,16	49:1,7 50:21	<b>second</b> 3:22 6:18	<b>semantics</b> 43:15	110:24	<b>solutions</b> 47:2	<b>stand</b> 51:5
90:18 96:7	77:3,8 78:5	10:13 49:12	<b>seminars</b> 111:2	<b>shifted</b> 43:10	<b>somebody</b> 68:11	<b>standards</b> 16:13
103:15	79:3,3 80:17	55:7 94:8	<b>send</b> 28:2 47:8	<b>shopping</b> 53:15	68:12 88:4	39:5 44:17,19
<b>rest</b> 52:25	80:22 88:10	102:14	<b>sends</b> 25:12	<b>short</b> 34:19	<b>someone's</b> 61:14	44:23 45:6,16
<b>restrain</b> 79:11	89:12 101:15	<b>secondary</b> 92:2	<b>sense</b> 6:11 21:4	61:20,24 63:23	<b>soon</b> 22:11 56:15	45:20,23,25
<b>restricted</b> 112:16	<b>roles</b> 44:4,5	<b>secondly</b> 22:18	32:9 43:12	96:25 113:1	60:9	46:2 54:7,7,17
<b>result</b> 3:9 36:7	<b>room</b> 11:18	66:4	45:3 49:3	<b>shortlist</b> 31:1,5	<b>sorry</b> 7:2 20:2	55:1 78:11,16
<b>retained</b> 2:2	<b>root</b> 46:10	<b>secretariat</b> 6:13	51:13,16 63:3	33:20 34:13	23:19 98:16	79:8 80:5,21
<b>retired</b> 42:9,14	<b>rooted</b> 14:6	<b>secretary</b> 10:1	63:17 71:18	<b>shortly</b> 112:1	<b>sort</b> 10:3 11:1,7	80:22 81:3
42:24 43:1	46:12	12:16 23:24	72:2,8,18 79:9	<b>short-sighted</b>	11:9 14:8	87:4,18,22
<b>return</b> 19:1 27:6	<b>round</b> 110:5	51:9	84:9 86:6 92:8	66:23	16:12 17:19	88:6 90:12
112:11	<b>royal</b> 5:3	<b>section</b> 90:21,23	93:13,14	<b>shot</b> 90:6	23:22 43:15	96:8,9 101:11
<b>returning</b> 103:11	<b>rule</b> 72:3,5 78:6	<b>sections</b> 73:15	103:14	<b>show</b> 17:1	44:8,10 49:11	101:15 102:24
<b>review</b> 23:9	112:10	<b>see</b> 1:21 3:25 4:7	<b>sensible</b> 63:18	<b>shown</b> 43:21	55:3,25 58:18	103:15 104:17
26:10,11,15,17	<b>ruled</b> 47:20	6:5 7:9 8:24	<b>sent</b> 11:13 90:24	<b>shows</b> 16:11	62:16 66:21	106:10,11,24
30:11 31:11	<b>rules</b> 46:6,6	9:2 10:12,18	<b>sentence</b> 9:22	<b>side</b> 3:1 15:22	101:21 104:8	108:25
32:12 36:7	<b>ruling</b> 50:1,5	10:21 11:14	12:11	51:17,18 70:1	106:4 108:18	<b>stands</b> 45:5
46:20,23 77:7	67:20	15:18 29:6	<b>sentences</b> 7:17	<b>sides</b> 61:7 72:9	<b>sought</b> 50:12	<b>stare</b> 39:8
77:16 80:12	<b>rulings</b> 22:6	31:17 39:7,15	<b>separate</b> 16:13	<b>sift</b> 34:1	53:5 61:18	<b>start</b> 6:14 50:19
<b>reviewed</b> 12:3	46:25 52:9,11	40:25 41:2,25	16:14	<b>sifting</b> 47:4	76:23	52:4
<b>revisited</b> 76:7	57:15 68:3	46:2,6,24 49:1	<b>separately</b> 51:12	<b>signed</b> 20:3	<b>sound</b> 13:24 72:7	<b>started</b> 47:24
<b>revoke</b> 30:9	<b>run</b> 51:4 81:8	54:7 55:5	<b>September</b> 11:6	98:24	<b>sounds</b> 91:21	<b>starting</b> 41:10
<b>Reynolds</b> 90:7	<b>running</b> 23:14	56:17 57:2	18:3 20:4	<b>significance</b>	<b>source</b> 71:12	45:15 106:14
90:14	<b>Rusbridger</b> 1:5	73:6 81:1,6	74:13 75:23	12:24	<b>sources</b> 7:20 8:5	<b>starts</b> 41:19,21
<b>Reynolds-type</b>	1:17 74:13,17	95:9 102:2	<b>serious</b> 4:11	<b>significant</b> 8:6	106:8	48:18,19
89:25	75:12 76:8	103:2,6,8	14:11 17:25	17:16 24:3	<b>speak</b> 19:12 25:2	<b>state</b> 87:11 96:25
<b>rhetoric</b> 91:22	78:18	105:17 107:4	27:14 54:21	48:15 52:17,21	25:8,15 28:6	97:3,4 99:10
