1		1	Q. Did you not have knowledge of that at the time, though?
2	(1.45 pm)	2	A. I had knowledge that in April 2010 that
3	MR JAY: Mr Pike, Mr Silverleaf's opinion is dated 3 June	3	a surveillance was being carried out on Mr Lewis and
4	2008. Am I right in saying that in the first instance	4	Ms Harris. I didn't have any knowledge of the detail of
5	it was sent to your firm?	5	that.
6	A. That's right.	6	Q. But you did have knowledge, did you not, as a matter of
7	Q. Can you recall to whom you then sent the opinion within		fact, that one particular private investigator, Mr Webb,
8	your client?	8	had been paid by NGN or NI, or have I misunderstood what
9	A. Tom Crone.	9	you're saying there?
10	Q. Pardon me?	10	A. I think you misunderstand. I didn't know Mr Webb even
11	A. Tom Crone.	11	existed in 2010.
12	Q. You sent it to Mr Crone. Did you discuss its contents	12	Q. But you knew that two lawyers were under surveillance;
13	with Mr Myler?	13	is that right?
14	A. No, I don't think I did, no.	14	A. That's right.
15	Q. Did you discuss its contents with anyone else within	15	Q. Under surveillance by who?
16	News International apart from Mr Crone?	16	A. By the News of the World. I didn't know who the
17	A. No, I don't think I did, no.	17	individual was who was doing it.
18	Q. So you would not be in a position to assist the Inquiry	18	Q. But didn't you think that it must have been a private
19	one way or the other as to who within News International	19	investigator who was carrying out the surveillance in
20	saw that opinion?	20	2010?
21	A. No.	21	A. Not necessarily, no. It could quite easily have been
22	Q. Is that correct?	22	two or one freelance journalist.
23	A. That's right.	23	Q. Oh, right. Can I just explore that in a little bit more
24	Q. Can I ask you, please, about a separate matter, namely	24	detail, Mr Pike? In April 2010, you were aware that two
25	private investigators, please? First of all, in your	25	lawyers had been placed under surveillance for
	Page 1		Page 3
1	first witness statement, paragraph 14, which is our	1	a particular purpose; is that correct?
2	page 01313, you say, under paragraph 14:	2	A. That's correct.
3	"To the best of my knowledge, the firm has not	3	Q. Did you not have more specific information, without
4	advised NGN or NI on retaining private investigators in	4	knowing the identity of the investigator, that it was
5	order to source information for articles, nor has it	5	a private investigator as opposed to a journalist?
6	advised either company generally on the legality of	6	A. No, I don't think, I did, no.
7	paying police officers, public servants et cetera."	7	Q. Okay. But it's the sort of task, would you not agree,
8	So you're making it clear there that your firm has	8	that a private investigator might be asked to undertake
9	not advised News International on retaining private	9	rather than a journalist, since after all it's outside
10	investigators specifically in order to source	10	the realm of what a journalist normally does, don't you
11	information for articles; that's correct, isn't it?	11	think?
12	A. That's right, yes.	12	A. In my experience, it's perfectly possible for both.
13	Q. You weren't intending to go any wider than that, were	13	Freelance journalists are able to carry out this
14	you?	14	exercise as much as a private investigator.
15	A. No, that's what I said.	15	Q. Paragraph 18. You say:
16	Q. In paragraph 15, you say:	16	"On a few occasions, the firm has instructed private
17	"Save for that which I set out below, I do not have	17	investigators on the instructions of NGN in respect of
18			
	knowledge as a matter of fact that private investigators	18	matters arising in individual cases in which we have
19	have been paid by NGN or NI or of either company having	19	represented NGN."
19 20	have been paid by NGN or NI or of either company having connections with private investigators."	19 20	represented NGN." So you're not intending there, are you, to be
19 20 21	have been paid by NGN or NI or of either company having connections with private investigators." Do you stand by that sentence?	19 20 21	represented NGN." So you're not intending there, are you, to be covering the surveillance of two lawyers?
19 20 21 22	have been paid by NGN or NI or of either company having connections with private investigators."Do you stand by that sentence?A. Yes, I do, yes.	19 20 21 22	represented NGN." So you're not intending there, are you, to be covering the surveillance of two lawyers? A. No, it's a general statement that sometimes in cases
19 20 21 22 23	have been paid by NGN or NI or of either company having connections with private investigators."Do you stand by that sentence?A. Yes, I do, yes.Q. Even in relation to the surveillance of two lawyers	19 20 21 22 23	represented NGN."So you're not intending there, are you, to be covering the surveillance of two lawyers?A. No, it's a general statement that sometimes in cases it's necessary to instruct private investigators to do
19 20 21 22 23 24	have been paid by NGN or NI or of either company having connections with private investigators." Do you stand by that sentence?A. Yes, I do, yes.Q. Even in relation to the surveillance of two lawyers which took place in 2010?	 19 20 21 22 23 24 	represented NGN."So you're not intending there, are you, to be covering the surveillance of two lawyers?A. No, it's a general statement that sometimes in cases it's necessary to instruct private investigators to do certain jobs for you. I've explained some of those
19 20 21 22 23	have been paid by NGN or NI or of either company having connections with private investigators."Do you stand by that sentence?A. Yes, I do, yes.Q. Even in relation to the surveillance of two lawyers	19 20 21 22 23	represented NGN."So you're not intending there, are you, to be covering the surveillance of two lawyers?A. No, it's a general statement that sometimes in cases it's necessary to instruct private investigators to do

1 (Pages 1 to 4)

1	Q. Your second witness statement, paragraph 5, please.	1	surveillance?
2	I don't have the ERN number for this.	2	A. That's correct.
3	A. It's all right, I have it.	3	LORD JUSTICE LEVESON: Wouldn't you have been somewhat
4	Q. You ask more specific questions about surveillance and	4	concerned about that, Mr Pike, to make sure they didn't
5	then you say in paragraph 5:	5	overstep the bounds of what you considered were
6	"For a number of reasons, by the early part of 2010,	6	appropriate?
7	I had concerns, which had accumulated over the previous	7	A. That's a very reasonable observation in hindsight with
8	months, that Ms Harris and Mr Lewis may be exchanging	8	what we know now. At the time, I thought it perfectly
9	highly confidential information gained from acting for	9	obvious what the bounds of that investigation was meant
10	claimants (and Mr Taylor in particular) in cases against	10	to be, and one I'd hoped at the time anticipated
11	NGN in order to assist other clients in bringing further	11	at the time that News of the World would be able to
12	actions against NGN."	12	carry out what was, frankly, a very straightforward job
13	In paragraph 6:	13	of surveillance as regards Lewis and Harris.
14	"I shared those concerns with NGN and in March 2010,	14	MR JAY: I want to ask you a little bit more about that.
15	I suggested we should consider again whether Ms Harris	15	It's of its nature somewhat unusual for two lawyers to
16	and Mr Lewis were in a position to continue acting.	16	be placed under surveillance; would you agree?
17	I also mentioned surveillance."	17	A. I absolutely agree, yes.
18	Pausing there, who did you mention surveillance to?	18	Q. And the purpose of doing this and you cover it in
19	A. That was in an email that I sent to Mr Crone.	19	paragraph 8:
20	Q. I think it's the email of 26 March?	20	"If it were established by these enquiries that
21	A. That's right.	21	Ms Harris and Mr Lewis were in an intimate relationship,
22	Q. But I just wanted to check.	22	this would not of itself have proved that they had
23	"I was instructed by NGN on 5 May 2010 to engage	23	improperly shared any confidential information but it
24	private investigators to conduct a review."	24	could well have provided circumstantial support in
25	So of course one is moving forward in time about	25	evidence."
	Page 5		Page 7
1		1	I at a second second with the set that is at far the
1	seven or eight weeks, but you're making it clear there,	1	Let's assume you're right about that just for the
2	in the next two sentences, that that was a review by	2	purposes of argument. The sort of surveillance, though,
2 3	in the next two sentences, that that was a review by a private investigator of documents which were in the	2 3	purposes of argument. The sort of surveillance, though, which we are talking about here would have to be of
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2 (Pages 5 to 8)

1	common in the business?	1	Again, that's something unknown to you?
2	A. Absolutely. But I don't think it automatically follows	2	A. Yes, absolutely.
3	that on each occasion there's a surveillance exercise	3	Q. The email we were talking about a little bit earlier on,
4	that it's always going to be a private investigator.	4	dated 26 March 2010, is at page 22. If I could ask you
5	MR JAY: Just to explore your state of mind, didn't you	5	to look forward to that, please, Mr Pike.
6	think it, at the very least, possible that a private	6	A. I have it.
7	investigator might be carrying out the surveillance	7	Q. It's from you to Mr Crone. Under the heading
8	exercise?	8	"Solicitors", top of page 23:
9	A. It's certainly possible, yeah.	9	"I think we should look again at preventing JMW"
10	Q. And is it your evidence that at the time you did not	10	That's Ms Harris' firm, isn't it?
11	enquire further into what was going on and indeed the	11	" and Stripes [that's Mr Lewis' firm] from
12	propriety of it?	12	acting. They will both continue to be deeply
	A. That's correct.	12	• • •
13			untrustworthy, continuous leaks to the Guardian, and the
14	Q. Your third witness statement doesn't take the matter	14	potential cost-savings of JMV acting did not exactly
15	much further, but I should ask you, therefore, about the	15	materialise in Clifford. I think we should go and get
16	supplemental witness statements of Mr Lewis and what	16	an expert review on the question of conflict."
17	appears at the back of that statement, which is at the	17	Then you suggest going to leading counsel at
18	back of your tab 2. You'll see there, I hope, the	18	39 Essex Street, Mr Treverton-Jones, Queen's Counsel.
19	document which is headed, "Report 3". Are you with me,		"I've not mentioned to Taylor's lawyers that Lewis
20	Mr Pike?	20	has appeared acting for Phillips, but I strongly suspect
21	A. I am, yes.	21	Taylor may want to hand this to the SRA complaint he's
22	Q. Could you help us, please, with the authorship of this	22	made against Lewis."
23	report?	23	So you were aware that Mr Taylor had complained to
24	A. I can't. The first time I saw this document was	24	the Solicitors Regulation Authority about Mr Lewis and
25	yesterday afternoon when it was given to me by the Page 9	25	that was something that you felt you could contribute Page 11
1	Inquiry.	1	to; is that right?
2	Q. Thank you. Can I ask you, please, about page 5 of the	2	A. Mr Taylor well, his lawyers contacted us partially
	report on the internal numbering of it, under the	_	
- 3	report on the internal numbering of it, under the	3	
3		3 4	because he needed to be released from his
4	heading "News of the World strategy". Maybe to put it	4	because he needed to be released from his confidentiality agreement in order to both instruct
4 5	heading "News of the World strategy". Maybe to put it in context, forgive me, Mr Pike, if we could go back to	4 5	because he needed to be released from his confidentiality agreement in order to both instruct Brabners and to take his complaint forward. So they
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3 (Pages 9 to 12)

