Monday, 6 February 2012

Q. When did that one start?
A. That was a scoping operation at the beginning and it really only started -- the actual investigation -- fairly recently, so only autumn.

Q. Could I just express my gradual duty for the assistance you've provided to the Inquiry.
A. I have taken considerable care not to prejudice any of your investigation, so I hope I haven't.

Q. Thank you.
A. Thank you.

Q. Owing to the size of these operations -- and you're going to tell us in a minute the number of staff who are dedicated to each of them -- your role is one of oversight.
A. Yes.

Q. And you report to the Deputy Commissioner?
A. My -- who I report who has changed. I started by reporting to the Assistant Commissioner. Then, when we had a change at the top, I reported to the Acting Deputy Commissioner, and then another Deputy Commissioner and now an Assistant Commissioner again.

Q. Of course, there were previous operations into the issue of phone hacking, which you describe in paragraphs 10 to 12 of your statement. These are matters which we're going to cover in the second module of this Inquiry, so I'm not going to ask you questions about that now. What paragraph 6 of your statement; is that right?
A. That's right.

Q. Paragraph 7, if I could deal with that specifically.
A. You've led several of the highest profile MPS investigations, and there are four of these: first, allegations of complicity in the torture of detained suspects by British officials. Is that an ongoing investigation?

A. That's an investigation that was concluded only two weeks ago.

Q. Thank you. Then three investigations which are relevant to this Inquiry: Operation Weeting, which relates to allegations of phone hacking; is that right?
A. That is right.

Q. That, I think, started in January of 2011; is that correct?
A. That's correct.

Q. Then Operation Elveden, allegations of police corruption, if I can describe it generically in that way. Is that correct?
A. That's the one that began in June 2012, yes.

Q. Then Operation Tuleta, allegations that private investigators hacked into computers for private information on behalf of journalists?
A. Yes.
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1 the core participants. I'm not quite sure whether it's
2 available for dissemination on screen but in order to
3 identify it -- I don't have a URN number for it -- it is
4 the third page of the framework document for
5 Operation Weeting. It isn't available on screen. I'll
6 take a little bit more trouble to identify the component
7 parts of this document.
8 First of all, DAC Akers, we see potential victims:
9 6,349. We know from your evidence that there are 11,000
10 pages in the Mulcaire material, if I can describe it in
11 these terms. The 6,349 figure, what does that mean, please?
12 A. That means that we have got names who are people we can
13 identify that are in all the material that we hold. So
14 most of it will be the 11,000 pages of the Mulcaire
15 documents.
16 Q. So these are identifiable names, but there isn't
17 necessarily a phone number or anything else which ties
18 in with these names; is that correct?
19 A. That's correct, yes.
20 Q. Then the next category is potential victims with a phone
21 number, 4,375 names. So that is a subset, presumably,
22 of the 6,349, and as the brackets suggest -- or as,
23 rather, the category suggests -- we have here a phone
24 number which links up with the name; is that correct?
25 A. Yes.

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1 individual reasons why you haven't been able to contact
2 people. There's 231 of those. Then there are 17 people
3 who haven't been told for operational reasons; is that
4 right?
5 A. Yes, that's right.
6 Q. And if you add up the 581, 231 and the 17, you get to
7 the 829, which is the total figure.
8 A. Yes.
9 Q. Can we just see the current state of play with the
10 investigation. A total of 17 individuals have been
11 arrested; is that right?
12 A. That's right.
13 Q. What has happened in relation to the 17, if anything?
14 A. Two of those have had no further action taken against
15 them. The remaining 15 are on bail.
16 Q. And I think most of these will return to answer their
17 bail in March; is that correct?
18 A. That's right, yes.
19 Q. The investigation strategy. Could you tell us in
20 a nutshell what that has been, please?
21 A. Well, it's been focused on identifying, securing and
22 analysing the evidence that's connected with the
23 offences that are under investigation, so offences under
24 RIPA and computer misuse.
25 Q. Thank you. So the evidence comprises both real evidence
Q. -- have been retrieved and reconstructed and you are
presumably using various sophisticated search means in
order to interrogate the database --
A. Yes.
Q. -- and bring out the material you require; is that
correct?
A. Yes, that's right.
Q. Is that process of interrogation at a relatively
advanced stage?
A. It is, yes.
Q. Thank you. Are there also documents which have been
archived which you've been able to look at?
A. Yes, we've found an archive of hard copy material that
we are in the processes of going through as well.
Q. Okay. You probably don't want to give a timescale for
this but overall you're probably nearer the finishing
line than the starting gun; is that right?
A. I'd like to think so, yes.
MR JAY: Yes.
MR JUSTICE LEVESON: Thank you. It has taken some time, but I think you
also wish to point out that there have been ongoing
inquiries. Not just this Inquiry; there's civil
litiations, in which you've been involved as a third
party. There's been a judicial review, which has,
I think, been compromised, and other ongoing --
A. And two select committees as well that have --
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1. MSC, which, of course, is the independent review team within News International?
2. A. The Management Standards Committee in News International. Yes, we have been receiving -- we've got a co-operative working relationship with them, and they are the people who have passed us information upon which we've made arrests, as well as supplying information to us when we've made requests.
3. Q. Thank you. In terms of the chronology, if you look at the first period, June to December 2011, did the inquiry focus on initial disclosures that identified an ex-News of the World journalist who may have paid police for information?
4. A. Yes, that's right.
5. Q. And were others within the News of the World also arrested at that point?
6. A. They were.
7. Q. And without naming anybody, what was their role or position within the News of the World?
8. A. They varied, but the positions were reasonably senior.
9. Q. Thank you. Did the inquiry involve going through large volumes of business records and email searches in the same sort of way as we've seen for Weeting?
10. A. Yes, it did.
11. Q. In relation to that specific aspect of the Inquiry, have any police officers been identified as suspects?
12. A. Not in relation to the initial lines which emanated from the emails in June, no.
13. Q. I think one further journalist who --
14. A. Yes.
15. Q. Where did the information come from which enabled those arrests to take place?
16. A. It came from the disclosures, again, from the Management Standards Committee, as well as our own analysis of the material that we've been handed.
17. Q. The position here -- we're not going to name the journalists in this Inquiry but the information is all in the public domain. Anybody can Google it, frankly.
18. A. That came from the internal review which was being conducted by the Management Standards Committee at News International into their other papers.
19. Q. Now, we know it was on Saturday, 28 January 2012, that further Sun employees were arrested. Again, that is all in the public domain.
20. A. Yes.
21. Q. And were others within the News of the World also arrested in December 2011?
22. A. Yes.
23. Q. A Sun journalist -- and this is all in the public domain -- was arrested in November 2011. Where did the information come from which enabled you to authorise that arrest?
24. A. That from the internal review which was being conducted by the Management Standards Committee at News International into their other papers.
25. Q. Thank you. In terms of the chronology, if you look at December 2011, did the inquiry involve going through large volumes of business records and email searches in the same sort of way as we've seen for Weeting?
26. A. Yes, yes, that's the journalist that was arrested in December.
27. Q. But again, no police officers have been identified as suspects as yet?
28. A. Not yet, no.
29. Q. I think there may be a general issue here. You were able to identify journalists as a result of these searches. What, if anything, is the difficulty in identifying police officers?
30. A. Well, the material upon which we're basing it has come from the newspaper, so the journalists are identified.
31. Q. So when you are examining the journalists' own records, there is a singular lack of information which would enable you to identify the police officers. You need to attain that information by other evidence; is that correct?
32. A. Yes.
33. Q. If that evidence is available.
34. A. If we can.
35. Q. Go back to the chronology, December 2011. I think the email searches eventually identified an officer from specialist operations, or that directorate, who had had suspicious contact with the News of the World. Was that officer arrested in December 2011?
36. A. Yes.
37. Q. A Sun journalist -- and this is all in the public domain -- was arrested in November 2011. Where did the information come from which enabled you to authorise that arrest?
38. A. That came from the internal review which was being conducted by the Management Standards Committee at News International into their other papers.
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59. Q. And were others within the News of the World also arrested in December 2011?
60. A. Yes.
61. Q. A Sun journalist -- and this is all in the public domain -- was arrested in November 2011. Where did the information come from which enabled you to authorise that arrest?
62. A. That came from the internal review which was being conducted by the Management Standards Committee at News International into their other papers.
A. Absolutely, and that's really increased over the last three months, I think, where we have pretty much dedicated lawyers working alongside us.

MR JAY: Thank you. The last operation is Operation Tuleta. I'm not sure how you prefer to pronounce it; it probably doesn't matter. You provided again an open framework document, which is largely self-explanatory, but can I just draw out a few points here. The first of them: what are the resources dedicated to this operation?

A. They're much smaller than the previous two, because we're only dealing with -- we're scoping it and then looking and seeing whether we are going to embark upon a full investigation, and at that point then we will look at the resources that we'll attach to each investigation. So there's a smaller number of officers, the numbers of which I don't have to hand, but I think it's something in the region of -- or will be, when we've resourced it -- about 20.

Q. Thank you. At present, this is at the scoping stage; is that right? But you're looking or assessing, rather, 57 separate allegations of data intrusion?

A. Yes.

Q. This does overlap, to some extent, with Operation Weeting because these include allegations of phone hacking, but they're more specifically computer hacking investigations?

A. Absolutely.

LORD JUSTICE LEVESON: I think I might be responsible for a Divisional Court decision to that effect.

MR JAY: It may have been clearer in relation to Operation 28 November.

Q. Well, if you printed it out, what would it look like?

A. I've no idea. It would be a huge amount. Vast.

Q. Can you deal with paragraph 5. You deal with the allegations which are being considered.

MR JAY: Can you deal with paragraph 5. You deal with the allegations where we have put the matter before the Crown Prosecution Service and they have decided that there will be no further action taken. They include an allegation of blackmail in connection with the publication of a newspaper story, an allegation of breach of anonymity under the Sexual Offences Act by newspapers, and allegations of telephone interceptions against a person who was awaiting trial for manslaughter.