<b>rhetorical</b> 62:19	<b>Rusbridger's</b>	108:11	55:18 56:16	53:23 54:3,20	28:13 56:8	108:7
<b>Richard</b> 98:24	75:16	<b>seeing</b> 54:10 73:4	92:10 97:9	54:20 55:5	62:21 83:9	<b>stated</b> 11:23
<b>ride</b> 49:11	<b>S</b>	<b>seek</b> 47:3 54:22	<b>seriously</b> 83:16	66:15 73:14	<b>speaking</b> 15:17	<b>statement</b> 12:7
<b>right</b> 1:17 3:1,4	s 40:13	55:10 61:2	<b>seriousness</b>	82:18 89:2,17	27:23 72:24	19:24 20:15
5:15 8:3 11:5	<b>sale</b> 29:23	<b>seeking</b> 37:14	83:12	92:1 98:22	84:2,20 96:22	21:2,6 26:6
12:9 16:22	<b>saloon</b> 108:9	76:9	<b>serve</b> 33:3	99:4 100:5	99:19	28:19 29:12
20:5,21,25	<b>sanction</b> 27:9	<b>seeks</b> 35:20	<b>service</b> 15:23	106:21	<b>special</b> 85:20	30:16 33:13
21:1 22:12	65:24 66:1,14	<b>seen</b> 1:10,19 5:13	16:5 17:5	<b>significantly</b>	<b>specific</b> 4:23	35:6 36:1
23:10 29:17,19	85:7 102:6,8	7:2 8:13 9:17	19:10 43:13	64:3	38:8 44:19	52:10 57:18,24
30:4 32:5	<b>sanctions</b> 80:20	11:7 34:22	89:14 91:25	<b>similar</b> 10:21	46:16 47:18	63:25 73:15
33:12 35:1	84:12 101:1,2	43:2 44:23	<b>set</b> 8:5 16:21	88:24 110:15	53:12 55:15	77:5 112:17
36:2,3,5 37:8	101:5	50:10 51:21	17:10 24:6	<b>simple</b> 17:3 85:3	67:13 79:6	<b>statements</b> 8:6
48:17 52:14	<b>sat</b> 34:16	76:10 84:17	39:6 45:7,16	<b>simplistic</b> 94:17	95:15	9:13 19:22
54:2 57:7 60:1	<b>save</b> 3:3	109:12	45:25 54:6,17	<b>simply</b> 42:17	<b>specifically</b> 6:4	53:6
60:6 61:12	<b>saw</b> 7:4 71:18	<b>seldom</b> 28:15	55:1 80:10	72:7	27:18 35:10	<b>statistically</b>
64:7 65:5 66:7	75:15	51:21	81:5 87:18	<b>single</b> 74:25	53:25 76:10	54:11
74:2 75:25	<b>saying</b> 2:15 3:2	<b>select</b> 9:12,14	90:12 99:22	76:17	77:8	<b>statistics</b> 46:23
78:3 79:6	10:7 11:3	56:18 70:7	106:11 108:25	<b>sinister</b> 85:19	<b>specifics</b> 73:10	47:19
87:11 88:21	38:10 39:19	82:10 84:15	<b>sets</b> 65:23 87:3	<b>Sir</b> 1:21 22:9	<b>spectre</b> 96:19	<b>status</b> 21:11
89:5 91:8	60:1 62:19	<b>selected</b> 32:23	<b>setting</b> 89:7	72:21	<b>speculate</b> 8:9	<b>statute</b> 25:11
95:15 96:18	66:1 69:25	<b>selection</b> 22:21	96:19	<b>sit</b> 40:20 42:9	<b>speech</b> 22:10	94:9,12 105:9
105:11 107:8	72:2 74:2	23:1 33:21	<b>settle</b> 54:16	<b>sits</b> 97:20	72:9 95:9	<b>statutory</b> 94:1,4
112:20	75:25 83:20	<b>self</b> 96:11	<b>settled</b> 53:18	<b>situations</b> 38:1	<b>speed</b> 42:17 43:6	94:5,16 96:5
<b>rightly</b> 94:4	90:7 94:15	<b>self-describe</b>	54:2,13 56:24	46:7 55:17	70:5	96:11,23,25
103:4	95:6 99:10	93:21	<b>settlement</b> 8:10	<b>six</b> 75:18	<b>spell</b> 80:8	103:19 105:8
<b>rights</b> 17:12 22:5	100:1,7 103:23	<b>self-evidently</b>	8:25 9:3 55:21	<b>size</b> 29:23 65:7	<b>spelled</b> 43:23	108:12,14,17
35:9,11 37:16	106:18	49:22	57:3 74:9	<b>slight</b> 28:8 35:19	<b>spend</b> 24:18	108:22,23
72:12 95:11,19	<b>says</b> 1:18 5:18	<b>self-imposed</b>	102:9	<b>slightly</b> 28:1	<b>sphere</b> 106:14	<b>statutory/self-...</b>
105:10		78:11,16 79:8	<b>settling</b> 57:2	84:24 85:18	<b>split</b> 29:6 32:15	94:24