1	purpose of providing the information to Linklaters, but	1	A. That's right.
2	can you help us as to why the letter was written?	2	Q. But paragraph 7, please.
3	A. Yeah. I think by the beginning of September and	3	"We advised [that presumably is Farrers advised]
4	you've got sight of the answer at tab 4 in my bundle	4	Tom Crone in making the enquiries early in 2010. When
5	there had been some coverage of the fact that I think	5	instructed by him to do so, we reported back to him on
6	it was probably the three solicitors, Lewis, Harris and	6	the information provided by the PI."
7	Thompson it had been made public that they were all	7	Could you assist us as to what that might be
8	put under surveillance and therefore we were asked what		a reference to?
9	we knew about that.	9	A. I think that's a reference to what you've seen already.
10	Q. Fair enough. This is covering, in the main, the	10	You've got the email of 26 March and we then
11	instructions which were given to a firm called Tectrix	11	I appreciate it might seem to be a relatively long
12	in May 2010. They covered public domain information,	12	period of time. An awful lot was happening between sort
12	didn't they?	12	of March and beginning of May, but beginning of May, we
13 14	-	14	
	A. That's right.		are given those instructions to proceed with those
15	Q. Can I ask you about one sentence at the end of	15	limited enquiries and we make those searches. And as
16	paragraph 1 of this letter:	16	you know, I think we reported back about ten days or so.
17	"Julian Pike's email, dated 20 April 2010, refers to	17	Maybe not quite that long, but a few days later after
18	the paper renewing their surveillance and so he believes	18	the enquiries had been made.
19	he must have been told something about the surveillance	19	Q. We know that you obtained advice on behalf of your
20	of Lewis and Harris, but he does not recall whether he	20	client from leading counsel on 13 May 2010?
21	was told by Ian Edmondson or Tom Crone."	21	A. That's correct.
22	Can you assist us further as to what you might have	22	Q. The attendance note we see at page 7. Did you seek
23	been told about the surveillance, in particular who was	23	advice from him as to the propriety of any surveillance?
24	carrying it out?	24	A. He was aware that I think it's right in saying he was
25	A. As you've seen, I sent an email on 26 March suggesting	25	aware that surveillance had been carried out, but
	Page 13		Page 15
1	that there should be surveillance of the two of them.	1	cortainly there was no suggestion whatsoover from him
1		1	certainly there was no suggestion whatsoever from him
2	I know that having seen an email of 20 April, that	2	that what was being undertaken was wrong, as it wasn't.
3	Mr Crone told me on that date that they were renewing	3	Q. So is it your evidence to this Inquiry that you were
4	the surveillance. I don't have specific memory for the	4	aware, in general terms, of the surveillance being
5	intervening period, whether or not I had a another	5	undertaken this is before the surveillance your firm
6	conversation with Mr Crone about that surveillance	6	itself commissioned on 5 May 2010 but you weren't
7	operation, but obviously with my notes mentioning	7	
8			aware of who was undertaking it. In particular, you
	"renewing surveillance", it is perfectly possible that	8	weren't aware that a private investigator was
9	there was a conversation between 26 March and 20 April	9	weren't aware that a private investigator was undertaking it as opposed to a journalist?
9 10	• • • •	9	weren't aware that a private investigator was
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4 (Pages 13 to 16)

		-	
1	the issue was we wanted to look at getting to the bottom	1	Q. Is it your evidence that you were unaware until it was
2	of that and dig around and put together a jigsaw of what	2	quite widely publicised two months ago that Mr Webb was
3	was going on.	3	systematically carrying out surveillance on behalf of
4	In that context, it was a perfectly legitimate	4	News International and NGN?
5	exercise to carry out the enquiries that were carried	5	A. Correct.
6	out through the firm of investigators that we	6	MR JAY: Thank you. Those are all the questions I have for
7	instructed, and in terms of carrying out the	7	you, Mr Pike.
	surveillance operation on Mr Lewis and Ms Harris, that	8	A. Thank you.
8	*	9	MR SHERBORNE: Sir, there is one matter I would like to
9	also was a perfectly legitimate exercise to do.		
10	Carrying out exercises in relation to Mr Lewis's	10	explore with Mr Pike in relation to a document he has
11	family I could not condone at all because it served	11	just been shown. I don't know whether, sir, you will
12	no purpose. Entirely irrelevant.	12	give me permission to do so.
13	Q. In order to reach that judgment that it was a perfectly	13	LORD JUSTICE LEVESON: Which document is that?
14	legitimate exercise, wouldn't you have to know more	14	MR SHERBORNE: It's the attendance note of the conference
15	about the nature of the surveillance which was being	15	with Mr Treverton-Jones.
16	undertaken and the degree of intrusion which it might	16	LORD JUSTICE LEVESON: And you want to analyse page.?
17	entail?	17	MR SHERBORNE: I obviously don't have the bundle that you
18	A. No. If it was being done properly, then you wouldn't	18	have
19	it wouldn't be a hugely intrusive exercise at all	19	LORD JUSTICE LEVESON: No, no, the page within the document
20	because the individuals involved would be only on public	20	MR SHERBORNE: The page within the document is it's the
21	property, only carrying out surveillance from that	21	first page, the front page, the record of attendance.
22	vantage point. They're not going, for example, into	22	LORD JUSTICE LEVESON: Yes.
23	somebody's house or into a building. So I I have no	23	MR SHERBORNE: I don't know whether it's possible to have
24	concerns about instructing a firm of investigators to do	24	the top of that document on screen so everyone can
25	that exercise. I agree, clearly things have gone beyond	25	follow. It's, I think, page 7 of tab 4 of Mr Pike's
	Page 17		Page 19
1	that which was legitimate, but there was a perfectly	1	bundle. I don't know whether the technician has the
	legitimate exercise being carried out and clearly	2	technician doesn't have the bundle.
2		3	Sir, do you have a copy in front of you?
3	someone has strayed beyond that remit.		
4	Q. But you're investigating two lawyers. The purpose of	4	LORD JUSTICE LEVESON: I do. I don't particularly want to
5	the investigation is to see whether there is	5	give you my bundle because then I don't have it.
6	a relationship between them. Although the investigation		MR SHERBORNE: I can hand up a clean copy, actually.
7	might be carried out only from public property, it still	7	LORD JUSTICE LEVESON: All right.
8	carries with it serious Article 8 implications at the	8	MR SHERBORNE: It's just the top of the page. (Handed)
9	very least; wouldn't you agree?	9	It's just the top part.
10	A. Article 8's not an absolute right, I have to say. That	10	A. Thank you very much.
11	has to be balanced with other interests. I say now that	11	Questions by MR SHERBORNE
12	if I was faced with the same circumstances today, I'd	12	MR SHERBORNE: Mr Pike, this is an attendance note made by
13	have very little trouble doing it again because it's	13	your firm on 13 May; is that right?
14	a perfectly legitimate exercise.	14	A. Correct.
15	Q. But in order to ensure that it's being carried out	15	Q. If we just look at the top of that, we have a client
16	within reasonable constraints, you would want to be	16	there. That's your client, isn't it, News Group
17	satisfied of the instructions given either to the	17	Newspapers Limited?
18	journalist or the investigator to make sure that they	18	A. That's correct.
19	kept within proper boundaries. Wouldn't you agree with	19	Q. Can you help us with the number there, 8085? What does
20	that?	20	that refer to?
21	A. Well, that's easily said now, but I at the time,	21	A. That's the client number.
22	I would have and I did expect the News of the World to	22	Q. That's an internal reference to a client number? I see.
23	be able to carry out a very straightforward surveillance	23	Then we look at "matter" and we have a number of names
24	exercise without straying from what they were permitted		there. We have, for example, Sky Andrew. That was the
25	to do.	25	claim brought by Mr Andrew, Sol Campbell's agent,
	Page 18		Page 20
	<u>v</u>	L	<u> </u>

5 (Pages 17 to 20)

1 against News Group Newspapers; is that right? 1 A. Correct. 2 A. That's right. 2 Q. Were you aware that the application for the documents 3 Q. That's fight. 2 Q. Were you aware that the time, but I subsequently 4 voicemails? 4 A. Tas's correct. 8 6 Q. And Vanessa Perroncel, similarly a claim against your 6 Q. Are you aware of that yes. 7 client? 8 A. Umat's correct. 8 9 Q. And Nicola Phillips? 9 Q. The letters "AZP", do they ring a bell? 10 A. No she didnt. The source of the other features of that application, mamely that it was made anonymously? 11 D. Anot your of the other features of the application, mamely that it was made anonymously? 12 A. No, she didnt. The leads on to Vanessa Perroncel, initiant boot the rest. 10 A. No, whe didnt. These made a complaint about the there. 14 A. No, she didnt. The made a complaint about to rest. 13 Q. And it was made on 1 Jane. That was some 16 Detriet was made a that time, yes. 16 There weeks after this meeting? 17 A. Correct. 20 And as far as News Group's concerned, do you recall that intercept	l l			
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21 Q. And Andy Gray? 21 months later? 22 A. Yes. 22 A. That may be right. I haven't researched this. 23 Q. David Davies? 22 A. That may be right. I haven't researched this. 24 A. Yes. 23 Q. Would it be helpful form to show you the letter before 24 A. Yes. 23 Q. George Galloway? 25 7 Q. George Galloway? 25 A. Tom prepared to accept it if that's what you say, yes. 7 Q. Kelly Hoppen? 25 A. Tom repared to accept it if that's what you say, yes. 7 Q. Carerct. 1 Q. You see, what I don't understand, Mr Pike, is how, on 2 I may. It's right, isn't it, that Miss Miller we know 5 back and see if I could find the answer to it. Clearly 6 issued proceedings against News Group Newspapers for the 7 Q. Are you saying that you really have no recollection as 8 A. That's right. 7 Q. Are you saying that you recolly have no recollection as 9 Q. Can you recall that the first step taken in 11 Miss Miller's action was a Norwich Pharmical order, 14 wash'ti? 14 statrds? 15 <t< td=""><td>20</td><td>•</td><td>20</td><td>-</td></t<>	20	•	20	-
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23 Q. David Davies? 23 Q. Would it be helpful for me to show you the letter before 24 A. Yes. 24 A. Yes. 25 Q. George Galloway? 25 A. I'm prepared to accept it if that's what you say, yes. Page 21 Page 23 1 A. Correct. 25 A. I'm prepared to accept it if that's what you say, yes. 20 Kelly Hoppen? 25 A. I'm prepared to accept it if that's what you say, yes. 20 Kelly Hoppen? 26 A. I'm prepared to accept it if that's what you say, yes. 21 Q. Kelly Hoppen? 27 Page 23 22 Q. Kelly Hoppen? 28 A. I'm prepared to accept it if that's what you say, yes. 23 Q. Kelly Hoppen? 29 I don't understand, Mr Pike, is how, on 24 Q. Let me ask you about the Sienna Miller reference, if 4 A. I don't know the answer to it. Clearly 4 A. I don't know the answer to that question. I could go 5 back and see if I could find the answer to it. Clearly 7 Q. Ard you were involved as acting on behalf of News Group 9 in the record of attendance on 13 May? 10 N. As I just said, I don't have a recollection, sitting <t< td=""><td></td><td></td><td>22</td><td>A. That may be right. I haven't researched this.</td></t<>			22	A. That may be right. I haven't researched this.
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6 (Pages 21 to 24)