In the first two, there was insufficient to prosecute, and in the last one, our enquiries were able to prove that those interceptions didn't occur.

Q. But there are other diverse allegations that remain active and you list those.

A. Yes.

Q. These are all issues which are being considered but have not been taken, obviously, to the stage of making any arrests.

A. That's right.

Q. At this stage, of course, you can only give us the very general picture through fear of prejudicing your investigations.

A. Yes.

Q. Finally, can you tell us about Operation Kalmyk? What

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Q. Thank you. When you joined the News of the World, were you given any assurances about phone hacking and related matters?

A. Yes. I mean, when I joined, obviously it was after the -- after Clive Goodman and Glenn Mulcaire had gone to jail but yes, I mean, myself and the rest of the staff were obviously assured that that was an individual case, but I think -- I guess the main thing that was most important for me is that when I started, it was made absolutely clear that that sort of behaviour would not be tolerated in any way under Colin Myler.

Q. Can I deal with your background first of all. You tell us in your statement you were born and raised in New Zealand and you studied at Victoria University, Wellington. You then started a career in journalism. You worked for a national broadsheet in New Zealand and then a television station, but you moved to the United Kingdom in December 2004, where, after working in various ways and capacities, you joined the News of the World in February 2007; is that correct?

A. That's right, yes. The correction you wish to make is to paragraph 10.1. It is, yeah.

Q. Can I just deal with your career in New Zealand to this extent: is there a difference in culture between New Zealand and the United Kingdom, speaking very generally?

A. Well, the set-up of the newspaper world and the media in New Zealand is very different. I guess it's a more American-style newspaper market. So every main regional centre has one main broadsheet newspaper and there's no real tabloid culture.

Q. Thank you. You explain this was the subject of the BBC Panorama programme, which some of us have seen.

A. Daniel John William Wootton.

Q. That brings us, I think, up to date with the current position, insofar as you can tell us about those matters without prejudicing your investigation. It's already been made clear that this Inquiry is not concerned at this stage to look at the position before you arrived on the scene -- in other words, between 2006 and early 2011 -- since those are matters which fall really within the scope of module 2 and will be considered in due course.

Q. Those are all the questions I had for you. There may be some further questions.

A. Yes.

Q. Thank you. You explain how it operated?

A. I understand that, and we'll do everything we can to make sure you're kept fully up to date.

Q. If it's not in the version which is on screen in due course, we will address it specifically.

A. Yes.

Q. And you were going to give evidence in December, along with other News of the World witnesses, if I can so...
I edited my showbiz column.

Q. Could you elaborate on that? You say "no". Why do you say "no" with confidence?
A. It was never my experience. I mean, I guess the one thing that maybe I would point out is that the individual desks on the News of the World very much ran as separate entities, so because I worked under the features desk, for example, I would have virtually no contact with the news desk, for example. So I can only talk, really, in terms of what I saw on a day-to-day basis about the features desk.

Q. Thank you. The Inquiry has received quite a lot of evidence in relation to the news desk. It may be that there were particular features or attributes of that department. Is there anything you can say about the news desk which might assist the Inquiry?
A. No. As I say, as showbiz editor working under the features desk, I had very, very minimal contact with the news desk. Probably the head of news I would have spoken to twice in my four years at the paper.

Q. Thank you. You deal with editorial conferences in paragraph 6.6. There's been already quite a lot of evidence to the Inquiry about that. You point out -- this is really at page 02621, six or seven lines down:
"It was common for the stories featured at the top of each list not to be discussed, as they were usually
the most confidential. The competition at the paper was such that even amongst the heads of departments confidential stories or secret squirrel stories were not revealed for fear of a leak."

A. Mm-hm.

Q. That would suggest that there was a lack of trust within the News of the World, that matters might be leaked either into the public domain or perhaps be leaked to a rival newspaper. Was that the fear?
A. I think on Sunday newspapers in particular, there is always that fear, because if you get a big scoop on a Tuesday, for example, you have to keep that story exclusive for five days, which is a very long time, especially in this day and age with Twitter and the Internet as well as rival newspapers, obviously. So I would say probably, yes, the News of the World was particularly conscious of the fact that stories could be leaked and had been leaked in the past to rivals.

Q. The secret squirrel stories, what do you mean by that?
A. That was just a secret story because of the fact that it could be leaked, so usually they were one-fact stories.

So in my realm it could be celebrity A splits from celebrity B. So a one-fact story that if it was leaked, it could very easily be run by another newspaper, so those stories would be kept between a very small group
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Q. At these conferences, was there discussion around the issue of the use of subterfuge in relation to any of these stories?
A. No. I think if there was a story where subterfuge might come up, that would be discussed in a smaller group.

Q. Were you party to discussions about stories which had been obtained by using subterfuge? I'm not talking about phone hacking now; I'm talking about subterfuge more generally, if you follow me.
A. No, because none of my stories used those methods, so no.

Q. You make it clear that a significant proportion of your stories were obtained, really, from the celebrities themselves. This is paragraph 6.9.
A. Mm-hm.

Q. About what proportion, would you say?
A. Say it's about half and half, probably.

Q. Was there any sense, in your mind, that you were colluding with the celebrity to put out a particular PR version which would be palatable to them, in the sense that it would advance their career or their commercial interests?
A. No. I think if there was a story where subterfuge might be discussed it would be in a smaller group. I don't think celebrities would say that they necessarily got an easy ride from me, but I think they would say that I dealt with them fairly and honestly and gave them a chance for a right of reply on a sensitive story. So I think because the News of the World was coming from a position of weakness, it felt like that was really important.

Q. You say in paragraph 6.10 -- you're dealing here with issues of weighing up private interest against the public interest were not necessarily got an easy ride from me, but I think they would say that I dealt with them fairly and honestly and gave them a chance for a right of reply on a sensitive story. So I think because the News of the World was coming from a position of weakness, it felt like that was really important.
A. It's definitely walking a tightrope, definitely.

Q. Were you party to discussions about stories which had been obtained by using subterfuge? I'm not talking about phone hacking now; I'm talking about subterfuge more generally, if you follow me.
A. No, because none of my stories used those methods, so no.

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Q. You say in paragraph 6.10 -- you're dealing here with a situation where the source of the story is not the celebrity himself or herself. You say:

"I had a strict policy that however good the information was, I would never run the article without first receiving independent confirmation, from a reliable contact, that the facts set out were true."

So the reliable contact, is this someone usually who was chose to the celebrity?
A. Usually. It could well be their PR or their agent in that case.

Q. Did you ever run stories without notifying either the celebrity or his or her agent?
A. Not often. I mean, there were certain stories that were out there in the public domain already, so it wouldn't have been necessary to put a call in, and I would say during my time at the paper there was literally a handful of stories when it would have been requested by the editor or a senior executive at the newspaper not to put a call in.

Q. You say in your statement that issues of weighing up private interest against the public interest were not really for you but were for editors or subeditors.
A. Not subeditors. I mean, it would be the decision of the editor in the end whether a story was in the public interest or not. So I might be involved in those decisions.
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Q. That was really what I was going to ask you. Were there ever situations, though, where your opinion was overruled?

A. Probably, I would say. But no examples that I can think of.

Q. Did it often happen that your opinion was overruled?

A. No.

LORD JUSTICE LEVESON: Can you think of examples where you might have wanted to check out with a celebrity and you were told not to?

A. I can think of one, yeah.

MR JAY: Without necessarily naming the celebrity, what was the situation there? Can you give us some general evidence about it?

A. Yeah, the situation there was it was actually a professional story. It was about whether a celebrity was going to take a certain job or not, and one of the more senior executives at the newspaper were very confident in their sourcing of the story. My gut feeling was that we should check it, and they decided not to and requested me not to.

Q. So they published anyway?

A. (Nods head)

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Q. Perhaps what happened doesn't matter so much.

LORD JUSTICE LEVESON: But what's the point here? That the story will be given to somebody else? It's unlikely to be a story that would be injunctioned. What was the problem?

A. In that particular case or do you mean in general?

LORD JUSTICE LEVESON: I actually want to know generally.

Q. Pursue that case, if you like, but I'm keen to know generally.

A. I think in general, the point that I'm making is that as a reporter at the newspaper in any way, it's not 100 per cent your decision whether to give a right of reply or not. So especially when I was a more junior reporter, the decision about whether a right of reply would be made or not would usually be taken by someone more senior than me, but when I did become the showbiz editor, that would be my decision. But yes, I mean, it usually was because of the risk of a story being leaked.

MR JAY: Even if the discussion to check the story was with the individual concerned, the target of the story?

A. Yeah, because, I mean, I can think of so many examples -- I mean, quite recently a celebrity who I knew -- I mean, it was a very positive story. I knew they'd become engaged to their long-term partner but this was a well-known celebrity, it was a big story for us, so I put a call in on the Saturday morning to that celebrity's PR. The PR made the decision -- wrongly, I believed -- that it was a story that all the Sunday newspapers should cover, so fed out that information to the showbiz editors on all of my rival newspapers and it ended up going on the front page of one.

What you have to remember is that there is a need to protect exclusives, so even though I was a big believer in a right of reply, all I'm saying is that on a small number of casings, a decision would be taken above me -- for commercial reasons, usually -- that it wasn't the right decision to give a right of reply, because there was a risk -- because in a case like that, we'd worked very hard to get that story and there was no benefit of us having the exclusive.

Q. The example you've given is a positive story.

A. Yes.

Q. If you've got it wrong and the couple were not getting engaged, there would obviously be some embarrassment all round but the harm would not be massive.

A. Mm.

Q. What about if the story's a negative story? Was the policy different, do you think?

A. Yes. I mean, a right of reply would only not be given if the newspaper or the editor was 100 per cent certain on the truth of a story. Well, at least in my experience, in stories that related to me.

Q. Was there any discrimination then between whether the story was positive or negative in terms of giving any right of reply?