80:25 91:14 103:7 <b>Stephen</b> 19:17 19:18,21 59:21 60:11,21 62:2 <b>stick</b> 105:21 <b>stop</b> 13:22 27:3 79:19 111:1 <b>stopped</b> 61:24 <b>stopping</b> 79:18 <b>stops</b> 42:1 <b>stories</b> 12:4 <b>story</b> 13:10 18:19 25:5 73:17 <b>straight</b> 20:20 <b>straightforward</b> 56:2 58:24 71:22 <b>strain</b> 69:6 <b>strengthened</b> 42:22 <b>strengths</b> 92:16 <b>strict</b> 84:9 <b>striking</b> 74:24 <b>strong</b> 5:16 40:20,22 56:9 56:10 83:3 <b>stronger</b> 95:11 <b>strongly</b> 5:25 38:15 51:3 60:14 95:21 98:8 106:5 112:4 <b>struck</b> 61:15 85:2 <b>structural</b> 14:8 15:20 39:15,17 40:2 69:24 <b>Structurally</b> 89:16 <b>structure</b> 26:21 35:20,23 39:2 41:2,14 45:3 45:18 77:20 81:1 89:6 95:4 95:17 96:3 <b>structured</b> 70:4 <b>structures</b> 41:16 43:24 <b>stuff</b> 11:9 19:4 69:11,11 <b>subcommittee</b> 36:2 <b>subconsciously</b> 85:23 <b>subject</b> 3:11 26:10 31:12 40:7 62:13 77:5 93:25 <b>submission</b> 3:24 <b>submissions</b> 4:5 <b>subscribe</b> 43:11 97:18 <b>subscription</b> 91:5 <b>subsequent</b> 3:8	3:13 <b>subsequently</b> 7:23 39:13 61:3 75:11 77:14 <b>substantially</b> 8:18 <b>subvention</b> 87:11 <b>succeed</b> 79:7 <b>succeeds</b> 49:21 <b>success</b> 28:5 <b>successful</b> 49:15 54:24 57:8 <b>successor</b> 102:16 <b>succour</b> 102:13 <b>sufficient</b> 41:9 50:4 67:7 104:11 112:10 <b>sufficiently</b> 41:8 43:23,24 65:2 100:5 107:5 110:17 <b>suggest</b> 1:6 9:17 11:24 76:12 78:1,12 <b>suggested</b> 76:8 <b>suggesting</b> 13:10 105:7 <b>suggestion</b> 4:1 <b>suggestions</b> 36:15,16 <b>suggests</b> 76:25 110:17 <b>suitable</b> 102:6 <b>summarise</b> 21:6 22:8 47:3 86:12 91:20 <b>summarised</b> 22:14 <b>summarises</b> 75:24 <b>summary</b> 6:18 53:8 75:15 <b>Sunday</b> 57:22 <b>supersedes</b> 26:17 <b>supplied</b> 8:15 <b>supporter</b> 78:21 <b>suppose</b> 12:11 69:17 106:5 107:8 <b>sure</b> 8:21,22 16:19 45:22 81:4 110:6 <b>surprised</b> 84:14 <b>surrounding</b> 62:23 <b>suspect</b> 38:15 90:14 <b>Sweden</b> 88:9 <b>Swedish</b> 89:17 <b>swift</b> 102:21 <b>sympathetic</b> 42:11 <b>sympathy</b> 73:2 <b>system</b> 14:17	15:4 17:14,19 18:14 19:9 20:23 24:22,25 28:1 41:1,25 41:25 43:18 45:9,11 52:14 65:16 67:5 69:2,7,10,14 70:2 78:1,2,10 78:13,16 79:1 79:4,7,17,23 80:5,7 82:25 85:11 88:18,19 88:22 90:17 92:8,11 94:6 96:15,23 97:16 97:18,25,25 