1	find out the answer.	1	What's the position, Mr Sherborne?
2	A. Right.	2	MR SHERBORNE: Sir, the version of Ms Harris's witness
3	MR SHERBORNE: I have no further questions.	3	statement I have doesn't contain any reference to that.
4	LORD JUSTICE LEVESON: Thank you. Mr Rhodri Davies, is	4	Mr Pike obviously has a different version.
5	there any issue of privilege? I'm not so sure there is,	5	MR JAY: I think it's an earlier version and that's why
6	as to this.	6	LORD JUSTICE LEVESON: What I am looking at is a signed
7	MR DAVIES: I can't imagine that there can be privilege.	7	version, so
8	LORD JUSTICE LEVESON: Right. You're not very far away,	8	A. Dated 28
9	Mr Pike, in Lincoln's Inn Fields.	9	MR SHERBORNE: I'm looking at a signed version too, and mine
10	A. That's right.	10	doesn't have it in it. Do you want to exchange
11	LORD JUSTICE LEVESON: I would be grateful if you could do	11	versions?
12	that.	12	LORD JUSTICE LEVESON: No, you can see mine. I'm perfectly
13	A. Can I raise one matter?	13	content to accept
14	LORD JUSTICE LEVESON: Please.	14	MR BARR: Sir, since I called Ms Harris, I think I can
15	A. Can I take you to the witness statement of Charlotte	15	clarify this. There was the signed version you have.
16	Harris, page 3, paragraph 19.	16	There was a subsequent signed version which omitted the
17	LORD JUSTICE LEVESON: Yes.	17	allegation about the letter, and that subsequent version
18	A. In that paragraph, Ms Harris has made a number of what	18	was the one which went into evidence, sir.
19	could be described as either serious or very serious	19	LORD JUSTICE LEVESON: Very good. So it is withdrawn,
20	allegations against myself in terms of what I have	20	Mr Pike.
21	supposedly said to her on the telephone and in a letter.	21	A. And is the allegation also withdrawn about the telephone
22	In relation to the letter, she suggests that I said	22	conversation?
23	to her in that letter that she would be committing	23	LORD JUSTICE LEVESON: You had better let me see the
24	career suicide. I have had the opportunity since this	24	original statement. Thank you very much. It's merely
25	witness statement was served on me to go and look at the	25	the last two sentences. So I record that you challenge
	Page 25		Page 27
1	correspondence to the relevant file and that claim as	1	that which Ms Harris says?
2	set out in that statement is untrue. I would invite the	2	A. I do. She's referring to a different case and the
3	Inquiry to suggest to Ms Harris that she goes back to	3	conversation relates to a conversation about her client,
4	look at the file and correct her evidence. I have the	4	not about her.
5	letter. I know exactly what it says. It does not say	5	LORD JUSTICE LEVESON: Right. Thank you very much. So
6	that of her.	6	there's just one bit of information we'd like from you
7	MR JAY: I think Ms Harris withdrew that part of her	7	and that relates to this title.
8	statement.	8	A. Yes, that's fine.
9	LORD JUSTICE LEVESON: Is that right? Well, I seem to be	9	LORD JUSTICE LEVESON: Thank you very much indeed. Thank
10	resolving many issues between many people during the	10	you, Mr Pike.
11	course of this Inquiry and it's only right that	11	MR JAY: Before I call the next witness, Mr Crone, I'd just
12	professional people have the chance to do that.	12	like to check that the bundles are in order. If I could
13	You have the letter to which you think she's	13	just be permitted a minute or so to do that.
14	referring?	14	LORD JUSTICE LEVESON: Yes, certainly. Does that mean you
15	A. I do.	15	want me to have a break?
16	LORD JUSTICE LEVESON: Does it offend any privilege that you	16	MR JAY: Please.
17	owe to anybody to let us see it, or more particularly	17	LORD JUSTICE LEVESON: I can do that.
18	also to let Mr Sherborne see it?	18	Mr Sherborne, you've heard what Mr Pike says about
19	A. I'd obviously have to ask Linklaters if they're happy	19	the conversation. I don't think it's a matter for me to
20	for well, if News International are happy for this	20	go further in at all and I don't intend to do so. It's
21	letter to be released. The alternative, of course, is	21	a matter between her and him. But it might be sensible
22	Ms Harris can correct her evidence.	22	that she checks that her memory is as she says rather
23	LORD JUSTICE LEVESON: I don't care how we do it. I think	23	than as Mr Pike says. But it's a matter for her and for
24	it's obviously sensible just to spend no more than a few	24	him.
25	minutes on it.	25	(2.28 pm)
	Page 26		Page 28

7 (Pages 25 to 28)

1	(A short break)	1	Q. In the period with which we are concerned, your
2	(2.35 pm)	2	responsibility was the News of the World primarily and
3	Mr THOMAS GERALD CRONE (sworn)	3	someone else was responsible for the Sun; is that right?
4	Questions by MR JAY	4	A. I would say my responsibility was for the Sun and the
5	MR JAY: Please sit down Mr Crone. Your full name, please.	5	News of the World. I spent more time on the
6	A. Thomas Gerald Crone.	6	News of the World because my deputy tended to spend more
7	Q. Thank you. You have provided the Inquiry with two	7	time on the Sun.
8	witness statements. The first is dated 30 September of	8	Q. Fair enough. As for your role within
9	this year, and it has your signature and a it doesn't	9	News International, you tell us about that in
10	actually have a statement of truth, but do you confirm	10	paragraph 2 of your first statement. It covers both
11	that this is your truthful evidence?	11	prepublication issues and post-publication issues,
12	A. Yes.	12	including, of course, litigation; is that right?
13	Q. The second one was provided pursuant to a notice under	13	A. Yes.
14	section 21, subsection 2 of the Inquiries Act. It	14	Q. Can I ask you, please, about paragraph 3? The question
15	hasn't, at least in the version I have seen, been signed	15	related to the legality of methods of information
16	by you, but again, is this your evidence, Mr Crone?	16	gathering. You say:
17	A. It is my evidence. There's one correction I need to	17	"I am answering this question on the basis that the
18	make in it, I think, the second one.	18	relevant legality relates to compliance with criminal
19	Q. Could you identify that for us, please?	19	law. I can remember very little by way of detail over
20	A. It's in relation to the passage about the meeting with	20	such a long period, but during the 31 years I was
21	Mr Lewis, where I went with him to a restaurant in	21	a newspaper lawyer, there were occasions when my advice
22	Fetter Lane and Mr Lewis had previously given evidence	22	was sought by a journalist on the legality methods of
23	at the CMS committee, I think, to the effect that	23	receiving or obtaining information. Since these
24	Mr Pike was supposed to be accompanying us to that lunch	24	conversations were in the context of advising an
25	and he couldn't make it. I, in my evidence, say	25	individual about his or her potential legal liability in
	Page 29		Page 31
1	Mr Lewis is wrong about that and Mr Pike was there. He	1	specific situations, I believe them to be covered by
1 2	Mr Lewis is wrong about that and Mr Pike was there. He is right; I am wrong. I apologise. There was a third	1 2	specific situations, I believe them to be covered by privilege."
2	is right; I am wrong. I apologise. There was a third		-
	•	2	privilege."
2 3	is right; I am wrong. I apologise. There was a third person. LORD JUSTICE LEVESON: It's (f):	2 3	privilege." I think I can ask this general question, though,
2 3 4	is right; I am wrong. I apologise. There was a third person.	2 3 4	privilege." I think I can ask this general question, though, Mr Crone: did you ever advise News International or its
2 3 4 5	 is right; I am wrong. I apologise. There was a third person. LORD JUSTICE LEVESON: It's (f): "As far as I was concerned, the lunch was purely a social occasion. Mr Lewis' recollection that Mr Pike 	2 3 4 5	privilege." I think I can ask this general question, though, Mr Crone: did you ever advise News International or its employees on issues of phone hacking?
2 3 4 5 6	 is right; I am wrong. I apologise. There was a third person. LORD JUSTICE LEVESON: It's (f): "As far as I was concerned, the lunch was purely a social occasion. Mr Lewis' recollection that Mr Pike was not there was wrong; he was." 	2 3 4 5 6	privilege." I think I can ask this general question, though, Mr Crone: did you ever advise News International or its employees on issues of phone hacking? A. On one occasion. Well, actually, probably on several
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8 (Pages 29 to 32)

1	certain years, and it seems to me that at the very least	1	who. And presumably, as you've made it clear, your
2	I think I would be giving a fairly decent clue as to who	2	advice was sought by journalists, in the plural. That's
3	I might have been giving the advice to if I gave the	3	not just restricted to senior members of the editorial
4	time.	4	staff, I suppose, generally?
5	LORD JUSTICE LEVESON: I'm not so sure you would, actually,	5	A. That is true, yes. Sorry, was that a question? Yes.
6	because it could be anybody from a junior journalist up	6	LORD JUSTICE LEVESON: Yes. So
7	to editor-in-chief. Mr Jay, help me on this.	7	A. It's a I'm sorry, sir. My thinking on this, which
8	MR JAY: Sir, you're right. I can't obviously proceed down	8	I'm subject to your ruling. It's a game of 20 questions
9	a certain road but the innocuous question I have posed,	9	and every one chips away at the privilege.
10	in my submission, can be asked.	10	LORD JUSTICE LEVESON: But actually Mr Jay has only asked
11	LORD JUSTICE LEVESON: Just pause.	11	one. I appreciate that he might ask a second I'm not
12	Mr Rhodri Davies, I appreciate that this may or may	12	saying he will and I am prepared to consider each
13	not be relevant to you, and it may or may not be	13	question on a question by question basis. So far, so
14	a former employee, an employee it obviously was	14	good. I understand the point you're making. I hope
15	a former employee because he's always worked for you.	15	I have made it clear that I am anxious to protect the
16	MR DAVIES: Yes.	16	integrity of the investigation and not to impact
17	LORD JUSTICE LEVESON: I don't want to step on anybody's	17	adversely on the rights against self-incrimination the
18	toes but I just don't see how identifying a year would	18	witnesses have. I do not believe that anything you say
19	help identify a person or a situation at all. But I'm	19	in answer to this question could possibly be used in
20	anxious for a contrary argument, if there is one.	20	relation to any one individual. That's how I see it.
21	MR DAVIES: From a standpoint of legal professional	21	A. You will no doubt rule, sir. I'm just foreseeing the
22	privilege, I do not think that I could object to	22	next question will put me in even bigger trouble and it
23	Mr Crone answering as to a year. It seems to me that	23	will go definitely towards providing all the clues.
24	the point Mr Crone has raised is a slightly different	24	LORD JUSTICE LEVESON: Right. What is the next question,
25	one, which is that his answer may not breach privilege	25	Mr Jay?
	Page 33		Page 35
1	but it may incriminate someone else. I'm in no better	1	MR JAY: The next question is not any specific question.
2	position to answer that than anyone else.	2	LORD JUSTICE LEVESON: I promise you, it will be a specific
3	LORD JUSTICE LEVESON: It's pretty useless information,	3	question but it's not directed to this topic?
4	given that there are a vast array of possibilities. I'm	4	MR JAY: It isn't directed to this topic, save it will be to
5	not going to ask him the question he was asked and I'm	5	ask Mr Crone about whether he looked at the Regulation
6	not going to ask him what the answer he gave.	6	and Investigatory Powers Act 2000 in the context of any
7	MR DAVIES: No. As I say, I don't think I'm in any better	7	advice he gave.
8	position than several others here to comment on the	8	LORD JUSTICE LEVESON: Right. So I don't think you need
9	situation.	9	worry about the next question, because that's
10	LORD JUSTICE LEVESON: No. I know you've been particularly	/ 10	A. Perhaps the one after that, sir.
11	concerned, legitimately, properly, about your	11	LORD JUSTICE LEVESON: Mr Crone, we can play this game al
12	ex-clients.	12	afternoon.
13	MR DAVIES: Yes.	13	A. No, I'm not playing a game, I promise you.
14	LORD JUSTICE LEVESON: Thank you very much. I'm going to	14	LORD JUSTICE LEVESON: No, I understand that and I'm not
15	make one other enquiry. Mr Garnham, does this cause	15	suggesting you are, I really am not. I understand the
16	potential difficulty?	16	point very clearly and I do not intend to prejudice any
17	MR GARNHAM: My answer might.	17	investigation. Once during the course of this Inquiry
18	LORD JUSTICE LEVESON: Right, then don't answer.	18	a question has slipped under the wire of my thinking,
19	Mr Crone, I do not believe that the year that we're	19	and I don't intend to let it happen again.
20	talking about, without identifying the context or	20	Right, you can answer this question, and then we'll
21	anything about it, can possibly infringe professional	21	think about the next question.
22	privilege.	22	A. The date was the year was 2004.
23	A. I was thinking of the individual rather than the	23	LORD JUSTICE LEVESON: Thank you.
24	company, sir.	24	MR JAY: Thank you. In the context of any advice you gave,
25	LORD JUSTICE LEVESON: Yes, but I'm not going to ask you	25	did you look at the Regulation and Investigatory Powers
1	Page 34		Page 36