A. Yeah. I think if the story was a positive story, there would be a feeling that there may be less need to give a right of reply. However, in saying that, I would have given a right of reply on 99 per cent of my stories. That was my policy to do so.

Q. Thank you. When stories came to you, as you say in paragraph 6.10, from a professional freelancer -- you mean, presumably, a fellow journalist who was flying the story and probably trying to sell it around the different newspapers; is that correct?

A. Yes.

Q. Was there an inquiry which you systematically made as to how that individual obtained the story?

A. On a case-by-case basis, yes.

Q. So what were the factors which might or might not have caused you to make that inquiry?

A. I think if it was, for example, a story about -- let's just say a celebrity's wedding, where they had information from inside the wedding. Then I would make sure that I knew that that information, for example,
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25 Q. Is this right: if there were PCC complaints which 
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10 (Pages 37 to 40)

that the article would appear under another reporter's 
name. However, in such circumstances, it could be that 
the first you knew of the article appearing under your 
name would be when you opened the paper and read it on 
a Sunday morning."

6 A. Yes.

24 Q. I wasn't so sure about 7.3.4:
25 "Where a desk head wrote a story, it was convention 
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10 (Pages 37 to 40)

hadn't come from them sneaking into the wedding or 
entering private property or using a hidden camera or 
anything like that. I would make sure that it had 
come -- that it had come through valid sources.

5 Q. I see. The methods that your evidence is relating to, 
the standards that you applied, were they standards that 
you saw others applying or do you think you were 
applying a higher standard of probity?

9 A. No. On the whole, I think those were the standards that 
I saw, but I think because I -- one of my big roles at 
the newspaper was managing relationships of key showbiz 
figures, I think perhaps at times I would probably take 
a more cautious approach, especially in terms of things 
like a right of reply.

15 Q. Thank you. Can I move on, please, to paragraph 7 of 
your statement, and just ask you to explain two 
subparagraphs. We're now on page 02623.

18 Paragraph 7.3.3:
19 "Editor would sometimes merge two stories together, 
crediting two journalists in the byline."

21 We've seen examples of that in other newspapers.

22 That, presumably, is standard practice, is it?

23 A. Yes.

24 Q. I wasn't so sure about 7.3.4:
25 "Where a desk head wrote a story, it was convention 
Page 37

10 (Pages 37 to 40)

certain accepted tabloid conventions.

2 Q. Okay. Paragraph 10, please, now, Mr Wootton. You've 
amended paragraph 10.1. This is page 02624. I don't 
know whether we have the amended version available. Is 
that in front of you or do you have the old one?

6 A. Yeah, I have it.

7 Q. On the screen, can you see which one it is?

8 A. It's the old one on the screen.

9 Q. So we'll read out the substituted wording. You crossed 
out "none" and you've said:

"There was no specific financial incentive for me to 
print exclusive stories as showbiz editor because I did 
not receive bonuses, for example, for 
front-page stories. My performance appraisal and my 
remuneration was judged on a number of factors, 
including breaking exclusive stories, my relationships 
with key showbiz industry figures and my adherence to 
the law and PCC code."

19 Can I just ask you about the last point. How was 
that factor addressed in your performance appraisal, 
namely adherence to the law and PCC code?

22 A. It was spelled out. So there were a number of subgroups 
that you were judged on in your performance appraisal, 
and that was one of them.

25 Q. Is this right: if there were PCC complaints which 
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related to you, that would be a factor which might cause 
you to be marked down on your appraisal?

3 A. Exactly.

4 Q. And you tell us in your statement that at no point have 
you had any PCC complaints?

6 A. Upheld, yeah.

7 Q. Upheld.

8 A. While I was showbiz editor, yes.

9 Q. That's paragraph 18.7. So to be clear, there were 
complaints but no upheld complaints?

11 A. Mm-hm.

12 Q. What do you mean by "upheld complaints"? Upheld in the 
sense of an adjudication or upheld in the sense of 
a ruling?

15 A. An adjudication. But actually, I think when I was 
showbiz editor and columnist, which was my last three 
years, I don't believe there were any complaints to the 
PCC about my work.

19 Q. So from the period September 2008 to July 2011, there 
were no complaints at all?

21 A. Mm.

22 Q. So for the period, I think, February 2007 to September 
2008, is this your evidence: there were complaints but 
no upheld adjudications?

25 A. Mm-hm. 

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A. I think there was one complaint about an interview.

Q. You did receive an award, I think, the British Press Award, in 2010 for Showbiz Reporter of the Year; is that correct?

A. Yes.

Q. One of the bases of that award were your exclusive pieces in relation to the death of Mr Gately. That was just one of the matters, I think.

A. Yes.

Q. You tell us about that a little bit more in 18.5, how you held off printing or publishing, rather, information until you felt it was appropriate to do so.

A. Mm-hm.

Q. Can I ask you a little bit more about public interest issues. This is 18.1 of your statement. You've touched on this already. When there were discussions to which you were party about weighing up the public interest and private rights, what sort of factors were put on in the balance either side of the equation? Can you assist us?

A. I think -- I mean, I guess the first thing to say is that everything to do with public interest was discussed on a case-by-case basis. It's not as if we had theoretical discussions about it. It was to do with certain celebrities and certain examples. So it happened not that often, and when it did, I think one of the big factors was who the celebrity involved was.

So, for example, there was one such case when I revealed that a very high-profile celebrity who was the face of a well-known supermarket company had been taking illegal drugs at her house while her children were at home, and in that case, the reason that we did decide there was a public interest for that story was because of the fact this particular celebrity had been filming a reality TV show inside the house when she had denied various times that she was taking illegal drugs in the house, and she'd also made a lot of money off selling her family and promoting this supermarket brand off the basis of the fact that she had previously been mother of the year. So in that case, we felt that there was a clear public interest for running the story, and we actually ran a series of stories about it, and eventually she was dropped by the supermarket brand and admitted what she had been doing.

So in that case, for us, there was a clear public interest for running that story.

Q. Could you give us an example, perhaps, which went the other way?

A. I mean, there were many, many times when we were told, for example, the celebrity -- well, actually, I can think of one where a celebrity who had not sold any details of her private life was having an -- or her marriage was breaking down because of a relationship she was having with another man, and we made the decision that because she had never ever sold her private life, spoken about it in interviews, that there would be no public interest to reveal that story. So it could go both ways.

Q. Thank you. At 18.3, you give an example of a particular story which was overwhelmingly in the public interest. This related to a programme on the BBC. People were invited to phone in using a premium-rate phone-in line but the show had been pre-recorded, so there was absolutely no point in doing that.

A. Mm.

Q. Of course, these premium-rate lines are very expensive.

A. Mm.

Q. If you use a mobile phone, they warn you it's even more, and you've given us the reference for that.

A. Yes. I guess the point I was trying to make is the fact that people often do dismiss showbiz journalism, but there is a lot of showbiz journalism which is in the public interest.

Q. I think it was someone from one of your competitors who said the primary purpose of showbiz journalism is entertainment. That's not necessarily to denigrate it, but is that fair?

A. I think there's a big aspect of that, yes, absolutely, and there -- also, my preference was to write about celebrities, to be honest, who wanted to be written about. So it was very rare, for example, for me to ever write about Hugh Grant, because my belief was that my readers of my showbiz column were in the interested in him because he didn't seem to enjoy his job and was pretty miserable, whereas the majority of the people I write about actually love their job. They love the
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1  great things that come from being part of showbiz and
2  celebrity and they choose to put themselves out there.
3
4  LORD JUSTICE LEVESON: Is it because he wasn't enjoying the
5  job or because he didn't enjoy being the subject of
6  newspaper attention?
7
8  A. Well, I think you could say -- you could argue it was
9  one and the same, but to me, he didn't seem to be
10  enjoying being a celebrity.
11
12  LORD JUSTICE LEVESON: Well, that's slightly different yet
13  again. I mean, his job is to make films.
14
15  A. Mm-hm. I think his job is also -- I mean, he would
16  always attend red carpet premieres, for example. He
17  would give interviews. So I think it's a naive to say
18  that you can be a major celebrity appearing in Hollywood
19  films and never have any other parts of that job. But
20  I would also say there are some actors and actresses who
21  absolutely manage to toe the line. I mean, I was
22  thinking of Helen Worth, for example, who plays Gail
23  Platt in Coronation Street and who has been in that soap
24  for three decades. She's someone who will give the odd
25  interview, but on the whole will never have stories

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1  work, but -- that we would work to, but the point that
2  I'm making is actually -- you made the point that is
3  showbiz journalism entertainment, and I'm saying that
4  yes, the majority of the celebrities that I would write
5  about were more than happy to be covered because they
6  accepted it was part of the job and they loved their
7  job.
8
9  Q. How often did it come about that a celebrity or his or
10  her PR agent came back to you after you published
11  a story, saying words to this effect: "We're not going
to complain about it to the PCC or whoever, but frankly
we we were disappointed by this story, or it was an
12  intrusion of privacy"? Did that ever happen or not?
13  A. Never. That it was an intrusion of privacy but there were
14  definitely discussions that would take place sometimes
15  after a story was written. I would be -- it would be
16  completely naive for me to say that every story I ever
17  wrote, the celebrity was absolutely delighted about it,
18  but the whole point of having the open discussion and
19  the dialogue with their representatives was so that we
20  could find -- so that there was that communication and
21  we could find ways to try and work around any issues
22  where they may have been unhappy. But I would say those
23  conversations were rare.
24  But the point was that people did know that they
25  could talk to me, and I think that's really important.