98:3,10,17,20 98:24 100:14 100:20 101:7 106:9 107:21 108:4 <b>systemic</b> 79:10 81:18 82:3 101:10,14 102:1,9,15 <b>systems</b> 78:5 79:21 101:16 102:25 <hr/> <b>T</b> <hr/> <b>tab</b> 1:3 3:14 4:14 4:16 5:17 6:5 7:1,2,5 10:12 10:19 11:14 19:24 28:20 46:21 74:16 75:23 90:22,23 <b>take</b> 6:19 12:16 16:19 21:24,24 25:7,15,23,25 26:5 28:10 44:25 46:16 49:7 57:6 63:19 64:6 65:13 66:16 68:9 73:15 76:9,24 78:2 78:14 79:9 80:13,25 81:9 81:11 83:16,19 83:24 86:25 92:22 102:13 107:13 108:7 110:15 111:5 <b>taken</b> 7:15 14:25 23:3 31:5 50:25 60:3 67:12 69:12 71:3 93:6 110:5 <b>takes</b> 48:20 53:11 89:1,9 92:18 <b>talk</b> 16:12 21:5 23:16 103:5 108:14	<b>talked</b> 83:12 <b>talking</b> 16:10 18:13 26:24 35:13 43:4 44:25 103:13 103:18 <b>talks</b> 35:6 <b>tapped</b> 5:4 <b>tapping</b> 9:18 <b>Taylor</b> 2:22 8:10 8:25 9:3 74:9 <b>teeth</b> 67:1 84:3 85:5 103:18,22 <b>tell</b> 19:13 26:8 33:19 85:8 88:18 <b>tells</b> 85:6 <b>ten</b> 36:8 39:21 <b>tend</b> 28:5 40:9 51:17 56:18 89:12 <b>tends</b> 51:2 65:13 <b>term</b> 43:12 58:2 58:13,20 63:14 77:11 92:8 93:14,16 103:15 <b>termination</b> 8:10 <b>terminology</b> 58:23 110:13 111:1 <b>terms</b> 10:4 11:4 11:18 16:7,10 16:16 21:2,3 23:20 30:7 31:15 32:10 36:2 37:2 39:2 66:9,25 69:1 82:12 86:2,7 88:10 89:6,7 100:11 <b>terrible</b> 73:6 <b>test</b> 82:5,13 <b>testify</b> 83:13 <b>testing</b> 3:23 <b>text</b> 111:17 <b>Thank</b> 7:1 19:15 19:16,20 20:12 20:14 21:2 22:8 23:8 24:5 24:21 30:1 35:15,23 49:21 52:9 63:21 92:16 93:8 112:9,14 <b>thanks</b> 112:19 <b>theoretically</b> 82:4 <b>theory</b> 107:21 <b>they'd</b> 13:6 19:6 91:7 <b>thing</b> 2:8 8:17 16:22 52:5 89:19 97:12 109:1 <b>things</b> 14:23 15:10,20,24	16:4,15 23:2 24:10 42:21 52:15 66:6,8 68:14 69:9 70:1,3 71:6 77:20 81:10 84:15 96:14 103:3 105:3 <b>think</b> 1:13,17 3:7 3:13 4:2,25 5:10,15 6:2,10 7:1,4,22,23 8:2 8:14,17,24 9:24 10:2,2 11:6 12:22,23 13:24 14:3,18 15:10,13,19 16:3,5,8,9,12 16:14,18,24 17:9,22,23 18:11,17,22,23 19:1,7,11,12 22:2 23:12 24:12,13,19 26:12 30:8 31:16 34:4,6 34:17 35:5 37:19 38:11 39:17 40:2,11 40:11,18,19,21 41:5,7,11,14 41:18,24 42:3 42:12,18,21,24 43:4,6,15,16 43:18,22,23 44:2,7,8,12,14 44:21 45:2,6 45:12,14,19 46:17 49:6,9 49:10,17,18 51:7,25 52:2,5 52:6 53:5 54:5 54:18,19 55:24 56:6,7 57:11 57:11 58:8,9 58:23 59:6,19 60:5,19,24 61:16 62:8 