9 (Pages 33 to 36)

1	Act 2000?	1	A. Over throughout my career, actually.
2	A. Yes.	1 2	Q. Approximately how many occasions then?
3	Q. In the context of this general question, have you given		
4	advice to journalists at the News of the World in	3	A. I couldn't hazard a guess. Very infrequent. Probably less than one a year. People come to newspapers looking
5	relation to surveillance?	4 5	for money and you don't necessarily know who they are
6	A. No.	6	until one deals with them and then they aren't
7	Q. Thank you.	7	necessarily coming directly but they're sending someone
8	LORD JUSTICE LEVESON: While we're on the topic, what abou		else in who is representing them and layers unfold and
9	the Data Protection Act?	9	you find out what's going on and you realise that it's
10	A. Yes.	10	a situation where someone's looking to be paid who fits
11	LORD JUSTICE LEVESON: Consistently throughout or	11	into one of those categories.
	A. I was once asked to put together a note on what the law	12	Q. And on such occasions, can you assist us, please, as to
13	of data protection meant in relation to journalists,	12	what your advice was?
13	working journalists, and I did so. I can't remember	14	A. Consistently that it would be a criminal offence to pay
15	exactly when that was. I think I've seen it in the	14	someone in public office for information which they
16	bundles somewhere. I may be wrong.	16	shouldn't have been passing out.
17	LORD JUSTICE LEVESON: All right.	17	Q. Was that advice ever put in writing?
18	MR JAY: I was going to ask you about Operation Motorman.	18	A. Not that I'm aware of, no.
19	When, if at all, were you made aware of that?	10	Q. Can I move on to question 3 at the bottom of the page,
20	A. I think when Whittamore, the private detective in the	20	where we're dealing with phone hacking. So we get our
20	West Country, was arrested, I was made aware of that.	20	bearings, am I right in saying that from August 2006,
21	Q. And when were you made aware that some of his customers,	21	you were giving general advice to News International
22	if I can so describe them, were employees of NGN or NI?	22	relating to the Goodman/Mulcaire matter?
23	A. After the arrest. But not in any great detail, I have	23	A. Yes.
25	to say.	25	Q. Am I also right in saying that you attended the
25	Page 37	25	Page 39
1	Q. Were you asked to advise at any stage on data protection	1	sentencing hearing before Mr Justice Gross on 26 January
2	issues, including any possible criminal offences?	2	2007; is that right?
3	A. You mean in relation to Whittamore?	3	A. Yes, yes, I did.
4	Q. In relation to Operation Motorman, yes?	4	Q. And then in the civil litigation that ensued, you took
5	A. I don't think so.	5	a close interest in the course of that litigation; is
6	Q. Okay. The next page of your witness statement I'm	6	that also right?
7	afraid the paragraph numbers have gone slightly awry.	7	A. I was handling it as the lawyer inside the company
8	On our numbering, it's page O2/745.	8	until until early 2011.
9	A. That's the one I have.	9	Q. Of course I'm going to come back to that but for the
10	Q. Thank you. The question you were posed related to the	10	moment we're dealing with general matters.
11	legality of paying public servants, including police	11	On the next page, under paragraph 8, you were asked
12	constables, for information either in cash or in kind.	12	about corporate governance. Can I ask you this, though,
13	You give the same sort of answer here as you gave in	13	the second paragraph under that rubric: were you the
14	relation to illegal news-gathering. You say:	14	person who dealt with the Press Complaints Commission
15	"I can remember very little by way of detail over	15	complaints?
16	such a long period, but during the 31 years I was	16	A. No.
17	a newspaper lawyer there were occasions when my advice		Q. Can you tell us who did?
18	was sought by journalists being offered a story based	18	A. That would normally be the managing editor of the
19	upon information which came directly or indirectly from	19	newspaper, on both titles, the Sun and the
20	a police officer or public servant and that person, ie.	20	News of the World. I might have had occasional dealings
21	the source, was looking to be paid."	21	but it wasn't my responsibility.
22	Can you tell us, please, when those occasions were?	22	Q. Given the importance of such complaints and one
23	A. I don't remember any of the specific ones. I just know	23	imagines the importance of the Press Complaints
24	that I've encountered the situation.	24	Commission why didn't you have any direct dealings
1			
25	Q. Approximately when? Page 38	25	with those matters, save on exceptional occasions? Page 40

10 (Pages 37 to 40)

1	A. I think weight of work on my side, certainly. I think	1	managing editor's office. I certainly wasn't involved
2	there was plenty to get on with and occupy all of my	2	in one.
3	time without having to deal with the PCC complaints as	3	Q. Thank you. Reading on in your statement:
4	well. It's also not for me to allocate that I do this	4	"I'm aware that all editorial staff were written to.
5	or I do that. It's usually someone else. The editor	5	Cash payments were virtually eliminated, a fresh
6	would probably have a say on who he wants to do the PCC	6	programme and training days were initiated and the use
7	work and it certainly became the norm for a long time	7	of private detectives was forbidden."
8	that that was always the managing editor.	8	Cash payments for what are were virtually
9	Q. One possible reason might be that PCC complaints were	9	eliminated?
10	not taken very seriously and therefore why trouble the	10	A. I think just cash payments.
11	main in-house lawyer; is that fair?	11	Q. But over what range of activities? What did they relate
12	A. No, it's not. I think they were taken very seriously.	12	to?
13	In fact, I think when there was a PCC complaint, the	13	A. I think it's self-defining, actually. Without trying to
14	journalist usually asked more of the managing editor	14	be clever in my answer, I think cash payments were
15	than when there was a legal complaint being asked of me	15	reduced to an absolute minimum. For whatever. Payments
16	or the outside lawyers.	16	for stories, pictures, services. Those are probably the
17	Q. Is that really the position, Mr Crone?	17	three categories.
18	A. Yes. That's my experience.	18	Q. Can we look at those categories, one by one. Cash
19	Q. Okay. I'm not going to alight on all these answers, but	19	payments for stories; in other words, for tips. Cash
20	can I ask you, please, about question 11 at the bottom	20	payments to legitimate sources surely continued after
21	of this page and the answer you give at the top of the	21	2007, didn't they?
22	next page, O2747. You say:	22	A. My understanding is that they were reduced hugely. So
23	"After the arrest and conviction of Clive Goodman,	23	there were still some of them but it was a lot less than
24	a new editor, Colin Myler, came to the News of the World	24	previously had been occurring.
25	and introduced a number of measures to tighten controls	25	But payments were not really my area. I'm not
	Page 41		Page 43
1	and procedures in order to eliminate illegal or	1	familiar with them at all. I've read subsequently what
2	unethical practices."	2	Mr Myler has said about them and I think Stuart Kuttner
3	What practices were you referring to there apart	3	has produced something in writing or given evidence
	from phone hacking?	-	about them, but it's not something I'm very aware of.
4		4	
4			
5	A. I'm probably looking at it in the context of both	5	Q. But cash payments might have legal ramifications which
5 6	A. I'm probably looking at it in the context of both Motorman and phone hacking.		Q. But cash payments might have legal ramifications which would touch on your area, wouldn't they?
5 6 7	A. I'm probably looking at it in the context of both Motorman and phone hacking.Q. Motorman	5 6 7	Q. But cash payments might have legal ramifications which would touch on your area, wouldn't they?A. Even when they did have a legal ramification, then it
5 6 7 8	A. I'm probably looking at it in the context of both Motorman and phone hacking.Q. MotormanA. Motorman being data protection offences.	5 6 7 8	Q. But cash payments might have legal ramifications which would touch on your area, wouldn't they?A. Even when they did have a legal ramification, then it would touch on my area, but I can't remember, apart from
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11 (Pages 41 to 44)

 Q. Okay, we'll be looking at that in due course, Mr Crone. A pragraph 12, you're dealing generally with responsibility for checking sources of information. Q. Is the thought process you're indicating by yoing that at the whol you're raily ayoing hare: is the prime. edior as well would have a responsibility for at twase, check out the story; is that correct? A. I think ing necessarily checks in appropriate cases to, at twase, check out the story; is that correct? A. I think responsibility would private metadout on the responsibility would private. tera use that private. The reporter, because the hall direct contact with showner the story assolution werever the information was coming from, had a major wherever the story. As that a large responsibility because they were second in line of being most familiar who had to edith estory, place it who had to edith estory, place it in the paper, et cetera. Q. On occasions when you were brought in to, as it were. A. It think if s = no source stores of information. You say: the cover of the disting the story, place it oth check on a story, hadis platity were you correct or the story. So would be interested, yes. A. First be story. So would be interested, yes. A. To only ones that I can emember are Mukaice, who the out our story bad legal danger, spon neogeneor? A. The only ones that Can emember are Mukaice, who the story, the exidence of the story. So use on stores of your stores darger and you miss and experimence? A. Difts the story. A. If the story. A. If the story were asson and you must have been avare of that, movel, gave store yourge asson as you may that be therested, yes. <				
 responsibility for checking sources of information. I think what yove really saying heat is that prime. responsibility would lie with the reporter, but the editor as well would have a responsibility for undertaking necessarity checks in appropriate cases to, a ti were, check out the story, is that correct? A. I think the responsibility would be checkin, if I can use that phrase. The reporter, baccause he hud there would have a responsibility would be checkin, if the responsibility would be checkin, and a major were the information was coming from, had a major were ver the information was coming from, had a major were the check heads, had a large crosponsibility because they were second in line of being most familiar who had to edit the story, subdit the story, place it who had to edit the story, subdit the story, place it who had to edit the story, subdit the story, place it check out story. Is this right were you concerned to denger, the etcain subger, of the story, was a major A. If the story had legal dangers, then the source of the story, the evidence in support of the story, was a major A. If the story had legal dangers, then the source of the story, the evidence in support of the story, was a major A. If the story had legal dangers, then the source of the a story, the evidence in support of the story, was a major A. If the story had legal dangers, then the source of the story, the evidence in support of the story, was a major A. Just ask you, plaes, to tell us in general terms as to evidence in support of the story. Was a major A. Store stores or read transcripts of gouralists and you musking wour store store 				
4 I think what you're really saying here is that prime. 4 I as answer one which an edior would anothally share? 5 responsibility would lie with the reporter, but the 6 chira as will would have a responsibility for 6 7 undertaking necessarity checks in appropriate cases to; 7 Time and will share those thoughts. 8 8 as it were, check out the story; is that correct? 9 A. I think the responsibility went up the food chain, if 9 page 02749, which was another questions about private 10 I can use that primase. The reporter, because he had 10 increating necessarity mediately in charge of him, who 10 investigators. The questions was whether, to the best of 11 greenonibility. Those immediately in charge of him, whol 10 investigators in worked to source stories or 14 would be the desk heads, had a large responsibility 14 information. You say: 14 information. You say: 15 because they were second in time of being most famility 16 payment to private investigators in other to source stories or 16 with the story, subdit the story, place it 10 Motoman and what bas come out since 2006 in relation to sourelatin storeset or				*
5 responsibility would lie with the reporter, but the 5 A. 1 think it's it is an experience and instructive 6 oditor as well would have a responsibility for 6 thing and most editors have been in the job for a long 7 undertaking necessarily checks in appropriate cases to, 7 inter and will share those thoughts. 8 as it were, check out the story; is that correct? 8 Q. Thank you. Let me ask you about paragraph 17 on 10 1 can use that phrase. The reporter, because he had 10 investigators. The question was nother question about private 11 would be the desk heads, had a large reponsibility. 12 News International used, paid or had any connection with 10 12 weithey set to the dirity and question staff. 11 information. You say: 13 because they were second in line of being most familiar 15 Thave no direct knowledge about the use of or 14 with bas tory, is this right; were you concerned 16 information. You say: 13 14 use of the desk heads, pare sponsibility 14 Motornan and what has cone out since 2006 in relation to 15 nucleasity, is this right; were you concerned 14 Are you asying that you were unawere that private 14 <td></td> <td></td> <td></td> <td></td>				
6 editor as well would have a responsibility for 6 thing and most editors have been in the job for a long 7 undertaking necessarity checks in appropriate cases to, 8 it were, checks out the story; is that correct? 9 A. 1 think the responsibility went up the food chain, if 9 page 02749, which was another questions may whether, to the best of 11 direct contact with whoever the story was about or 10 increasing the resporte, because he had 12 wherever the information was coming from, had a major 12 News International used, paid of had any connection with 13 responsibility. Those time/case of thim, who 11 information. You say: 14 would he the desk heads, had a large responsibility 14 information. You say: 15 because they were second in line of being most familiar 15 Thave no direct knowledge about the use of or 16 with the story, And then after that, it would 10 Motoman and what has come out since 2006 in relation to 17 ultimately get to the editor via the production staff, if the story had legal dungers, then the sony was an upot start is normer. 10 Glenn Mulcaire." 12 c. Cheak out story, is this right were you concerned to so a resport on the story, was an upot stast is normer. 1				
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8 as it were, check out the story; is that correct? 8 Q. Thank you. Let me aky ou about pargraph 17 on page 02749, which was another question about private indirect contact with whoever the story was about or indirect contact with whoever the story about the two did would be the desk heads, had a large responsibility is would be the desk heads, had a large responsibility in the story. And then after that, it would in the paper, et cetera. 13 Thave on direct knowledge about the use of or payment to private investigators in order to source stories or information. You say: 10 14 14 14 16 payment to private investigators. The conveloped about the use of or payment to private investigators in order to source stories or insis out irrelevant words. 16 17 11 18 10 18 10				
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25 factor, clearly. So I would be interested, yes. Page 45 25 I found out about afterwards, and Operation Motorman, Page 47 1 Q. How did you know whether or not a story had legal danger, apart from using your instinct and experience? 1 which I found out about afterwards. 2 A. Just using my instinct and experience. If it makes 2 Q. Might I suggest to you, Mr Crone, many stories were obtained as a result of the activities of private 4 allegations which are libellous, then you need proof to back up the story. 5 journalists and you must have been aware of that, mustn't you? 7 the steps you might take to check out a story. Did you on occasion listen to tapes or read transcripts of 9 7 A. No, I wasn't, no. I'm not even sure it's right, but maybe you can tell me otherwise. 9 Q. Was this both before publication and, if necessary, 11 10 Was this both before publication and, if necessary, 12 11 "What was your role in instructing, paying, advising on or having any contact with such private investigators and/or external providers of information, including 14 14 Q. Did think it way dag cover stories which might have 15 15 You say: 16 A. No, I don't think they did. I'm trying to remember 16 "I cannot remember details but on a handful of occasions over the years, we, ie usually outside lawyers and I, have agreed to commission private investigators." 16 17				
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12 (Pages 45 to 48)