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1  A. It would depend. I mean, it would depend. I definitely
2  believe all celebrities have a right to privacy, and so
3  I think it would depend what the context of the story
4  was, whether their family was involved and that sort of
5  thing.
6
7  Q. So you would resist any attempt to generalise here; is that right?
8  A. Well, no, I would say absolutely all celebrities have
9  a right to privacy, and I think there are particular
10  areas where that's made particularly clear. I mean,
11  it's been discussed a lot here, but obviously in terms
12  of sexuality, pregnancies, health issues, things that
13  involve their children or family members. I mean,
14  absolutely, there was a key framework where we would
15  agree, but -- that we would work to, but the point that
16  I'm making is actually -- you made the point that is
17  showbiz journalism entertainment, and I'm saying that
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22  about her private life written about because she has
23  made a choice not to ever put it out there, she's
24  never behaved illegally -- so I think there are
25  celebrities who make a clear choice at the start of

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1  their career not to make themselves public property or
2  a tabloid figure. So I think it is possible to do that.
3
4  MR JAY: Putting Mr Grant's case to one side, was it your
5  position that those people who were in the public eye
6  because they were film stars, because they were book
7  writers or appeared on television programmes, who had
8  not, as it were, made it absolutely clear that they
9  wanted their private lives kept totally private -- was
10  your position in relation to them: they were
11  appropriately or could appropriately be the subject of
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25  involve their children or family members. I mean,
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1 | LORD JUSTICE LEVESON: What about going to the lady's home?  
2 | A. That wouldn't be a tactic that I would use. But I do  
3 | think it's fair to ask someone -- that was the tactic  
4 | that I would use: to ask someone's PR or agent in  
5 | a formal capacity.  
6 | MR JAY: So it would be appropriate, then, to write a story  
7 | which was limited to him being the father of a child but  
8 | you wouldn't want to go further than that by going to  
9 | the lady's home and everything else we've heard about?  
10 | Is that your evidence?  
11 | A. I'm saying that if Mr Grant had confirmed that, which he  
12 | did, yes.  
13 | Q. That, Mr Wootton, covers the ground I wished to raise.  
14 | I've had no lines of inquiry suggested to me by others  
15 | in your case, but there may or may not be some --  
16 | LORD JUSTICE LEVESON: Well, there is one. You've said that  
17 | the press in New Zealand is differently organised and  
18 | there isn't a tabloid culture.  
19 | A. Mm-hm.  
20 | LORD JUSTICE LEVESON: But how do the New Zealand press deal  
21 | with issues such at privacy?  
22 | A. It's self-regulation. So there's a code similar to  
23 | a PCC code.  
24 | LORD JUSTICE LEVESON: I won't ask whether they have  
25 | borrowed our code or we've borrowed theirs. Who is  

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1 | responsible for breaches of that code?  
2 | A. Again -- in terms of at the newspaper? So it would be  
3 | the editor.  
4 | LORD JUSTICE LEVESON: No, no, no, in terms of the  
5 | regulatory model.  
6 | A. Oh, again it's self-regulation, but it's an independent  
7 | body, so there's no state involvement in it.  
8 | LORD JUSTICE LEVESON: But who is on it?  
9 | A. Not the editors of the newspapers, as far as I believe.  
10 | LORD JUSTICE LEVESON: Am I right in understanding that  
11 | actually they're going through some thinking at the  
12 | moment also about what should be happening?  
13 | A. Yeah. I mean, the main difference in New Zealand is  
14 | that when this body upholds a complaint against  
15 | a newspaper, the newspaper has to publish their findings  
16 | in full, so actually in the newspaper, the wording of  
17 | this body. So they don't use their own wording.  
18 | LORD JUSTICE LEVESON: I see. But you say that the  
19 | self-regulator doesn't consist of editors; it's  
20 | independent people?  
21 | A. That's my belief, yes.  
22 | LORD JUSTICE LEVESON: Right, well, I'm sure we can find  
23 | out. Thank you very much indeed, Mr Wootton.  
24 | MR JAY: Would it be convenient to have our short break?  
25 | LORD JUSTICE LEVESON: Yes.  

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1 | (11.17 am)  
2 | (A short break)  
3 | (11.25 am)  
4 | MR BARR: Good morning, sir. Our next witness is Mr Owens.  
5 | LORD JUSTICE LEVESON: Thank you.  
6 | MR NICHOLAS LEE OWENS (sworn)  
7 | Questions by MR BARR  
8 | MR BARR: Mr Owens, once you've made yourself comfortable,  
9 | could you tell the Inquiry your full name, please?  
10 | A. Yes, it's Nicholas Lee Owens.  
11 | Q. Are the contents of your witness statement true and  
12 | correct to the best of your knowledge and belief?  
13 | A. Yes, they are.  
14 | Q. You tell us that you are a reporter on the Sunday  
15 | Mirror. You've worked for the Sunday Mirror since April  
16 | 2006. Before that, you worked at the Lancashire Evening  
17 | Post as a newspaper reporter. You were named Press  
18 | Gazette Regional Journalist of the Year, North West  
19 | Report of the Year and Johnston Press Journalist of the  
20 | Year. You received those awards for a range of  
21 | articles, including working undercover as a traffic  
22 | warden, investigating life inside a prison and sleeping  
23 | on the streets for a week to expose the problems facing  
24 | homeless people in Preston.  
25 | You give us three examples of undercover work you've  

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13 (Pages 49 to 52)
| A. | Often we go and meet people, yes. |
| Q. | Can I just examine that a little bit further? Would you go and meet someone who, on the telephone, hadn't told you about anything which seemed to be interesting to some extent? |
| A. | I mean, within our office -- I obviously work in a busy London newsroom -- we get lots much calls coming in every day from members of the public with information of a varying nature, and often it's not until you go and meet the person and you listen to what they have to say and you find out the full element of that information that you can make a decision moving forward, which, as I say in my statement, is why I'm often keen to meet somebody face to face. |
| Q. | That's not quite an answer to my question. What I'm getting to is whether you go and meet, face to face, every caller or whether some sort of filter is applied? |
| A. | Well, you don't meet every caller. You deal with everything on a sort of case-by-case basis day to day. |
| Q. | So it follows they have to tell you something interesting before you'll go to the trouble of meeting them? |
| A. | Normally, it will be something interesting, yes. |
| Q. | You also tell us that one of the things that you might keep in mind is whether or not you should be stinging the person who's come forward. We heard, when senior members of your organisation gave evidence a couple of weeks ago, that articles have been published about people offering information illegally. I'd like to ask you: if that is going to happen, is the approach recorded in writing before it is adopted? |
| A. | Any matter like that, where we would be exposing somebody, I would immediately be dealing with my news desk, talking to my news desk very closely about that. We would be talking to the lawyer. So I don't feel I'm able to really give much insight into that. That wouldn't be a process I'd be involved in. |
| Q. | But you'd speak to the news desk about that? |
| A. | Absolutely, yes. |
| Q. | And you would perhaps record any conversation with someone that you were going to sting? |
| A. | I'm not sure. Again, as I said there, every story you deal with on an individual basis and make a decision on the best way to act. |
| Q. | But we know that on the occasion that you spoke to the person whom you now know as Mr Atkins, you didn't speak to the news desk first, did you? |
| A. | I said I was off to meet someone. That was it. |
| Q. | And you didn't record the conversation that you had when you met Mr Atkins? |
| A. | No, I didn't. |
| Q. | So does it follow from that that at the time you decided to meet him, you didn't have a sting in mind? |
| A. | I just thought it was -- I was going to meet someone with some information to give to me. |
| Q. | A final preliminary question: it's right, isn't it, that celebrity stories are very popular in the tabloid newspapers and are regarded as important for reporters like you to look into? |
| A. | They are important, but I feel, as my statement sets out -- I've tried to make a -- you know, do lots of different stories, and I've been involved in some really very serious, good investigations as well. So it's not the only thing that matters to me or the only thing that matters to tabloid journalists. |
| Q. | Can we move now to tab 5 of the bundle, to start with the telephone conversation that you had with Mr Atkins on 20 March. |
| Q. | LORD JUSTICE LEVESON: Mr Barr, before we do that, could we deal with a more general point? I wonder if you'd permit me to interrupt for a moment. You've spoken about the undercover work that you've done, Mr Owens. |
| A. | Yes. |
| LORD JUSTICE LEVESON: And the important stories that you
LORD JUSTICE LEVESON: Were these stories stories that you
just came about, or things that you thought might make
good features --
A. No --

LORD JUSTICE LEVESON: Were these stories stories that you
just came about, or things that you thought might make
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A. No --

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LORD JUSTICE LEVESON: -- and good stories, or were you
relying on information? How did they come about?
A. In regards to the traffic warden investigation, for
instance, that came at a time when many of our readers
were contacting the newspaper with concerns about the
local parking enforcement officers and the way they were
acting. So that was the basis at which we decided to
proceed with that story.
Now, of course, that involved getting a job as
a traffic warden, and I remember -- it's a long time ago
but from my recollection of the meeting with my editor
and news editor at the time, we realised that in order
to fully investigate what our readers were telling us,
probably the only way to do it was to get a job there.
If we were to approach, for instance, the parking
company and said, "Can we come in for a week and see how
you operate?" we were worried that they might not
operate in the way they normally would, for instance.
With regard to the prison investigation, that came
at a time in our city where the prison was -- it was
a very difficult situation for them. They had very high
drug rates, very high re-offending rates, and
I approached the governor of the prison, who I had
a relationship with, in a sense that I'd dealt with him
on stories before, and he said, "It would be good to let