63:5,12,13,15 63:16,18 64:2 64:4,19 65:23 66:10,11 67:5 67:8,25,25 68:3,5,8,15,16 68:18,23 69:5 69:7,23 70:14 70:16,17,18,20 70:24,25 71:14 71:16,20,21 72:1,15,24,24 73:8 74:1 75:8 75:22 76:18,19 77:10,14 78:4 78:15,24 79:5 79:14 80:8,23 81:2,21 82:1 82:15,23 84:12	84:19 85:9,15 85:24,25 86:20 87:19,24 88:20 89:2,3,5 90:10 90:25 91:7,21 91:22 93:4,8,9 93:17,18 94:3 94:9 95:2,15 95:15,19,23 96:1,10,13,22 97:1,2,4,11,14 97:15,18,21 98:1,20,23 99:4,18 100:4 101:3,5,7,12 102:12,20 103:2,7,9,21 104:1,11,18,22 105:1 106:4,15 106:19,24 107:2,11,17 108:3,10,13,13 108:14,15,21 109:5,9 110:7 110:8,18,21 111:10,12,20 111:22,22 112:2,7,9 <b>thinking</b> 44:14 52:23,24 65:25 95:17 99:13 <b>thinks</b> 89:10 <b>third</b> 7:3 33:10 80:16 103:24 <b>Thomas</b> 1:15 <b>thought</b> 14:14 17:13 21:20 24:2 48:9 <b>thoughtfully</b> 61:18 <b>thoughts</b> 24:2 <b>three</b> 6:10 18:24 28:11,11 29:8 31:19 32:24 33:11 34:14 50:2 55:2 57:12 86:19,21 91:20 <b>throw</b> 108:16 <b>tick</b> 110:6 <b>tier</b> 88:25 <b>ties</b> 24:21 <b>tightly</b> 41:2 <b>Tim</b> 71:23 <b>time</b> 2:22 4:23 5:10 9:25 10:13,18 12:21 13:4 14:13 16:2,20 17:2 17:12 21:8 24:16,18 28:11 28:11 41:18 57:25 58:11,21 60:24 61:5 65:4 74:24 75:1,10 86:2 92:18 108:17	108:20 112:11 <b>times</b> 29:3 50:19 57:22 74:15,20 75:10,17 <b>tin</b> 15:8 <b>titles</b> 91:15 96:16 <b>today</b> 16:10 24:24 <b>tomorrow</b> 1:22 19:14 72:22 105:6 <b>tomorrow's</b> 112:22 <b>top</b> 5:1 <b>topic</b> 26:23 67:17 <b>total</b> 29:4 <b>touch</b> 90:19 <b>touched</b> 1:20 61:9 <b>Toulmin</b> 1:3 15:15 19:15 48:17 71:23 82:24 83:20 <b>track</b> 89:12 <b>tracks</b> 21:15 <b>trade</b> 32:3,19 <b>traditionally</b> 95:7 <b>trailed</b> 66:17 <b>training</b> 43:17 53:10,24 88:10 93:19 <b>transcript</b> 5:13 <b>transgression</b> 102:3 <b>treats</b> 58:13 <b>tremendous</b> 104:23 <b>tried</b> 16:8 <b>tries</b> 61:17 <b>true</b> 84:18 85:8 107:6 <b>truly</b> 84:3 96:4 <b>trump</b> 35:22 <b>trust</b> 67:11 <b>truth</b> 3:25 84:5,7 85:6,8 <b>try</b> 18:14 24:17 45:7,10 49:13 49:19 51:6 54:23 55:10,20 64:20 68:20 86:12 99:16,17 112:11 <b>trying</b> 13:3 24:18 76:19,22 78:8 78:9 90:16 <b>tune</b> 97:20 <b>turn</b> 28:20 46:20 57:9 74:15 81:11 <b>turnover</b> 93:3 <b>TV</b> 19:4 <b>tweet</b> 68:21 <b>twice</b> 25:4 <b>Twitter</b> 53:9 60:22
---	--	--	--	--	---	--