1.			
1	always, I'd have thought, for libel where we needed	1	a number of reasons. One is that private investigators
2	to acquire or substantiate the evidence in support of	2	were not quite banned but there were strictures
3	our story.	3	internally about using private investigators when
4	Q. Were you intending to cover there the discreet	4	Mr Myler came in, and I think I suggested this is my
5	surveillance of two lawyers last year?	5	memory that since the News of the World news desk
6	A. No. It didn't occur to me when I was answering that	6	seems to be rather good at producing evidence that
7	question, no. Let me just read the question and answer.	7	people are having relationships let me add
8	No, absolutely not.	8	legitimately, as far as I was concerned, not talking
9	Q. Why didn't you mention those two lawyers in answering	9	about phone hacking that it might be worth asking the
10	that question?	10	news desk whether they could have a look at the people
11	A. The role I played and the knowledge I had in relation to	11	in question to see whether they could establish the
12	the two lawyers is that I went to the in the context	12	nature of the relationship. And that did not involve
13	of the evidence you've heard from Julian Pike today,	13	private investigators.
14	which actually were from my memory, there were quite		Q. Can we be clear about this, Mr Crone? We're going to
15	a few conversations about: can we get evidence that what	15	cover this in some detail later on but we need to
16	was being strongly suspected by Mr Pike and by me,	16	establish what your evidence is now. Is it your
17	whether that could be proven.	17	evidence that private investigators, in the strict sense
18	I had a lot of conversations with him. It kind of	18	of that term, were not engaged in relation to the
19	went away for a short while, then blew up again in early	19	surveillance of Ms Harris and Mr Lewis; rather it was
20	2010. Mr Pike came back to me and said, "Something's	20	journalists at News of the World?
21	got to be done about this", and it wasn't actually just	21	A. My understanding and that's all I can speak to at
22	sharing or exchanging of confidential information to	22	the time was that it was being conducted by the news
23	help other cases to which the information did not	23	desk. I knew that Steve sorry, Derek Webb, I think,
24	attach. My memory is it was also of leaking some of	24	was mentioned by the news desk to have a look at the
25	them were pretty blatant leaks of confidential	25	situation, and as far as I was concerned, he was
	Page 49		Page 51
1	information to its press.	1	a freelance journalist.
2	Q. I'm not sure you've answered	2	Q. He wasn't a private investigator?
3	A. There was one example when, I think, the Guardian Online	3	A. I didn't know him as a private investigator. I know him
4	published the contents of one of our confidential		
5	1	4	as well, I didn't know him at all, really, but I'd
5	documents no, I think it might have been one coming	4 5	as well, I didn't know him at all, really, but I'd heard the name before and I'd understood that he was
5 6	-		•
	documents no, I think it might have been one coming	5	heard the name before and I'd understood that he was
6	documents no, I think it might have been one coming in from the police. I can't remember the exact	5	heard the name before and I'd understood that he was a freelance journalist.
6 7	documents no, I think it might have been one coming in from the police. I can't remember the exact document. But the Guardian Online had published it	5 6 7	heard the name before and I'd understood that he was a freelance journalist.Q. Are you sure about that, Mr Crone?
6 7 8	documents no, I think it might have been one coming in from the police. I can't remember the exact document. But the Guardian Online had published it before Farrers sent to me and I don't think I think	5 6 7 8	heard the name before and I'd understood that he was a freelance journalist.Q. Are you sure about that, Mr Crone?A. Yes, I am.
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13 (Pages 49 to 52)

1	used, but generally not allowed.	1	Q. Then Mr Burden says:
2	Q. Of course, in answering paragraph 18, you have used the	2	"It is Crone who can assess better than anyone the
3	term "private investigators", not "freelance	3	risk/reward in running a calumnious celebrity story."
4	journalists", haven't you?	4	I think all he's saying there is that given your
5	A. Well, it's the phrase in the question. I'm just	5	vast experience, you can work out what the cost might be
6	repeating what the question says.	6	of publishing a story which is defamatory. Do you
7	Q. Okay. Your second witness statement.	7	agree?
8	LORD JUSTICE LEVESON: Other providers of information migh	t 8	A. Well, I think I kind of understood what it meant but
9	very well be freelance journalists, mightn't they?	9	I looked up calumnious and it's in the Oxford
10	A. If that was right	10	dictionary, and I think it's false
11	LORD JUSTICE LEVESON: I'm only	11	Q. Defamatory.
12	A. No, no, I accept what you say but if that was right and	12	A. I'm looking for it now. I beg your pardon, I've lost my
13	I was being asked to I mean, freelance journalists	13	plate. False and defamatory, yes. And the context in
14	are used every day of the week, basically, in newspapers	14	which he makes his comment, from memory I don't have
15	and sometimes they would be used to do odd jobs for the	15	the page in front of me is an assessment made in the
16	legal department, who need things checking out. I mean,	16	knowledge that this story is false and defamatory. And
17	the list would have been hard to remember and	17	I can't remember ever doing that, frankly.
18	everything, and could have run on for a long time.	18	Q. If one toned it down a bit and said "in the knowledge
19	I didn't think that was what was being asked, I must	19	that it might be defamatory unless justified", you were
20	say.	20	the person best placed, owing to your vast experience,
21	LORD JUSTICE LEVESON: I see.	21	in working out the risks? Is that not fair?
22	MR JAY: I am going to come back to that, Mr Crone.	22	A. That may be, but he hasn't toned it down. He puts it
23	Can I ask you, please, to look at your second	23	the other way. And if I was asked to comment on what he
24	witness statement now. You start off by raising some	24	said
25	general questions. I'm afraid the version I have has	25	Q. That's fair enough, but if I were to tone it down, would
	Page 53		Page 55
1	not been paginated, but I'm looking at the second page.	1	you agree with the proposition?
2	LORD JUSTICE LEVESON: In answer to which page?	2	A. I was the lawyer most of the time on duty in the
3	MR JAY: It's (a). The question relating to page 69 of	3	News of the World and therefore I would be the person
4	Mr Burden's book.	4	best placed, I would think.
5	LORD JUSTICE LEVESON: All right.	5	Q. Then Mr Burden, without naming the individual, quotes
6	MR JAY: What Mr Burden said in his book is this and I'll	6	from a former News of the World journalist. This is,
7	just invite your comment:	7	again, on page 69 of his book and I would ask you to
8	"Kuttner is backed up by the quiet but potent legal	8	comment on this description as to whether it is in the
9	boss of News International, Tom Crone"	9	slightest bit familiar with your experience. I'll read
10	You needn't comment on that, Mr Crone.	10	it out first:
11	" regarded as the sharpest brief in the newspaper	11	"What you have to imagine is that in the hell's
12	industry wields the ultimate power of veto over what	12	kitchen that is the News of the World newsroom, where
13	goes two the Murdoch tabloids."	13	a horde of little devils rake muck, lie, invent anything
14	You cover that. You think that overstates the	14	they will think titillate and tempt a less diligent
15	position?	15	public into hating, sneering at or despising someone
16	A. Well, misstates it. I don't have a power of veto,	16	else, preferably someone they once admired because they
17	certainly.	17	were in Corrie or played for Man U or won Big Brother or
18	Q. You have the power	18	used to be married to a prince or sometimes just
19	A. The rest of it I wouldn't comment on; you're quite	19	unfortunate members of the public who are in the wrong
20	right.	20	place, there, behind a string of editors, stand Kuttner
21	Q. You have the power or the right or the obligation to	21	and Crone, the legal ringmaster always on hand to tell
22	offer strong advice. That's as far as it goes, isn't	22	them just how far they can go and what it will cost them
23	it?	23	if they do transgress, so they can balance that against
24	A. I think only the editor really chooses what goes in the	24	additional sales."