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you in for a week to investigate the way the prisoners
lives worked, how their families were affected by it,
what happened to them and how staff worked."
LORD JUSTICE LEVESON: But you didn't go in as a prisoner?
A. No, I didn't.
LORD JUSTICE LEVESON: You went in as a journalist.
A. Yes.
LORD JUSTICE LEVESON: So there's nothing undercover about
that.
A. Yes. It wasn't so much an undercover; it was an expose
of life inside prison, in the sense of you wouldn't
normally get that access. We were given privileged
access.
LORD JUSTICE LEVESON: But in relation to working undercover
as a traffic warden, you were obviously going to have to
lie or at least be economical with the truth to those
who were going to employ you.
A. Economical with the truth, I feel, yes.
LORD JUSTICE LEVESON: That's a phrase which has entered
into our history, which we all understand.
A. Yes.
LORD JUSTICE LEVESON: Was that --
A. Can I just say on that point, the balance we felt --
that to be economical with the truth we felt was fair in
the level of responses we were having from our readers
and the need to investigate that.
LORD JUSTICE LEVESON: I understand the public interest, and
presumably all that was spelt out with your editor, was
it?
A. Sorry?
LORD JUSTICE LEVESON: All that was spelt out with your
editor?
A. Absolutely, yes. That was discussed.
LORD JUSTICE LEVESON: And was it written down so there was
a contemporaneous note of precisely what you were
intending to do and what you were authorised to do?
A. I'm not sure what my editor at the time wrote down, I'm
afraid.
LORD JUSTICE LEVESON: What did you write down?
A. Well, I began to go about the process of applying for
a job.
LORD JUSTICE LEVESON: I see. All right, so that's the
north west. What about London?
A. Very similar, actually. I mean, I would speak at the
outset to my news desk. There would be a -- the
newspaper lawyer involved. The difference with the
local newspaper was we didn't have a lawyer in the
office all the time. At the end Sunday Mirror we do;
a very, very approachable lawyer who we can talk to at
time with concerns we have on stories.
<table>
<thead>
<tr>
<th>Q.</th>
<th>A.</th>
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<td>I'm picking those three things up from the material in the transcript between the hole punches. At that point, you asked whether she was still there. Mr Atkins said she was and at that point, at the penultimate paragraph, you replied that you would be very interested in meeting him, didn't you?</td>
<td>According to this transcript, that's what I said, and -- but what I also said, very early on in the conversation, was the extremely sensitive nature of this whole issue. I am not saying that I didn't necessarily agree or disbelieve a term you used. I know that there was a source within a clinic who wanted to do stories about celebrities, that was enough for you to decide that you wanted to meet Mr Atkins?</td>
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<td>A. It was, yes. I mean, just to give you a few more details, that was a Bernard Matthews factory, six months on from the bird flu outbreak, which was obviously a serious public health issue, and we decided to go in six months on from that to investigate what changes may or may not have been made by the company in those areas.</td>
<td>We will come to that in a moment, but it's right, isn't it, that on the basis simply of being told that there was a source within a clinic who wanted to do stories about celebrities, that was enough for you to decide that you wanted to meet Mr Atkins?</td>
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<td>LORD JUSTICE LEVESON: And you had some information upon which you could rely to justify, again, this deceptive approach?</td>
<td>Lord Justice Leveson: I see. Again, discussed with your editor and this time the lawyer?</td>
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<td>A. On that particular occasion, I feel that we decided that we wanted to put to the test reports that had come out that things had been changed and that things had moved on and got better.</td>
<td>Q. That doesn't quite answer my question. My question was: simply on the basis that you'd been told that there was a source who wanted to come forward and do stories</td>
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<td>LORD JUSTICE LEVESON: I see. Again, discussed with your editor and this time the lawyer?</td>
<td>about celebrities she's treated, you were keen to meet Mr Atkins?</td>
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<td>A. Certainly the news desk and the lawyer.</td>
<td>A. But I didn't see it like that, you see. I didn't see it in them terms. I just saw it as somebody contacting the newspaper with information which I immediately identified as sensitive and felt that we should meet and discuss it.</td>
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<td>LORD JUSTICE LEVESON: Yes. Did you keep a note of what you'd been authorised to do here?</td>
<td>Q. Go over the page. On the third paragraph over the page is where you make the comment about extreme sensitivity. You say: &quot;I mean, to be honest with you, it's extremely sensitive in the case of that patient confidentiality thing, but, you know, if you want to set up a relationship with a journalist to start feeding information through, then that's absolutely fine. Could I ask you to call me?&quot;</td>
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<td>LORD JUSTICE LEVESON: Well, there's one you mention: going undercover to a turkey factory. Presumably that was also getting a job?</td>
<td>Now, looking at that utterance, I want to ask you what information you were referring to Mr Atkins feeding through. It was information from the clinic, wasn't it?</td>
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<td>A. It was, yes. I mean, just to give you a few more details, that was a Bernard Matthews factory, six months on from the bird flu outbreak, which was obviously a serious public health issue, and we decided to go in six months on from that to investigate what changes may or may not have been made by the company in those areas.</td>
<td>A. I can't say it was that. I can't remember exactly what was going through my mind when I said that utterance, as a term you used.</td>
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<td>LORD JUSTICE LEVESON: Looking at the first page, we see the introduction to the telephone conversation. It's fair, isn't it, to say that what you were told by Mr Atkins was, first of all, that there's a source within a clinic who wanted to do stories about celebrities, that was enough for you to decide that you wanted to meet Mr Atkins?</td>
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<td>LORD JUSTICE LEVESON: To pick up with the telephone conversation that you had with Mr Atkins, can we go to tab 5, please?</td>
<td>Q. It must have been, mustn't it, Mr Owens, because that was the only thing that you had been told about by Mr Atkins by that stage in the conversation?</td>
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<td>A. Again, after that discussion and we decided to move on, I went about the process of applying for a job.</td>
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<td>LORD JUSTICE LEVESON: So you don't know whether there was any audit trail in particular?</td>
<td>A. But I didn't see it like that, you see. I didn't see it in them terms. I just saw it as somebody contacting the newspaper with information which I immediately identified as sensitive and felt that we should meet and discuss it.</td>
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<td>A. I don't know about an audit trail. I know that there were a series of discussions that we had and certainly everywhere was aware that I was beginning to embark upon this process of investigating the factory.</td>
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<td>LORD JUSTICE LEVESON: All right. I've understood how you do it.</td>
<td>LORD JUSTICE LEVESON: All right. I've understood how you do it.</td>
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<td>MR BARR: To pick up with the telephone conversation that you had with Mr Atkins, can we go to tab 5, please?</td>
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<tr>
<td>A. Sure.</td>
<td>LORD JUSTICE LEVESON: All right. I've understood how you do it.</td>
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<tr>
<td>Q. Looking at the first page, we see the introduction to the telephone conversation. It's fair, isn't it, to say that what you were told by Mr Atkins was, first of all, that he knew somebody who worked in a private cosmetic surgery clinic, that that person had fairly high-profile clients and wanted to do a story about the celebrities she treated.</td>
<td>LORD JUSTICE LEVESON: All right. I've understood how you do it.</td>
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<tr>
<td>A. I don't think it's fair to say that. It was unclear what was really going on here.</td>
<td>LORD JUSTICE LEVESON: All right. I've understood how you do it.</td>
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<td>Q. I'm picking those three things up from the material in the transcript between the hole punches. At that point, you asked whether she was still there. Mr Atkins said that she was and at that point, at the penultimate paragraph, you replied that you would be very interested in meeting him, didn't you?</td>
<td>LORD JUSTICE LEVESON: All right. I've understood how you do it.</td>
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<td>LORD JUSTICE LEVESON: All right. I've understood how you do it.</td>
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<td>Page 65</td>
<td>Page 66</td>
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<td>1. A. As I say, I can't recall what was going through my mind but looking back at the transcript before that, he talks about celebrities and information, and I just felt that we were dealing with a person here who might have some information which would be interesting to hear. I certainly didn't see it in terms of the clinic at that stage at all.</td>
<td>1. A. I certainly wasn't delighted to be told that at all.</td>
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<td>Q. We move to the bottom of the page and see how you follow things up. Just below the bottom hole punch, you say: &quot;I mean, is there anyone recently that's had anything done that would be particularly interesting to me?&quot;</td>
<td>2. Q. Why did you say &quot;great&quot;?</td>
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<tr>
<td>So you're plainly there referring to the surgery, aren't you?</td>
<td>3. A. Why did I say &quot;great&quot;? I can't say why I said that word three years ago, I'm afraid. I just couldn't tell you.</td>
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<td>4. A. Again, I can't recall and sit here what I was referring to in a phone conversation from three years ago. What I know is that we were engaged in a conversation over the phone which was, you know, a two-way thing, and I was simply trying to set up a meeting where we could get more information from him and find out the full nature of what it was he had to offer.</td>
<td>4. Yes.</td>
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<td>5. Q. Is that really right, Mr Owens? Isn't it plain from that comment that what you were really after was something recent because it would be particularly newsworthy?</td>
<td>5. Yes, according to this, that's right.</td>
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<td>6. A. That wouldn't be fair. That's not what I was after.</td>
<td>6. A. I was referring to the fact that in my role as a general reporter, I covered a lot of health stories --</td>
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<td>7. Q. Over the page, Mr Atkins says: &quot;She works for -- she does the admin, so there's a lot she can see. So yeah, I --&quot; And then you say: &quot;Great.&quot;</td>
<td>7. Q. At paragraph 43, you say: &quot;I think the best thing is for you to give me some information about what you have got, and we can see on the basis of that. I'll let you have a confidentiality agreement. I'll go back to them and see what we can do with the information and how much it's worth.&quot;</td>
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<td>8. A. I was referring to the fact that in my role as a general reporter, I covered a lot of health stories -- and I have to say that when someone rings up, you listen to them and you engage with them, and every single word that comes out of your mouth, there isn't this level of kind of reaction to what you said before. I was simply engaged in the conversation and what I wanted to do, certainly by this stage in the conversation, was meet up with him and find out more. None of this would represent a final conclusion on anything.</td>
<td>8. A. No, these are standard -- I'm talking about standard health stories that I'd worked on are to the newspaper.</td>
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<td>9. Q. You're not suggesting it represents a final conclusion, but what I'm suggesting is that you were delighted to be told that there was a potential source with access to the records of this clinic.</td>
<td>9. Q. At paragraph 50, you start talking about the public health stories that I'd worked on are to the newspaper.</td>
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Q. Let's examine that in some detail. You say: "Let's give you an example, right? You take Fern Britton. She's on the front of the papers, she had a gastric band. That was a big story, not only because it was Fern Britton had a gastric band and everyone was amazed by her weight loss, but it was a big story because she had said in public many times that she had got a huge keep fit regime and all that shit. Turned out to be wrong. There's a public interest in reporting that story. What there probably isn't a public interest in doing is just reporting that someone had a gastric band operation."