<b>two</b> 1:14 4:2 6:17 19:9 21:14 24:8 38:24 43:13 48:4 49:11 57:11 83:23 88:25 91:18 92:13 94:3 95:5 101:22 102:1 104:15 107:20 112:4	<b>universality</b> 98:3 98:7,20 99:19 107:1 <b>universally</b> 28:17 <b>University</b> 20:19 <b>unprecedented</b> 6:15 10:15 <b>unremedied</b> 55:7 <b>unsubstantiated</b> 5:21 <b>unusual</b> 6:11 <b>update</b> 74:2 <b>upheld</b> 54:8 56:5 65:3 <b>upholding</b> 50:6 <b>use</b> 1:25 13:4 20:15 28:12 53:13 58:20,23 59:11 62:1 63:14 77:11 93:16 <b>useful</b> 104:20 <b>utterly</b> 112:18	<b>virtues</b> 41:5,12 80:24 <b>vis-a-vis</b> 29:21 <b>Voltaire</b> 108:18 108:20 <b>voluntarily</b> 99:2 <b>voluntary</b> 17:21 86:21 89:20,21 <b>volunteer</b> 33:7 83:1 <b>vote</b> 50:12 <b>voting</b> 34:17 42:16 <b>vulnerable</b> 18:19 35:13	105:20 108:22 109:21 <b>ways</b> 14:14 16:18 17:17,20 42:13 49:12 85:10 105:4 111:15 <b>weakness</b> 65:16 <b>weaknesses</b> 93:12 100:1,2 100:3 103:10 103:10 <b>website</b> 24:11 53:9 58:13 60:8,22,23 <b>websites</b> 15:25 69:12 <b>week</b> 109:13 <b>weeks</b> 23:4 28:11 67:16 <b>weighed</b> 94:14 95:16 <b>weight</b> 95:8 <b>well-placed</b> 18:20 <b>went</b> 7:3 8:14,23 10:12 18:25 19:14 20:20 55:20 61:23 78:7,7 <b>weren't</b> 9:15 26:13 34:11 63:10 <b>we'll</b> 15:11 20:15 26:6 90:4 105:6 112:1 <b>we're</b> 1:3 3:23 14:1,1 22:2 26:17 45:8,15 47:19 51:15 54:19 55:16 68:23 91:25 93:3 102:14 103:13 107:11 <b>we've</b> 5:17 12:20 14:10 16:10 18:11 34:22 47:3 53:24,25 71:10 93:6 100:17 106:11 110:7,11,21 111:25 <b>whilst</b> 6:23 42:20 45:2 55:11 94:7 <b>wholly</b> 5:21 <b>widely</b> 35:24 100:5 <b>wife</b> 19:6 <b>willing</b> 56:11,23 92:4 99:1 108:4 <b>willingness</b> 111:17 <b>wiser</b> 13:23 <b>wish</b> 12:15 25:2 25:8,15,19	65:21,21 91:24 100:6 <b>wished</b> 69:4 <b>wishes</b> 55:11 94:22 <b>withdrew</b> 97:8 <b>Witherow</b> 58:2 <b>Witherow's</b> 58:9 58:25 <b>witness</b> 19:17,22 19:24 20:15 26:6 28:19 29:12 36:1 57:18,23 <b>witnesses</b> 82:12 82:18 112:22 <b>woman</b> 53:14 <b>women's</b> 109:19 <b>wonderful</b> 14:17 <b>word</b> 11:25 58:14,16 63:12 78:19 <b>words</b> 6:24 13:13 24:25 58:10 59:8 89:24 111:18 <b>work</b> 15:21 20:9 20:10 24:11,12 24:24 30:24 37:6 40:19 43:17,17,18 45:11 51:1 54:18 68:20 69:13,13 70:3 72:15 74:20 80:12,21 87:15 88:11 89:12 92:2,3 100:11 100:16 104:7 110:18,21 111:12,20 112:19 <b>workable</b> 106:16 <b>worked</b> 11:1 20:23 29:20 110:11 <b>working</b> 37:3 92:23 93:11 <b>workings</b> 33:16 <b>works</b> 33:19 <b>world</b> 2:21 3:3 4:24 5:17 7:13 9:4,20 63:3,4 75:1 76:14 79:22 82:3 83:3,10,12,25 85:17 98:21 99:14 <b>worse</b> 14:9 <b>worthy</b> 54:25 <b>wouldn't</b> 4:11 35:21 42:12 51:25 65:14 78:25 84:9,17 84:23 <b>wrestled</b> 63:5 <b>write</b> 1:7,24 24:3	47:7,13 48:15 52:19,19 68:22 <b>written</b> 3:4 23:23,24 72:3 <b>wrong</b> 10:2 38:16 39:13 71:5,14 76:11 108:20 <b>wrote</b> 4:13 75:22 75:25 78:18 83:20	<b>1990</b> 16:20 <hr/> <b>2</b> <b>2</b> 92:20 <b>2,274</b> 47:23 <b>2.00</b> 1:2 <b>20</b> 46:11 98:8 <b>2000</b> 20:20 <b>2003</b> 22:11,15 24:6 78:14 <b>2004</b> 78:14 <b>2005</b> 74:9 78:14 <b>2006</b> 1:15 <b>2007</b> 3:23 7:13 7:15 11:25 13:7,21 14:6 14:19 18:3 76:11 <b>2008</b> 18:4 91:7 <b>2009</b> 1:4 3:16 10:20 13:4 16:11 20:24 26:9 59:22 73:20 76:4,7,8 91:7 <b>2010</b> 24:19 26:12 26:17 30:11 46:20,24 47:19 60:1 70:8 73:21 74:5,13 75:23 93:4,8 <b>2010/2011</b> 91:10 <b>2011</b> 77:15,21 90:25 93:10 <b>204</b> 50:10 <b>205</b> 50:11 <b>22,000</b> 60:6 <b>24-hour</b> 24:5,20 <b>240</b> 63:25 <b>25</b> 46:11 <b>29</b> 10:20				