14 (Pages 53 to 56)

1	A N-	1	1
1	A. No.		been known, hasn't it?
2	Q. Because?	2	A. I think every newspaper lawyer has come across as
3	A. Mr Burden maybe I'm taking it out of context, but	3	journalist who has told a lie, certainly.
4	you'll probably be able to tell me. I've seen a witness	4	Q. "Sometimes journalists get it plain wrong."
5	statement he has before this Inquiry saying that most of	5	That is obvious.
6	his conclusions were reached by extrapolation and	6	"Sometimes people lie and keep on lying for
7	conjecture. Now, as a libel lawyer, in-house, I would	7	financial or image reasons."
8	advise anyone not to publish defamatory, damaging	8	And then you mention two people who have been
9	allegations based upon conjecture and extrapolation.	9	caught. So in other words, those are cases where the
10	Provable fact, I think, is the way to do these things.	10	libel would be justified; is that correct?
11	That's the way the News of the World has always tried to	11	A. They're claimants I'm referring to.
12	do them, not in the way that he suggests.	12	Q. Sorry, you're right. On the next page of your
13	Q. Okay, Mr Crone.	13	statement, at page 81 of Mr Burden's book I can read
14	On the next page	14	this out. I doubt whether you disagree with this,
15	A. And practices, clearly, as well.	15	though:
16	Q. I didn't catch that last answer?	16	"Piers Morgan recounts cheerfully in The Insider
17	A. And practices. It's his own statement, that he's	17	how, when faced with a possible action for breach of
18	written this on the basis of extrapolation and	18	copyright from the Mail on Sunday for lifting, or
19	conjecture. It's full of defamatory statements, as are	19	effectively stealing, an exclusive interview with Will
20	his blogs. Very fairly can he base his allegations upon	20	Carling and his wife, he calls across the newsroom to
21	any evidence because he doesn't have any and because	21	Tom Crone: 'Hey Tom, how many fingers will this cost if
22	they're untrue	22	we nick it all?' Crone flicked five fingers at him.
23	LORD JUSTICE LEVESON: I'm not so sure about that, because	23	'50,000 maximum damages.' 50 grand would have been well
24	that takes a lot of other material into account. Did	24	worth paying for a front page and two spreads inside and
25	you commence proceedings against him?	25	the bigger sales revenue it would bring."
	Page 57		Page 59
1	A. No, I've never sued anyone for libel, sir. I could have	1	I think in your answer you're effectively agreeing
1 2		1 2	
	on many occasions, various people, including him on		I think in your answer you're effectively agreeing with that, aren't you? A. I agree that I held up five fingers, but primarily
2	on many occasions, various people, including him on numerous occasions. You'll probably ask me what he	2	with that, aren't you?
2 3	on many occasions, various people, including him on	2 3	with that, aren't you?A. I agree that I held up five fingers, but primarily because I could have shouted across the room and I don't
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15 (Pages 57 to 60)

1	I don't think many editors would share the idea that	1	media issues. Data protection is a very good one.
2	doing something and deliberately incurring a £50,000	2	Doubtless Mr Jay will deal with it. But public benefit
3	bill for damages, never mind legal costs, would be ever	3	is very much a matter for lawyers, isn't it? Or did you
4	worthwhile, frankly, but Mr Morgan had his book to write	4	not advise on that?
5	and no doubt he thought he'd tell a good story on it.	5	A. I would have done in the context where it was relevant
6	Q. But by clicking your fingers and indicating the 50,000,	6	to whichever area of law was engaged. So on this one,
7	weren't you giving the message that it might well be	7	was data protection engaged? I don't recall that it
8	worthwhile because whatever you might be paying in	8	was, actually. And the privacy law really wasn't
9	damages, it would not be as much as the commercial	9	hadn't really come into existence at all in that year.
10	advantage in nicking the copyright?	10	LORD JUSTICE LEVESON: That goes back to a question which
11	A. I don't think there's anything you have the book in	11	Mr Jay asked you before in relation to the PCC, because
12	front of you and I haven't. I don't think there's	12	it certainly engaged the code, and to give a holistic
13	anything in the way that's described which would support	13	view, don't you have to think about it all?
14	what you've just said, no.	14	A. Yes, but I was not advising on the PCC code because that
15	Q. Okay. Can I ask you, please, about the Firth story,	15	was definitely the area of someone else who was there on
16	which is the next item at pages 116 and 117. We can	16	the editorial floor to give advice on it, and the editor
17	forget about the "arrogantly" point because it's not	17	would have been aware of the PCC code in any case.
18	going to go lead anywhere. I'm going to ask you,	18	MR JAY: Can I ask you some more questions
19	though, about your view of the practical and ethical	19	A. I'm not a guardian of ethics, really. I know that
20	issues surrounding the affair. Could you tell us about	20	sounds callous, but my job was really to advise on legal
21	that, please, Mr Crone?	21	risk, the law relating to a particular situation that
22	A. The story, as I recall, was that a reporter went down	22	the newspaper was in or was thinking of getting in.
23	and availed himself of some services on offer in a house	23	Q. We know that privacy law takes off, really, certainly by
24	in the country. I think these people, from memory, gave	24	2002, 2003. Does it not follow from that that you were
25	massages, something like that. Perhaps he'd had some	25	asked to advise in an increasing number of privacy-type
	Page 61		Page 63
1	information that they went further than massages, so he	1	cases from about that time and subsequently? Is that
2	went in there and he received something that went beyond		right?
3	massage and it was published and then they reacted quite	3	A. Yes. I think possibly Naomi Campbell was 2004, if I'm
4	strongly against what had happened.	4	not mistaken. It really increased after that, yes.
5	My view, getting back to your question, was that the	5	Q. I think her case at first instance was 2002, but the
6	story was pretty tacky. I don't make the decisions on	6	exact date, Mr Crone, is not going to matter much. The
7	these things going in a newspaper, but if I had made the	7	question was a slightly more modest one: were you asked
8	decision, I would have thought it was too tacky to	8	to advise increasingly on this sort of issue from about
9	publish, frankly, and didn't justify the didn't	9	the date we're talking about?
10	justify really identifying these people in that way.	10	A. On privacy?
11	Q. Were you ever asked to advise on this sort of privacy	11	Q. Yes.
12	issue which involved, of course, weighing up the private	12	A. It became a bigger issue incrementally, yeah.
13	rights of individuals against the public interest in	13	Q. Were you not asked to advise specifically, in individual
14	promulgating this sort of story?	14	cases, on which side of the line a case might fall?
15	A. Well, not in 1999, which I think was the year, wasn't	15	A. Yes. In terms of the way the court would look at it,
16	it? Or 1998, even. Not very often, no.	16	yes.
17	Q. Later, Mr Crone.	17	Q. Indeed, Mr Crone.
18	A. Later? Yes, all the time. No, I was asked about the	18	A. Yes.
19	privacy law and how the judges would interpret it.	19	Q. So you could say, for example because you mentioned
20	I wasn't asked for my own personal views, no. Just:	20	the concept of legal risk, which we understand, but in
21	"Where are we on this? Are we okay with this?" And	21	certain cases, you could advise: "Well, if we follow
22	that would be advice given on the basis of whatever the	22	this course we are as near as certain bound to win or as
23	law at a particular time was.	23	near as certain bound to lose"; is that right?
24	LORD JUSTICE LEVESON: But it's not just privacy, is it?	24	A. No, I don't think privacy could ever be ever have
25	Public benefit runs through lots and lots of potential	25	much certainty about it.
1	Page 62		Page 64
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16 (Pages 61 to 64)

1	Q. Right, okay. Your advice was more nuanced?	1	A. For as long as I can remember, if a PCC if part of
2	A. Quite the opposite. I mean, it was really all over the	2	the PCC code looked as if it might be engaged, the
3	place. Perhaps it's getting ill slightly clearer these	3	managing editor would have a look at it, would think
4	days, but I'm not entirely sure it is.	4	hard about it, would sometimes consult the PCC sorry,
5	Q. There must have been situations, even with the	5	not sometimes; very frequently consult the PCC about it
6	developing common law and Article 8 jurisprudence, that	6	at the weekend and then come back with an answer. And
7	you could fairly confidently advise which side of the	7	that was all done, really, outwith my little area by the
8	line a case would fall, couldn't you?	8	managing editor.
9	A. Like all legal situations, there are 60, 70 per cent of	9	Q. In a funny sort of way, that is anomalous since the
10	the cases which are obvious and there are 30 per cent of	10	issues bearing on the common law privacy, if I can be
11	the cases which are arguable, and it's amazing how often	11	forgiven for using that term, are similar to the issues
11	what you're presented with is the 30 per cent.	11	
	• •		bearing on the code, aren't they?
13	Q. Statistically, I'm having a little bit of difficulty in	13	A. They are.
14	analysing that last answer, but let's not worry too	14	Q. So is your evidence clear on this? You weren't asked to
15	much. Was your advice generally accepted or rejected?	15	advise on code issues before publication?
16	A. In the area of privacy, I think there was a healthy	16	A. I might be asked to advise on the law of privacy, which
17	debate about what was okay, what was legitimate and what		happened to be very similar to the code issues. But you
18	was not legitimate, because it's a balancing of (a) is	18	asked me about code issues and the answer's no. If you
19	it private? If it is private, reasonable expectation of	19	interpret "code issues" in a very, very general way
20	privacy, which I think I am trying to remember which	20	but privacy law, yes; code issues, no. They might,
21	case that really nailed itself onto the area in. But	21	on any particular subject, amount to the same thing.
22	anyway, reasonable expectation of privacy was on the one	22	Q. Apart from you and we're looking at ex-ante now, not
23	side. If you got past that hurdle and there were	23	after publication did the managing editor have any
24	plenty of arguments on the editorial floor about was it	24	legal advice available to him or her to assist as to the
25	private, was it not private, intrinsically. You then	25	meaning of the code?
	Page 65		Page 67
1			
1	moved onto public interest, where the arguments were	1	A. Well, he could come and talk it through with me, but
2	even bigger and higher, and more	2	I think he there were only two of them, really, for
2 3	even bigger and higher, and more Q. The question though was: was your advice accepted or	2 3	I think he there were only two of them, really, for that period. Well, for going back to the beginnings
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17 (Pages 65 to 68)