I'm going to come in a moment to what you said immediately after that, but before I do, does that correctly record your understanding and belief as to where the public interest lay in the Fern Britton story, that she was fair game because she'd portrayed herself as someone who had lost weight in another way?

A. I can't say whether it reflects that I felt she was fair game. What I was doing here simply was making it clear to Mr Atkins that I was alive to the fact that there would need to be a strong public interest justification in moving forward with any of the information that he was offering.

Q. What was your view about the coverage of Fern Britton's gastric band? Do you think that was appropriate or not?

A. I didn't really -- I didn't have a view about it, to be honest. It was another newspaper's story.

Q. Why didn't you have a view about it if it was precisely the sort of journalism that you were involved in?

A. Sorry, can you repeat that question?

Q. Why didn't you have a view if it's precisely the sort of journalism that you're involved in?

A. I don't think I am involved in that kind of journalism.

Q. Let's move on to what you went on to say. You say: "Unless they are a massively big name, then you might make a decision."

Bottom of page 2, end of paragraph 50. Do you have that?

A. Yes, I do.

Q. Isn't the position that there you're saying: despite everything you've just said about the public interest, if the name is big enough, then the paper will publish?

A. Well, that's certainly not what I was referring to, and also, when you say "the paper publish", it's not my responsibility to make the final decision on what the newspaper publishes, Mr Barr. What was happening here was that this was an informal meeting between myself and Mr Atkins and we were discussing information which did not lead to any story being published at all, and I was simply engaging with him and trying to get to the bottom of what it was he had to say.

Q. We'll come to the circumstances in which nothing came to be published in due course, but at this stage you are telling Mr Atkins, aren't you, that the public interest doesn't matter if the name is big enough?

A. That's not what I was saying to him, in my opinion. That's certainly not the impression I would want to give.

Q. If we go over the page and look at paragraph 52, please, where you say:

"The key is when we know who we are dealing with, we can make a judgment on whether we can move forward with it as a story."

Then you say:

"That is why it is quite important to get an idea of who we are looking at. We have celebrities, obviously, at the top of the list."

So it's right there, isn't it, that you want more information so that judgments can be made?

A. What I'm referring to -- and it's -- I expand upon it later on, I believe, in this transcript --

Q. You do.

A. Yes -- that we can then go and look at maybe something that the celebrity may have said before and see whether there's a clash on that.

Q. Is it because you think if there is a clash, then there is a justification for publishing?

A. It's not because I think there is; I'm thinking that if there's a clash on that.

Q. Does it amount to this: at this stage in the conversation, you want it find out more in case there is a publishable story about somebody's cosmetic surgery?

A. Not about somebody's cosmetic surgery, Mr Barr. I just wanted to see whether there was anything that Mr Atkins was saying that might be of interest to me and the newspaper.

Q. Doesn't this amount to a fishing expedition? You're talking to a man who's offering you confidential clinical information and what you want to know is what is there, in case there's something that you can use.

A. I wouldn't say fishing expedition. It was just a meeting in a very informal environment between two people to see whether there would be anything at the end of it that we would want to get involved in publishing. As has been clear, we didn't.
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<th>Q.</th>
<th>Do you think, with the benefit of hindsight, it was ethically appropriate to be pursuing your conversation with Mr Atkins on this speculative basis?</th>
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<tr>
<td>A.</td>
<td>Yes.</td>
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<td>Q.</td>
<td>A. I think it was appropriate to meet him, as I've made clear, because without meeting him I wouldn't be able to get a full assessment of what the information was that he had, and then of course, until the meeting ended, I wouldn't have known what the information was. So I -- as a journalist, you have to listen, engage, sometimes go along with people, keep their interest. Of course, this is a guy who was talking to other newspapers, and one part of your job is to try and make sure they don't go to other newspapers with this story, so I felt important and right to engage with him until the end of the meeting.</td>
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<td>Q.</td>
<td>Yes.</td>
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<td>You thought it was okay to be told what confidential information there might be?</td>
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<td>A.</td>
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<td>A.</td>
<td>That's not what I was doing. What I'm doing here -- and again, I do stress that this meeting was three years ago, so it's difficult for me to establish what was going through my mind so long ago -- was that I felt at some point in time I may need to have a conversation with my news desk about this guy, and the meeting, and I felt that there may be questions asked of me about who he was, what kind of information it was that he was claiming to be able to pass on. So we went down this path.</td>
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**Do not publish the story and we didn't use any of the information there might be?**

**Q.** You then go on to give assurances that you would never reveal the source of the information, didn't you? **A.** Yes.

**Q.** You then go on to give assurances that you would never reveal the source of the information, didn't you? **A.** Yes.

**Q.** So you thought it was okay to be told what confidential information there might be? **A.** Sorry, can you repeat that? **Q.** You thought it was okay to be told what confidential information there might be? **A.** That's not what I was doing. What I'm doing here -- and again, I do stress that this meeting was three years ago, so it's difficult for me to establish what was going through my mind so long ago -- was that I felt at some point in time I may need to have a conversation with my news desk about this guy, and the meeting, and I felt that there may be questions asked of me about who he was, what kind of information it was that he was claiming to be able to pass on. So we went down this path. **Q.** We were just talking generally about the information he had. I certainly did not alert any photographers to any information. **A.** I spoke to him on a number of occasions about the fact that I wouldn't reveal who was providing me with information to reassure him because he was very nervous about that.

**Q.** And that's standard practice for investigative journalists dealing with people who want to remain confidential sources, isn't it? **A.** Again, every investigation is different but you can be asked that by some people and often you will do that. **Q.** If we look at the bottom of the page, the last time you speak on that page you come back to another use to which you might put information. You say: "If someone has had that operation and it is true, correct, and you go to them, the probably you can have -- you always have -- you can come to me and say, 'Fern Britton has had a gastric band.' We go to Fern Britton and she says, 'No, I haven't', and her agent says, 'No, she hasn't.' We are in a difficult spot then, because it is a flat denial and it can happen. Often they lie. But then you are faced with a situation whereby we might say to you guys: 'Look, we are not going to use this is information, but can you give us anything else other than just your word? Is there a document somewhere, a piece of paper? Is there an email, something that would prove she had it?" You continue over the page in that vein. The point there is you're telling him, aren't you, that if you have a document, a record of the cosmetic surgery, then you can use it to counter a denial by a celebrity? **A.** That's not what I was doing. What I'm doing here -- and again, I do stress that this meeting was three years ago, so it's difficult for me to establish what was going through my mind so long ago -- was that I felt at some point in time I may need to have a conversation with my news desk about this guy, and the meeting, and I felt that there may be questions asked of me about who he was, what kind of information it was that he was claiming to be able to pass on. So we went down this path.
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Q. Mr Owens, if I stop you there. You're not there asking him what he's got; you're telling him what you might do with it.
A. Sorry, at what point am I doing that?
Q. The bottom of page 3. Through the illustration of a hypothetical Fern Britton story, you're saying that the information could be used to stand up a story in the face of a denial.
A. What I'm doing there, actually, is reflecting and talking about my understanding of how the News of the World story worked. Now, from memory -- because again, it was about three years ago -- there was an issue whereby they printed that story after a denial from the agent, and I believe that Mr Atkins and I were talking in general terms about that.
Q. Mr Owens, if that were right, why do you use the words, in the fourth line up:
"We might say to you guys: 'Look, we are not going to use this information, but can you give us anything else other than just your word? Is there a document somewhere?'"
A. Are you really being candid with me in your answer to this?
Q. Mr Owens, there are a number of places in this transcript where you mention medical records. Can we turn over the page and look at paragraph 60, please.
A. We're having a general discussion in an informal setting. I think that is the last place they were talking about medical records. I don't think that is the last place they were talking about medical records.
Q. Can we now turn to page 5 and look at paragraph 70.
A. Again, that's not what I believe to be the case. What I believe to be the case is that we were having a general discussion about what evidence it was he could obtain so that I would be able to safely and fully answer any questions I might have on it from my news desk at a later stage, and I just remind you that after the meeting we didn't publish anything at all.
Q. At the risk of repeating myself here, at this part of the transcript you're not him what he has. That comes later. You're telling him what you might do with it and what you might ask for.
A. We're having a general discussion in an informal setting. This certainly wouldn't reflect upon what my conclusions were about what was happening at that moment in time.
Q. Can we now turn to page 5 and look at paragraph 70.
A. Second time that you speak under that paragraph number. You say:
"Exactly, so -- hey, look, it is not just a case of you saying that this person has had X surgery. There could be a situation whereby we'll need -- perhaps you'll have to produce something. Have you got anything available now? Do it in one? That is a way around it. And if she says, 'Well, I am happy to tell you who has had the surgery but I will never, under any circumstances, produce any documents', then fine, just let me know."
Mr Atkins says:
"And that is a game we play."
You say:
"We might get to the position, unfortunately, where they deny it and we can't run it."
We can take from that, can't we, that first of all you're referring again to the possibility of asking him for documents?
A. Sorry, can you just repeat what part of the conversation you're at there?
Q. Page 5, paragraph 70.
A. Sure.
Q. The second time you speak, so the second N. I read from the word "exactly" down to the end of "run it", which was the second time you spoke. Do you have that?
A. Yes, I am looking at that.
Q. I want you just to absorb it. Make sure you've absorbed it so you can understand the questions.
A. Yes. (Pause) Yes, so I've read that.
Q. You're asking him: has he got anything available now?
A. I'm not asking him has he got anything available then at that point, I don't believe. I'm sorry to refer again to what I'm saying. I'm in a general discussion here about what evidence this guy has so that I'm able to answer any questions that might come up at a later date with my news desk.
Page 81
Q. Well, you use the words "Have you got anything available now", don't you?
A. Sorry, at what point is that?
Q. It's the third line of the paragraph beginning "Exactly, so..."
A. According to this transcript, I do, but I'm just saying that I'm not sure whether I meant at that point does he have anything available. What I'm saying is that I was involved in a discussion to see whether -- the full extent of the information it was that he had.
Q. It seems natural that the meaning of that is you were asking him that, but we'll move on because immediately underneath what you're saying is to the effect that you would still be interested in a relationship with Mr Atkins as a source even if the nurse wasn't prepared to produce documents; you just warn him that in those circumstances, if there was a denial, you wouldn't be able to publish. That's right, isn't it?
A. We hadn't really got into the realms of discussing stories of which we were or were not going to publish.
This was a meeting that we were asking to discuss what the information was that he had, so I wouldn't really seeing it in them terms at all.
Q. Mr Owens, how else do you explain the words: 
"... 'Well, I am happy to tell you who has had the surgery, but I will never, under any circumstances, produced any documents', then fine, just let me know, and we might get to the position, unfortunately, where they deny it and we can't run it."
It's self-evident, isn't it, that what you were telling Mr Atkins is that even if his source wouldn't produce documents, you were still interested?
A. Interested in what?
Q. Having the information, but that the problem would be that if there was a denial, then you wouldn't be able to publish.
A. I don't think that's -- I don't think that's what I thought at the time. Again, because it's so long ago, I can't sit here and tell you what was going through my mind at all. So it's difficult for me to answer that, really.
Q. The nub of it will is that you were expressing an interest in having confidential medical records, and if you couldn't have those, you would settle for simply being told who had had what surgery?
A. I don't believe that to be the case. What I was doing was trying to get clear in my mind the information and evidence this guy had.
Q. Move over the page, please, to page 6, right at the top. I'm going to pick up from the second line.
A. Sure.
Q. "Look, this is how it works. Sometimes they are going to need a little bit more as agents are not going to roll over, so it may be we can get this done in one. If you can get a document -- if you -- if you have got in mind a person or persons you think are the most interesting, just ask her what she can get hold of. If she can't get hold of anything, or if she's not happy, then fair enough."
So here you're actively encouraging Mr Atkins, aren't you, to see if he can get his source to obtain a document?
A. I don't think I'm actively encouraging him. What I'm doing, as I've said, is trying to work out in my own mind at that time how far this chap was saying he was going in this situation. I mean, I -- you know, I might just say that at another part of this transcript, Mr Atkins makes clear that he's going to go and get the young lady drunk in order to get the information out of her. So it was a very odd situation, Mr Barr, and what I was trying to do was trying to get clear in my mind what was going on, so I would have a full assessment of the situation.
Q. Mr Owens, if the words, "Just ask her what she can get hold of" aren't active encouragement, just what is?
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Q. Can we go to paragraph 76. You say: "That's it. We need obviously names, when it happened, possibly where it happened for us, just for our own -- so we can assure ourselves that we are dealing with all the information and stuff which won't be disclosed and any documents that your source can get, and then money-wise -- I mean, it is difficult."