<b>typed</b> 6:24 <b>types</b> 23:2	<b>U</b>	<b>W</b>	<b>wait</b> 81:11 <b>want</b> 16:2 23:20 28:2 37:20 46:1,6 55:25 56:3,12 62:20 78:12 81:12 90:1 92:9 97:12 100:21 103:2,6,8 104:18,21 106:1 108:5 111:7 112:11 <b>wanted</b> 3:20 9:25 10:17,17 11:2 12:17 14:22 18:21 54:3 <b>wanting</b> 106:9 <b>wants</b> 36:16 56:24 <b>warm</b> 68:23 <b>warned</b> 17:18 <b>warning</b> 91:4 <b>warrant</b> 21:4 55:6 <b>wasn't</b> 4:24 8:2 10:8 11:21 12:18 13:10 19:8 32:14 37:14 71:19 72:13 77:13 82:9,17 84:18 <b>watching</b> 18:7 <b>way</b> 2:8 6:21 10:16 15:9,18 17:21,24 18:14 18:23 20:23 26:21 28:8 33:17 35:17 38:2 42:7,18 44:18,20,21 46:4 47:3,16 48:25,25 56:9 57:2 58:19 65:1,20 66:8 66:13 67:9 70:22 76:17 77:18 78:19 94:17 95:21 97:23 101:12 103:21 105:7	<b>ultimate</b> 31:4 37:10 <b>ultimately</b> 28:4 37:22 40:5 49:16 63:6 64:21 65:17 68:24 85:6 103:17 <b>unanimous</b> 59:16 <b>uncomfortable</b> 6:16 <b>uncontroversial</b> 21:3 <b>underestimated</b> 42:2 <b>underneath</b> 42:19 <b>understand</b> 10:25 12:21 29:16 39:16 58:10 69:20 79:25 86:15,24 99:1 110:6 <b>understanding</b> 30:15 31:3 57:16 62:9 87:24 88:8,24 90:5 97:11 105:10 <b>understood</b> 32:2 64:19 <b>undertaken</b> 9:18 34:1 <b>undertakes</b> 53:10 <b>undertaking</b> 79:11 <b>undertakings</b> 53:19 <b>unfettered</b> 94:10 <b>unfold</b> 16:3 <b>United</b> 87:1 88:15 <b>universal</b> 107:5	<b>useful</b> 104:20 <b>utterly</b> 112:18	<b>V</b> <b>vacancy</b> 22:19 <b>valency</b> 58:10 <b>validity</b> 76:4 100:3 <b>valuable</b> 14:22 46:17 <b>vans</b> 19:4 <b>various</b> 3:10 20:23 74:9 110:12 <b>vary</b> 30:8 86:15 <b>varying</b> 98:6 <b>vast</b> 54:15 99:3 <b>version</b> 10:22 59:1 75:2 <b>versus</b> 94:5 <b>veto</b> 34:11 <b>victims</b> 56:15 <b>video</b> 73:4 <b>view</b> 18:8 25:7 25:15 35:3 38:10 43:10,10 43:11 45:16 48:20 51:23 58:6,21 59:17 61:20 62:19,23 63:3,3 64:22 65:13 67:12 71:14,18 73:8 76:9 77:18 83:2,15 98:13 100:23 106:9 <b>viewpoint</b> 44:12 <b>views</b> 36:10 40:4 40:9 53:4 61:2 <b>vigorously</b> 61:12 <b>violence</b> 109:19 <b>virtually</b> 26:13 <b>virtue</b> 9:12 27:25 41:24 46:15 55:13	<b>X</b> <b>X</b> 57:5	<b>Y</b> <b>Yard</b> 2:2,3,25 <b>yeah</b> 7:6 8:19 22:24 23:11 24:23 29:14 38:23 46:5 48:22 57:11 68:13 74:11 85:9 91:3 92:21 94:3 110:7 <b>year</b> 9:15 20:4 20:20 25:1 39:7 54:11 57:11,12 64:11 64:13 71:11 107:20 <b>years</b> 24:8 52:16 59:20 98:8 <b>yield</b> 64:22 <b>York</b> 74:14,20 75:10,17	<b>1</b> <b>1</b> 60:12 62:5 63:11 <b>1A</b> 19:25 <b>1,000</b> 22:20 <b>1,229</b> 93:8 <b>1,687</b> 46:25 <b>10</b> 1:4 22:15 35:15,16 40:2 95:8,22,24 113:3 <b>10.1</b> 31:18 <b>10:7</b> 22:15 29:6 39:19 <b>110</b> 28:19 30:16 <b>115</b> 33:13 <b>116.5</b> 35:6 <b>12</b> 23:3 58:22,25 60:13 <b>13</b> 3:16 <b>13,00</b> 93:9 <b>13.1</b> 7:8 <b>13.2</b> 7:17 <b>13.3</b> 11:22 12:2 15 92:14 <b>16</b> 20:4 59:22 <b>17</b> 29:1,1 93:4 <b>188</b> 46:19 <b>1980s</b> 59:11	<b>3</b> <b>3</b> 19:24 21:16 22:3 <b>3,000</b> 33:25 <b>3,500</b> 48:2 <b>3.35</b> 63:22 <b>3.45</b> 63:24 <b>30</b> 21:10 <b>32</b> 3:14 <b>33</b> 92:22 93:11 <b>33500</b> 21:10 <b>33511</b> 22:8 <b>33611</b> 57:23 <b>33788</b> 73:23 <b>33871</b> 92:20 <b>34</b> 90:22,23 <b>34555</b> 28:23 <b>350</b> 36:1 <b>357</b> 29:12 <b>36503</b> 46:24 <b>36509</b> 47:21 <b>38</b> 18:4 <b>39</b> 76:3
						<b>4</b>				