		1	
1	was being asked to advise on the law. I'm sorry if that	1	thrust of the conversation was along the lines: "We'd
2	sounds like it's going around in circles, but that's the	2	better not notify Mr Mosley since he'll injunct us." Is
3	way it was.	3	that right?
4	Q. Okay, well, we understand your evidence.	4	A. That was one of the factors. The other is if you notify
5	A. It was the code was given I've already answered	5	someone, it's a good way to have the whole story leaked.
6	this question earlier, in fact. The code was taken very	6	Put it that way. And leaked in a slightly different way
7	seriously, the PCC.	7	to the story we had but the same facts, effectively.
8	Q. Yes. May I ask you now about your answer (e), still on	8	Q. You were well aware, were you not, that if Mr Mosley was
9	Mr Burden's book. Page 153 to 154. Are you with me?	9	pre-notified (a) he would make an application for
10	A. Yes.	10	injunction and (b) that application would probably
11	Q. I'm not going to deal with the first eight lines because	11	succeed? That's true, isn't it?
12	you're obviously right about that; prosecution decisions	12	A. I'm not sure I was so convinced about probably succeed,
12	are taken by the CPS. But the last five lines:	12	but I thought there was a good chance that it would
13	"My experience is that Mr Mahmood has not concocted		succeed. But not necessarily "probably".
15	stories. His investigations that led to successful	15	Q. What's the difference between "good chance" and
15	prosecutions against hundreds of criminals."	16	"probably", Mr Crone?
17	Then you give the famous recent example. What		A. A good chance is he was in with a good chance, say 50/50
17	evidence did you have to support the proposition there	17 18	A. A good chance is ne was in with a good chance, say 50/50 chance. "Probably" is better than 50/50.
	that he's not concocted stories?	10	-
19 20			Q. May I suggest to you it was a bit higher than that. We'll hear from Mr Myler about it, but on the balance of
20	A. The evidence of working with him for however long he's	20	-
21	been there because I've probably been there slightly		probabilities, he knew and you knew that an application
22	longer and not, from memory, seeing any concocted	22 23	for an injunction would, on the then state of the law,
23	stories from Mazher Mahmood.		succeed; that's true, isn't it?
24	Q. Okay. Turn now, if I may, to the Max Mosley case,	24	A. No, I just said I didn't think it would definitely
25	Mr Crone. Did you advise on libel and privacy issues Page 69	25	succeed. I thought it was in with a good chance. Page 71
1	before publication of the first story on 30 March 2008?	1	Q. Again, I didn't say "definitely".
2	A. Yes.	2	A. The whole thing is we have been, at weekends or on
3	Q. Did you view the videotape?	3	Friday night, in front of judges, weekend judges. No
4	A. I viewed parts of it. I didn't see it from beginning to	4	disrespect to the judiciary but one judge will say
5	end. I saw a fair amount of it. I can't remember how	5	will give it one way and on the same set of facts
6	much exactly. 15, 20 minutes. Maybe a bit more.	6	another judge, in our experience, would give it the
7	Q. Were you aware that the existence of the story was being	7	another way. So much of this is impression and, you
8	kept to a narrow group of individuals within the	8	know, personal views applied by the judiciary to what
9	News of the World to avoid the possibility of leaks?	9	they think is right and what is wrong in behaviour. My
10	1 · · ·		they think is right and what is wrong in behaviour. My
10	A. Almost certainly. I think that happened every week if	10	own view on this, which I set out here, is that
10	A. Almost certainly. I think that happened every week if there was a decent story around.	10 11	
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11	there was a decent story around.	11	own view on this, which I set out here, is that I thought it was a justifiable story without the Nazi
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2	the right to expect him to be a fit and proper person.	2	women amounted to blackmail?
3	The local	3	A. They were pretty close, I think.
4	Q. Before you climb too high on your mile high horse,	4	LORD JUSTICE LEVESON: Let's just think about that for
5	Mr Crone	5	a moment. Were you asked to advise on this?
6	A. It's a big issue I'm sorry, it's a big issue with me.	6	A. No, I didn't know that had happened until it came out
7	I can try and be quite short	7	during the litigation.
8	Q. No, no, please just wait for the next question.	8	LORD JUSTICE LEVESON: Does it cause you surprise that you
9	A. Sure, okay.	9	weren't asked to advise on this?
10	Q. Isn't it worse, Mr Crone, to publish a story like that,	10	A. A little, yes.
11	which is such an intrusion into a man's private life,	11	LORD JUSTICE LEVESON: I mean, this is pretty serious stuff.
12	without giving him at least the chance to explain what	12	You've seen them now?
13	his position is? Didn't that thought, which is based,	13	A. (Nods head)
14	I suggest, on a degree of common humanity didn't that	14	LORD JUSTICE LEVESON: You're there to provide legal advice
15	just flash through your mind for a nanosecond?	15	I'm just a bit concerned about the you don't like the
16	A. I mean, that's always, you know, the balance, if you	16	word "corporate governance", and you call it something
17	like, but if a story is judged to be a right and proper	17	else
18	story, but by and this may, again, sound very	18	A. I don't mind the word "corporate governance". I just
19	callous by going in front of the court, there would	19	don't think it's what I do.
20	be an order saying you can't do this made almost	20	LORD JUSTICE LEVESON: Well, providing oversight, legal
21	instantly, then I think an awful lot of people in	21	propriety oversight to very important follow-up stories
22	newspapers think that isn't always the best scenario.	22	after an enormous publicity campaign. I'm just keen to
23	Not from a personal point of view, but from a general	23	get your feeling about the approach to these women
24	sort of right to publish point of view.	24	which I may use different words at different times,
25	Q. But that rather suggests that your answer to an earlier	25	but "remarkable" is the word I'll use now.
	Page 73		Page 75
1	question of mine was: "Yes, we well knew that	1	A. I was not consulted before the relevant emails were
	question of nime was. Tes, we went knew that	1	A. I was not consulted before the relevant emans were
2	Mr Justice Fady, or whoever, would grant an injunction	2	sent. I think it would have been sensible if I had been
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19 (Pages 73 to 76)

1	occasion, they didn't.	1	Q. 88.
2	LORD JUSTICE LEVESON: This is going to be the big headline	2	A. And it's EV?
3	on the front page.	3	Q. 177.
4	A. The emails? I don't think	4	A. Sorry about that. Right.
5	LORD JUSTICE LEVESON: No, not the emails, but the	5	Q. The more precise question is: if I were to ask you the
6	follow-up.	6	same question as Mr Price asked you, would you give me
7	A. Oh, the follow-up. Yes, I was there while the follow-up	7	the same answer? (Pause)
8	was being discussed. We were talking about the emails,	8	LORD JUSTICE LEVESON: It might be sensible to allow
9	weren't we?	9	Mr Crone the opportunity to read into this.
10	LORD JUSTICE LEVESON: Yes, of course.	10	A. I've started at the top of the column.
11	A. I'm sorry.	11	LORD JUSTICE LEVESON: Let me just rise for a couple of
12	LORD JUSTICE LEVESON: But the follow-up depends upon the		minutes to allow you to focus on it. I think that's
13	emails. The idea of getting these women, that's the	13	only fair. And we'll just give the shorthand writer
14	story, isn't it?	14	a break and we'll come back in just a couple of minutes.
15	A. It might help if I could see the follow-up, actually.	15	Thank you.
16	My memory is that I think wasn't the follow-up based	16	(3.50 pm)
17	upon the story of one of the ladies?	17	(A short break)
18	MR JAY: I'll take it in stages, Mr Crone. You were asked	18	(3.56 pm)
19	about this matter by the Select Committee on 5 May 2009.	19	A. Yes, I would.
20	Be careful about evidence given to the Select Committee	19 20	Q. So if I were to ask you the same question indeed I do
20	because I can't ask you a question which might impugn it		·
		21	ask you the same question, as it were your answer is:
22 23	but I can draw your attention to what you've said.	22	"No, absolutely not. You have not read
	You can see it in the file if you wish, but take it	23	Mr Justice Eady's judgment."
24	from me, question 788 by Mr Adam Price:	24	A. It would be exactly the same, yes. Can I put that in
25	"The only instance of alleged blackmail, of course,	25	context?
	Page 77		Page 79
1	in relation to this case is the charge made against your	1	O. Please.
$\frac{1}{2}$	in relation to this case is the charge made against your own chief reporter.	1 2	Q. Please. A. If you look at question 784, halfway down. I explain to
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2 3 4	own chief reporter. "Mr Crone: No, absolutely not. You have not read Mr Justice Eady's judgment."	2 3 4	A. If you look at question 784, halfway down, I explain to Mr Sanders MP: "What Mr Justice Eady found [and it's in
2 3 4 5	own chief reporter. "Mr Crone: No, absolutely not. You have not read Mr Justice Eady's judgment." Do you stand by that answer?	2 3 4 5	 A. If you look at question 784, halfway down, I explain to Mr Sanders MP: "What Mr Justice Eady found [and it's in Mr Justice Eady's judgment, by the way] was that
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20 (Pages 77 to 80)

1	him what was in Mr Justice Eady's statement about Mosley	1	needed to be taken?
2	leaving himself open to blackmail and it has nothing to	2	A. Well, I heard what was said and I heard the comments
3	do with Mr Thurlbeck, but it is an instance raised in	3	made by Mr Justice Eady in relation to that, but for
4	the case of blackmail.	4	steps to be taken or actions to be taken, that wouldn't
5	Q. Isn't the question, regardless of who asked the	5	be my area, and I don't know whether there were.
6	question	6	I didn't I'm not sure I saw any, but I don't know
7	A. "The only instance of"	7	what was said privately between whoever and
8	Q. Just wait, please, Mr Crone.	8	Mr Thurlbeck.
9	A. Okay.	9	Q. Didn't you feel that that fell within your jurisdiction?
10	Q. The question is:	10	It is, after all, a senior High Court judge making
11	"The only instance of alleged blackmail in relation	11	a serious criticism of the conduct of someone. Didn't
12	to this case is the charge made against your own chief	12	it at least require some sort of response within the
13	reporter?"	13	company?
14	So that was a specific reference to Mr Thurlbeck and	14	A. It doesn't fall within my jurisdiction. Absolutely not.
15	could only be a reference to Mr Thurlbeck's emails to	15	Q. Maybe it was
16	the two women, wasn't it?	16	A. Or didn't.
17	A. I think it's semantics but he's saying that what I have	17	Q all part and parcel of the same syndrome: "We'll
18	described in the previous column is not right, the only	18	rubbish Mr Justice Eady. He's got it wrong in relation
19	instance is Thurlbeck, and I am saying absolutely not	19	to the main point in the case. We'll ignore what he
20	because I have accurately described what is	20	says." Did you feel that that attitude existed within
21	Mr Justice Eady's judgment	21	the company?
22	LORD JUSTICE LEVESON: Mr Justice Eady was postulating	22	A. There was, within the company, criticism of judgments
23	a possibility, but the actual instance of blackmail is	23	made by Mr Justice Eady. I personally wasn't in the
24	a different one. Isn't that the point?	24	business of rubbishing what he said, no. Not at all.
25	A. Sir, I think that's a nice point, but it's not the one	25	Q. But we know from your witness statement that you
	Page 81		Page 83
1	that was occurring to me because I had already explained	1	disagree with him, don't you?
2	that in Mr Justice Eady's judgment, he found that	2	A. I disagreed with him on the way the privacy law was
3	Mr Mosley definitely was exposing himself to the risk of	3	going generally, yes, and that was obviously being
4	blackmail. That's what I had been talking about.	4	case-led, case-by-case-led. I've said to him, actually.
5	Mr Price is contradicting what I've said and saying,	5	Q. Were you asked to advise in relation to any appeal? The
6	"No, the only instance is Thurlbeck", and I'm saying	6	answer to that question is either "yes" or "no".
7	absolutely not, that's not right because Mr Justice Eady	7	A. No.
8	said something different.	8	Q. I didn't ask you a question I should have asked a little
9	LORD JUSTICE LEVESON: Well, I can read it for myself.	9	bit earlier. You are aware, of course, that the video
10	MR JAY: When Mr Justice Eady's judgment was handed down,	10	was placed on the News of the World website, aren't you?
11	what reaction, if any, was there within	11	Or weren't you?
12	News International to Mr Justice Eady's finding in	12	A. Extracts.
13	relation to the behaviour of Mr Thurlbeck in the context	13	Q. Were you aware at the time that that was happening?
14	of blackmail?	14	A. Yes.
15	A. I'm not aware of that.	15	Q. Were you asked to advise as to whether that should
16	Q. You're not aware of what?	16	happen?
17	A. Of what reaction there was. I mean, it wouldn't be	17	A. I don't think I was, no.
18	did if you're talking about was Mr Thurlbeck	18	Q. Again, isn't it something which would fall within your
19	disciplined, was he spoken to, I don't know the answer	19	jurisdiction, as it were?
20	to that.	20	A. If brought to me, certainly. I'm not sure whether I was
21	Q. But here was a High Court judge making a finding of	21	aware after it had already gone up or before it went up.
22	blackmail against the chief reporter of the	22	I think after it went up, actually, is my memory of
0.0	News of the World. Did that not at least spark any	23	that.
23	News of the world. Did that not at least spark any		
23 24	interest, either within your mind or News of the World's	24	Q. Because that had at least as important privacy
	· ·		

21 (Pages 81 to 84)