So that's your wish list, isn't it: names and substantiating information, documents?

A. It wasn't my wish list at all. My wish list was to try and get my head clear on what the information was that this chap was offering and that was it.

Q. Over the page at paragraphs 79 and 80, you start talking again about timing. You say: "It may be that one of them's a consultation, that they're not having anything done for a month or something. So you might say, 'Well, let's just wait for a month until that's done', and I think that might be the case with the band. I think that is the case."

Sorry, that was Mr Atkins, and you say: "That's fine. If it will work better, if we can wait then, I'm fine with that. There won't be the situation where I go up and say, 'Oh, I met this guy and he told me this', because then there'll be pressure to run it, if it's good, so that won't happen. Don't worry about that. It's just basically as far as they're concerned, I met up with someone, we're just -- let's see how things go, which is basically the case anyway. So don't feel rushed by it."

That explains, doesn't it, why you didn't mention the matter to your news desk after this meeting, because you had wanted to wait?

A. That's certainly not the case. Parts of this element of the conversation made clear what I've said to you previously, in that I saw this just as very much a meeting with somebody where I was trying to get to the bottom of what was happening. My statement makes clear that -- the reasons why I didn't tell my news desk about it.

Q. Can we move on now to page 9. In this part of the conversation you're moving on to names. This is where Mr Atkins starts telling you what he says his source can do, but you're coming up with a strategy for dealing with the information by publishing the stories with gaps, aren't you?

A. I don't know what active encouragement is or isn't in this situation. What I'm saying is quite clear, that I was trying to get clear in my mind what this chap had to offer in the information he had, and that's why I was engaging in the conversation I was.

Q. Can we move to paragraph 72, please.

A. Sure.

Q. Here you start talking about how to make a relationship with Mr Atkins work in the longer term. You are talking about publishing everything all at once or in close sequence one after the other, and you say: "It would be a disaster. So what I would say to you would be just to go for two or three and then have a gap, a big gap, like. I reckon that if you've got consultations, then that kind of takes care of itself, as you say. Right. We will try and do that story when they come in."

Below that, the next time you speak:

"If you get a picture of Fern Britton coming out of your mate's clinic, you end up writing sort of speculative stuff saying, 'What is Fern having done?' and that is quite weak, really. That is what I think personally. This is why --"

Mr Atkins says:

"Yes."

You say:

"People will go: 'She's a celeb. She might be going to have a look at -- she might be having botox, might be having anything.' What you need is -- in my opinion, you need a big celebrity who is having something big done. I don't know whether you have got any gastric bands on your list, but that would be best. They are the best stories."

So you're clearly explaining to him that what you would be most interested in is a number of stories about big celebrities. You're telling him what sort of procedures most interest you -- gastric bands -- and you're coming up with a strategy for dealing with the information by publishing the stories with gaps, aren't you?

A. I'm certainly not coming up company a strategy. What I'm doing is engaging in a conversation with somebody. You know, as journalists, you do often have to listen and go along with what people say in order to keep their interest, and I believe that's what was happening in this particular part of the conversation.

Q. You're going into very particular details, aren't you, about a future strategy for publication?

A. But we didn't publish any stories, and moreover, as soon as I left the meeting, nothing further happened at all.

So there was no strategy.

Q. Can we go to paragraph 78. You say: "That's it. We need obviously names, when it happened, possibly where it happened for us, just for our own -- so we can assure ourselves that we are dealing with all the information and stuff which won't be disclosed and any documents that your source can get, and then money-wise -- I mean, it is difficult."

So that's your wish list, isn't it: names and substantiating information, documents?
say. I should just point out that, of course, these are all fabricated stories.
A. Yes.

Q. First of all, second paragraph:
"Well, one of Girls Aloud."
And then he says that it was a boob job consultation. He says that Hugh Grant has had a bit of a face tuck, Rhys Ifans has had a tummy tuck, Guy Ritchie, chemical peel, and then that they turned down Trudy Styler.

Your reaction, if we pick it up at paragraph 112, you say:
"I'm not sure we could run that story, as it would be too obvious where it had come from."
Mr Atkins says:
"Yeah, yeah."
So the reason there that you're not interested in what he says to say about Ms Styler is simply because it would disclose your source if you, the newspaper, published that story?

A. I don't think it was. I think, re-reading this, that's just -- I don't think Trudy Styler would be a name that our newspaper would be interested in, anyway. But obviously this isn't a story that we published, so...

Q. If we go to paragraph 113, you take stock. You say: Page 89

"So, just running through: Trudy Styler, we can forget. Guy Ritchie, probably forget. Rhys is quite funny, but dunno. Hugh, need to check. Real potential. Girls Aloud is potential. Very, very good story. Depends who it is. If it's Cheryl, then it's massive. With Cheryl, you can expect a big pay. That makes it less dodgy for your source. It's almost worth the wait till she's had it done. Have they had it done or is it just a consultation?"
It's quite plain from that that you think that the story about Hugh Grant and the story about Cheryl Cole are potentially very good stories and you're plainly excited about them?

A. Not excited. He just reeled off a series of very bizarre stories and I was reacting to them. There was no Cheryl Cole story.

Q. You can on to press him about whether it was Cheryl and you're told that in fact it's Nicola, aren't you?
A. That's what he tells me, yeah.

Q. You say at the bottom of page 9:
"Now, Nicola, that is still a good story. That is the best one, Nicola, and Gemma [that's Gemma Atterton, isn't it]. The other three are like maybes, but definitely not Trudy. So you would be looking at Gemma. Gemma is dodgy, as she has not had it done, so we would almost have to wait. They are both consultations, so we would have to wait. That makes sense."
So the position is that the two stories you're most interested in, Nicola Roberts and Gemma Atterton, are stories you're going to have to wait for because you've been told the work hasn't been done? Is that right, isn't it?

A. Can you just repeat the question, please?
Q. The position is the stories that you're most interested in, Nicola Roberts and Gemma Atterton, are stories that you're going to have to wait for, because they're both at the consultation stage and haven't had work done?
A. I haven't made any judgment at all on what was a good or bad story from this. I was simply listening to the information that it was that he had, and -- I mean, I know you've not pointed any of this out yet, but I do take great time in other parts of the meeting to explain to Mr The Atkins that -- you know, the very sensitive nature of everything he was saying to me and that we would need to have some strong public interest justification in moving forward with any of it.

Q. We've been through the extreme sensitively passage.
We've been through a discussion of public interest, but here you are positively analysing the information that he's giving you and saying that you would have to wait. Page 90

Those are your words, aren't they?
A. I'm reacting to a string of stories that have just been thrown at me there by somebody. I don't see it as any more than that, really. It's certainly not my final conclusion on anything that was happening and we didn't go and do anything with the information that he was saying to me.

Q. On the question of public interest, what we see you say next on page 10 -- it's the first time that he see a paragraph starting with N:
"I think Rhys is funny, because, you know, Rhys Ifans wanting a tummy tuck is a very funny story. Then again, is it justified in the public interest? That's the problem. We could get away with Gemma Atterton -- that's massive. Good story that, because, as you see, she does not need one. You have got to ask yourself: why? Why is she bothering? That age, as well. So that's all great."
So your conclusion on the public interest seems to be that with Gemma Atterton, a cosmetic surgery is a massive good story?
A. It's not a conclusion. I mean, as that stream of that -- that little bit of text shows, it was more almost what was going through my mind, the thought process that I was saying to him there. As he was...
sitting there, I was just reflecting upon what he'd said. I hadn't drawn a final conclusion on anything.