**4** 27:2,20 90:25  
**40725** 5:18  
**40743** 4:13  
**408** 20:1  
**408-page** 112:17  
**41043** 10:21  
**41341** 7:8 11:23  
**41447** 74:17  
**41449** 74:20  
**41466** 76:3  
**42331** 92:13  
**43237** 92:12  
**46** 76:24  
**49** 46:21

---

**5**

**5** 28:23 31:12  
 60:12 90:21,23  
**5.00** 112:25  
**5.08** 113:2  
**50** 34:6,8  
**51** 1:3  
**510** 73:23  
**513** 73:17  
**515** 74:12  
**52** 77:23  
**53.7** 34:22 95:9  
**54** 4:14  
**56** 4:16  
**57** 5:17 7:1,2

---

**6**

**6** 28:20 29:3,8  
**6,000** 6:3 7:25  
**6.2** 29:9 30:5  
**6.3** 31:11  
**60/40** 49:2  
**61** 7:5 10:12  
**65** 10:19 11:14  
**67** 6:5  
**688** 86:11  
**691** 86:19  
**694** 87:8

---

**7**

**7,000** 46:25  
 47:20  
**701** 87:14  
**705** 87:21  
**711** 88:20  
**723** 92:20  
**725** 93:23 99:25  
**727** 20:3  
**74** 26:12 74:16  
**75** 75:23

---

**8**

**8** 21:18 35:16,18  
 72:13 95:11,23  
 95:24  
**821** 47:19  
**86** 22:8  
**87** 24:5  
**89** 24:21

---

**9**

**9** 4:15 28:25  
**91** 70:8  
**93** 70:8  
**94** 26:8  
**98** 26:11