Q. You're certainly not saying there's no possible public interest in publishing a story about Gemma Atterton's cosmetic surgery, are you?

A. I'm not saying that, but I'm trying to engage with the person. When you do meet people, you have to listen and go along to a certain extent about the things they're saying, just to keep their interest.

Q. And you go on keeping him interested by talking about money, because you next say:

"Think you are looking to get over 3 grand minimum. That is a start."

Then you explain to him how it works from the money side of things.

If we move to paragraph 120, you confirm to him that the numbers you're talking about would be per story, and then you say:

"The Rhys thing, I like that story a lot, actually, but I wonder whether it is worth it if you do too many. Do you know what I mean?"

Then you carry on:

"Hugh is good as well, but I would need to find out whether that would be right or not."

"With Gemma Atterton, it is slightly more tricky to stand up the story and to obtain it."

We are talking about kind of celebrities we rarely need to deploy the information at all; you'd just use it medical information, wouldn't it? Because you wouldn't have to find out what he's had done. Is that so obvious it goes without saying you can't see it because it's a consultation for a gastric band and

Q. If we go over the page to page 11, paragraph 125. You talk about the way in which the paper approaches stories about breast enlargement. You say:

"If it's a boob job, then that goes without saying."

A. I wasn't suggesting the paper go off and do anything at all, and indeed we didn't.

Q. That would be a surreptitious use of this confidential medical information, wouldn't it? Because you wouldn't have to deploy the information at all; you'd just use it to stand up the story and to obtain it.

A. That wasn't anything that was crossing my mind at the time, from my recollection.

Q. You carry on in that paragraph:

"With Gemma Atterton, it is slightly more tricky because it's a consultation for a gastric band and obviously it goes without saying you can't see it because then we do have to go to her. With her, we might need some documents. We need to know when it happened with the others. Hugh's had it done already,"

doors are fucking AA list, but what I was slightly concerned about, to be honest -- I was worried that you might come here and talk to me about someone from Steps or something."

Then Mr Atkins says:

"They might have, but I --"

And you interrupt:

"We are talking about kind of celebrities we rarely get stories about because they're so well protected, but you are in a really good situation, personally, to have that sort of story, and that is why I am keen to keep talking."

That was the position, wasn't it, that here you were being offered information which you thought was dynamite celebrity information?

A. I didn't believe it was dynamite celebrity information. I was simply there to try and work out what the information was.

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run that story, do the before and after pictures -- because what you do with boob job stories is: has she or hasn't she had a boob job? And we know she has, which means I can write it quite strong."

So what you're postulating there is if you have an inside source telling you before the work has taken place about a breast enlargement process, you can arrange for the paper to take before and after photographs and you can write a story very strongly because you know what the true position is.

A. I wasn't suggesting the paper go off and do anything at all, and indeed we didn't.

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<td>1. so I need to work out if he has ever said anything and work out how we can run.&quot;</td>
<td>1. bigger tits, we can easily say she has had a boob job and we would be all right. Gemma Atterton, we'll need, if possible, some documentation. The thing so say to your friend is: &quot;What did you get?&quot; Because the more the better, really. If she can't get anything, then fine.&quot;</td>
<td>1. this guy was up to. So I needed to be in full possession of the facts.</td>
<td>1. (Pages 97 to 100)</td>
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<td>2. And so again we see another reference -- we've come to similar references before -- warning Mr Atkins that you might need documents in some cases. It seems that you were very keen on the possibility of getting documentary proof, weren't you?</td>
<td>2. Mr Atkins says: &quot;She is be a administrative nurse. That's the thing. So she probably can.&quot;</td>
<td>2. Q. Let's examine that a little bit. You've told us that in fact you set off to meet Mr Atkins without talking to your news desk at all?</td>
<td>2. 25 (Pages 97 to 100)</td>
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<td>3. A. No, I was very keen to try and work out what Mr Atkins was involved in and trying to ascertain what it was.</td>
<td>3. And you say: &quot;If she can, yeah, get a document on everything.&quot;</td>
<td>3. A. No, I said to them I was off to meet someone.</td>
<td>3. Merrill Legal Solutions <a href="mailto:casemanagers@merrillcorp.com">casemanagers@merrillcorp.com</a> 8th Floor 165 Fleet Street London EC4A 2DY (+44) 207 404 1400</td>
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Mr Barr: Let's just assume for a moment that that was running through your mind. If we go over the page to page 12, where you're continuing, a paragraph that starts "If she can, yeah, get a document on everything":

"With Rhys -- if you want to do Rhys, ask her to get something on Rhys."

Then you go on to say that you're going to have to read back on Hugh over the next couple of days. Why, if you were having qualms about his methods, were you positively encouraging this man to get a nurse drunk so that she could get as many documents as she could, including specifically about Rhys Ifans, and telling him that you were going to have to read back on Hugh Grant?

A. I wasn't positively encouraging Mr Atkins to get her drunk. He was --

Q. No, that's not what I said. That wasn't the question.

A. Right.

Q. Why were you positively encouraging this man to get her drunk and obtain the note, because you're telling him:

"Ask her to get something on Rhys, get a document on everything"?

A. The meeting was coming to an end and the point I'm trying to make here was as we drew to the end of the meeting, alarm bells began to ring, especially when he repeated the fact that he wanted to get her drunk again, this was a guy we may want to be investigating.

Q. Isn't the true position that you were very happy about the methods that were proposed; all you wanted was to get the information?

A. That's not correct.

Q. If we go over to page 13, we see that again you start planning for the long term. Paragraph 144. You say --

"Yes, I could see the thing being one every six weeks, six months, every year, something like that, and more people are going to come through the doors and you can also tell us who you want to look out for."

And you say:

"Yes, that is a good point for you, for the celebs, think around telly, TV, Eastenders, Coronation Street, the big ones, the big programmes. Obviously people like film stars. Goes without saying. Ramsay is huge. I'll just give you the top five celebs: Becks, he is not going to go there, Ramsay, Lewis Hamilton, Linacre is big and just TV."

You go on then to talk money again, couple of lines below:

"10 to 15, which is a lot of money for a good story."

So even here, towards the end of the conversation, you're actively discussing with him which celebrities you're interested in and talking about a long-term strategy, aren't you?

A. I'm just engaging with him, and for several points in this meeting he was mentioning money, so I was just engaging with him, and as I've said in my statement and said here, as a journalist you do sometimes have to, when you're meeting people, go along with them a little bit and in order to engage with them.

Q. If you turn to the very last page, page 14 --

A. Yes.

Q. -- it says:

"Subsequently Nick Owens made several phone calls to my mobile phone, leaving messages explaining they were very keen on running the story."

It's right, isn't it, that you did telephone Mr Owens and left messages for him?

A. I don't recall making several phone calls. Obviously it was a long time ago. I think I made two phone calls.

Q. The first one being that -- you know, bear in mind Mr Atkins was extremely nervous throughout this meeting. As you'll see, at one point he spilt a cup of coffee over his trousers, and we also agreed to talk at the end of the meeting, he asked me to ring him, so I was
honouring that. And then on the second occasion that I rang him, it was just to see how he was and if he was still okay. As a journalist, I feel you have a duty of care to do that if you're meeting someone who sounded a bit nervous about things.

Q. Isn't the real position that you were interested in following up this information which you had been offered?

A. No. I mean, by that point I'd come to a conclusion that it was very unlikely we would be able to do anything with Mr Atkins at all.

Q. You say in your witness statement that by this stage you'd looked at the PCC code?

A. Yes.

Q. Had you really had to look it up?

A. No, it's not a case of looking it up. Obviously all stories are different and all situations are different, so, you know, when I came back from the office, obviously I was reflecting upon what had happened. Very unusual set of circumstances, as I've said, a man offering to get a young lady drunk to obtain information, and I just in the cold light of day looked at the PCC code again and realised it was very unlikely we'd be able to do anything at all apart from perhaps again looking at the possibility of exposing Mr Atkins.

Q. It's right, isn't it, that after you'd met Mr Atkins you didn't mention the matter to the news desk?

A. I didn't.

Q. If you had been contemplating a sting, you would have done so, wouldn't you?

A. I would have done, if I was contemplating -- I was contemplating a sting, but, as I've said in my statement, the more sort of pressing matter in that particular week was that after meeting with Mr Atkins I became involved in a very big story about a mother-of-two who had been jailed in Dubai, wrongly jailed, we had information to suggest, which ended up being the front-page story for us that particular week, so I became quickly involved in another story and I decided that it was a better allocation of my time to work on that than spend any more time on this.

Q. Isn't the true position that the matter didn't go forward because Mr Atkins didn't return your calls and didn't in fact ever come up with the goods?

A. That's not right at all.

Q. What did happen, though, in October 2009, is the film Starsuckers was released, and at that point the matter came to the attention of your editor, Ms Weaver.

A. Yes.
Self. Did you in fact write this article?
A. No, I didn't.
Q. Did you have anything at all to do with it?
A. Apart from moving it across to the next stage in our production process, no.
Q. Why then does it have your byline?
A. I mean, as my editor has explained, that was a production error.
Q. And is this sort of thing common at the Sunday Mirror?
A. I'm not able to say. I don't -- it's not my job to keep a record of things like that.
MR BARR: Thank you, Mr Owens. Those were all the questions that I had for you.

LORD JUSTICE LEVESON: Thank you very much. Thank you.
MR BARR: Sir, we've finished the witnesses that we have this morning. I think that Mr Dacre is going to be available at 2 o'clock.
LORD JUSTICE LEVESON: Right, 2 o'clock. Thank you.
(12.44 pm)
(The luncheon adjournment)
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