1	didn't it?	1	going back up.
2	A. Yes.	2	LORD JUSTICE LEVESON: Yes.
3	LORD JUSTICE LEVESON: Not least because of the Naomi	3	MR SHERBORNE: I can check the point, but certainly
4	Campbell litigation, where photographs went too far but	4	LORD JUSTICE LEVESON: We can find the facts out.
5	the fact didn't.	5	MR SHERBORNE: Yes.
6	A. Yes.	6	MR JAY: Sir, I read paragraph 36 of Mr Justice Eady's
7	MR JAY: And of course, the interim injunction hearing was	7	judgment in the interim application as suggesting
8	heard before Mr Justice Eady, I think, on Friday	8	something different.
9	4 April. He gave his judgment the following week. By	9	LORD JUSTICE LEVESON: We can get the facts.
10	that point, of course you must have been involved in	10	MR JAY: We can, and of course Mr Sherborne was involved in
11	that hearing the video was well-known by everybody to	11	that case.
12	be emblazoned on the website and seen by tens if not	12	LORD JUSTICE LEVESON: Mr Crone, I'm just slightly concerned
13	hundreds of thousands of people. You knew all that,	13	that on any showing, this was massive litigation. You
14	didn't you?	14	were involved in privacy litigation with a man who
15	A. That's what tends to happen when videos go up there.	15	clearly felt extremely strongly about what had been done
16	They go everywhere quickly.	16	to him, and what concerns me is that the appropriate
17	Q. Did you express any concern to anybody about that?	17	approach wasn't discussed with the most senior legal
18	A. I can't recall now having done so, no.	18	officer in the company. A. In relation to? Which one?
19	Q. Is that because you didn't, in fact, have any concern	19 20	
20	about that?	20	LORD JUSTICE LEVESON: "I wasn't asked to advise on posting the video. I was probably only aware after it went up."
21	A. I though it was pushing it to put up the video, I have	21 22	A. I
22 23	to say. But it was already up. My memory is it was	22	LORD JUSTICE LEVESON: "I thought putting the video up was
23 24	already up. Q. One thing you might do, Mr Crone, is advise that it's	23 24	pushing it, but I didn't advise taking it down.
24	taken down. Did you think about giving such advice?	24	I wasn't asked to advise in relation to appeal."
25	Page 85	25	Page 87
1	A. I don't think I did advise that, no.	1	These are all
2	Q. No. We know it wasn't taken down, I think I'm right in	2	A. I was only allowed a yes or a no on the appeal. I could
3	saying, aren't I? It wasn't taken down until	3	explain more about that, if you'd like.
4	Mr Justice Eady when was it taken down?	4	LORD JUSTICE LEVESON: That's a matter for yes, I think
5	MR SHERBORNE: Can I just explain?	5	because of the whole question of privilege.
6	LORD JUSTICE LEVESON: Yes.	6	MR JAY: Yes.
7	MR SHERBORNE: What happened was that it was taken down	7	LORD JUSTICE LEVESON: That's a matter for you and for
8	after the complaint following the publication of the	8	others. Do you understand the concern that I'm
9	article.	9	expressing?
10	LORD JUSTICE LEVESON: Yes, and put up as soon as the	10	A. I do. Part of the problem is memory, to be perfectly
11	injunction was	11	honest. I mean, I have trouble remembering without
12	MR SHERBORNE: No, sir, it wasn't. What happened was there		having access to the files that actually most of the
13 14	was an application on Friday the 4th before Mr Justice Eady, and whilst we were waiting for the	13 14	people in this room have had access to, I have trouble
14 15	judgment to be delivered the following week, it was put	14 15	remembering what happened in what order, what I was
15 16		15 16	consulted on and what I wasn't. And you might say
16 17	back up on the website, as I understand.	16 17	that's bad, but I say that is the truth and it's not
17	LORD JUSTICE LEVESON: Is that right? Because was it Mr Justice	17 18	easy, actually, going back quite a few years to advise on what you exactly actually were involved in and how it
18 19	MR SHERBORNE: I'll check Mr Mosley's statement. My	18 19	happened and in what order, and I have found actually,
19 20	recollection was that was the point.	19 20	with the CMS committee I'm not going to go on about
20	LORD JUSTICE LEVESON: I remember the point, that it was	20 21	things but I had forgotten things that are wholly
21	already there, but there wasn't any interim relief over	21 22	supportive of what I have been saying to the CMS when
22	the weekend.	22 23	they've been calling me a liar. Then Mr Pike, in his
23	MR SHERBORNE: It was taken down before the application.	23 24	evidence, comes up with documents and actually that
25	That was the point of the application, was to prevent it	25	completely supported me. It was my document and
1-0	Page 86		Page 88

22 (Pages 85 to 88)

1	I couldn't even remember producing it. That's what	1	Is that correct?
2	happens when you're out of the files for a long, long	2	A. No, absolutely not. I think that actually his plea was
3	time. I can't remember Mosley was 2007, 2008?	3	decided pretty late on, from my memory. I think the
4	I don't remember. I may well have advised before the	4	first time I heard, sorry, his plea of guilty or not
5	video went up. Normally, I think, the video would have	5	guilty being discussed was at that second conference,
6	gone up overnight on the Saturday night at some stage.	6	which I think was pretty late, actually, not long before
7	LORD JUSTICE LEVESON: But then you wouldn't have said,	7	the plea was entered. Perhaps November.
8	"I thought putting up the video was pushing it", because	8	Q. Your memory is right; it was November 2006 that the plea
9	then your advice would have been rejected and I think	9	of guilty was indicated. Then Mr Goodman says in the
10	you'd probably have remembered that.	10	letter:
11	A. "Pushing it" doesn't mean "don't do it". It's pushing	11	"Despite this, the paper continued to employ me."
12	it you know, you're taking a chance there. I advise	12	Is that right?
13	on risk. I don't necessarily make the decision on the	13	A. As I understand it.
14	risk and as I said earlier, on privacy unlike libel,	14	Q. You know it to be a fact?
15	I think, but on privacy, it would be more of a debate	15	A. Mm.
16	than: "Okay, if you think it's legally wrong, we won't	16	Q. "Throughout my suspension, I was given book
17	do it."	17	serialisations to write and was consulted on several
18	LORD JUSTICE LEVESON: So are you saying that access back t		occasions about royal stories they needed to check."
19	your file on this case would help you?	19	Is that right or do you not know?
20	A. I'm not sure it would but obviously seeing what happened	20	A. I don't really know.
20	in what order sometimes triggers other memories.	21	Q. Point (iv):
22	MR JAY: We now move off Mr Mosley's case to the issue of	21	"Tom Crone and the editor promised on many occasions
22	phone hacking. Can I ask you, first of all, about	22	that I could come back to a job at the newspaper if
23	Mr Goodman's appeal letter of 2 March 2007. I regret to	23	I did not implicate the paper or any of its staff in my
24 25	say it's not in any of the four files you have,	24	mitigation plea. I did not and I expect the paper to
23	Page 89	25	Page 91
	1 450 05		1 450 > 1
1	Mr Crone. You probably remember it. It's in the	1	honour its promise to me."
1 2	Mr Crone. You probably remember it. It's in the Abramson bundle, if I can put it in these terms, we	1 2	honour its promise to me." Is that true?
			-
2	Abramson bundle, if I can put it in these terms, we	2	Is that true?
2 3	Abramson bundle, if I can put it in these terms, we were looking at earlier today, under tab 4 of that	2 3	Is that true? A. No.
2 3 4	Abramson bundle, if I can put it in these terms, we were looking at earlier today, under tab 4 of that bundle.	2 3 4	Is that true? A. No. Q. So do we understand your evidence to be
2 3 4 5	Abramson bundle, if I can put it in these terms, we were looking at earlier today, under tab 4 of that bundle. The third point Mr Goodman made under (iii) was	2 3 4 5	Is that true? A. No. Q. So do we understand your evidence to be A. Certainly in relation to anything I said. I don't know
2 3 4 5 6	Abramson bundle, if I can put it in these terms, we were looking at earlier today, under tab 4 of that bundle. The third point Mr Goodman made under (iii) was that:	2 3 4 5 6 7	Is that true? A. No. Q. So do we understand your evidence to be A. Certainly in relation to anything I said. I don't know what the editor might have said to him, but not me.
2 3 4 5 6 7	Abramson bundle, if I can put it in these terms, we were looking at earlier today, under tab 4 of that bundle. The third point Mr Goodman made under (iii) was that: "My conviction and imprisonment cannot be the real	2 3 4 5 6 7	Is that true? A. No. Q. So do we understand your evidence to be A. Certainly in relation to anything I said. I don't know what the editor might have said to him, but not me. I told him and the context of that, as far as I can
2 3 4 5 6 7 8	 Abramson bundle, if I can put it in these terms, we were looking at earlier today, under tab 4 of that bundle. The third point Mr Goodman made under (iii) was that: "My conviction and imprisonment cannot be the real reason for my dismissal. The legal manager, Tom Crone, 	2 3 4 5 6 7 8	Is that true? A. No. Q. So do we understand your evidence to be A. Certainly in relation to anything I said. I don't know what the editor might have said to him, but not me. I told him and the context of that, as far as I can see he's possibly conflating maybe two different
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$ \begin{array}{c} 1\\2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\end{array} $	Obviously, one of the things that I was doing by attending the Goodman legal conferences was to find out what was happening in the case, but that wasn't something I necessarily discussed with Clive, saying, "Look, I'm here so that I can report back on what you're going to do." I would obviously, having attended whatever I attended and been told whatever I was told or listened to whatever I heard I would go back and I would report back on it to which everyone knew I would be doing that back to those at News of the World, News International. Q. So your evidence is that you were giving no impression to Mr Goodman that the price for his keeping silent might be that he could stay on the paper; is that right? A. I don't think I gave that impression, I have to say. In fact, I'm sure I didn't give that impression. When I first became aware of that, which was actually not when the letter was sent because I didn't see that letter until, really, a long time afterwards, I spoke to one of the lawyers who was in those meetings	$ \begin{array}{c} 1\\2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\end{array} $	 probably raised it at one stage as well, along those lines. That was against the background of what I was told actually by Clive Goodman's lawyer, that in his he was an experienced criminal practitioner, solicitor, solicitor that in his experience, this case had been better prepared against Goodman and Mulcaire than anything he'd ever come across. The investigation lasted nine months, from I think November through until arrests in August. The paperwork was voluminous and it was all well-presented and everything that was being alleged seemed to be standing up. So against that context, I came away from the sentencing hearing thinking that the reference to others at News International was likely to be based on real evidence, rather than conjecture. Q. Although, of course, no specific evidence was placed before the judge, was it? A. I don't know what was placed nothing that I could see, unless the judge has stuff in his paperwork that
21 22 23 24 25	and asked him what he thought whether he thought there was any truth in that and I was told: "Absolutely not."Q. You attended the sentencing hearing, as you told me earlier, on 26 January 2007. You say in your witness Page 93	21 22 23 24 25	I wasn't aware of. Q. Didn't your thought process work on this slightly more developed line, Mr Crone, that Mr Goodman was the royal correspondent, and counts 1 to 15 concerned hacking into voicemails of the royal household, and so that all tied Page 95
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 statement, under (h) I'm afraid this is unpaginated. You might have a little bit of difficulty in finding it. It's about six pages from the end. I'm not going to ask you about the first A. I have it. Q sentence at the top of the page yet. You say this, the second sentence: "Having attended throughout the Goodman-Mulcaire sentencing/hearing, I formed a strong impression that was said about others at News International commissioning Mulcaire's accessing in relation to the non-royal victims was based upon more than circumstantial evidence." How and why did you derive that impression? A. Because the prosecution, I think, had mentioned it on at least two occasions in his explanation of what had happened, that in relation to the other, non-royal Mulcaire victims, Mulcaire was doing it for I think the phrase was "others at News International", and that phrase or something like it I think was probably used 	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 up, but counts 16 to 20 related to individuals who, of course, had nothing to do with the royal family and therefore would be naturally outside the province of bailiwick of Mr Goodman, which would give rise to a strong inference that the others at News International would indeed be people who were not part of the royal department, as it were? Didn't your thinking go along those lines? A. Yes, yes, it did. I mean, there are two explanations for what you've just set out. One is that Mr Mulcaire was doing it for people other than News International. But since the judge, prosecution and I think Mulcaire's lawyer had said for those at News International, that's what I tended to think. Q. Are you suggesting that Mr Mulcaire was moonlighting for some other newspaper? A. No, I'm saying those are the two explanations. He's either doing it for someone else, or he's doing it for others at News International, because Mr Goodman actually, in fairness, Mr Goodman was doing a lot more
21 22 23 24 25	twice by the prosecution. This is only memory.I haven't read the sentencing judgment at all recently.It was also the sentiment, if it is a sentiment, wasmentioned by the judge in the same way, and I think,from memory, Mr Sanders, who represented Mulcaire,Page 94	21 22 23 24 25	than royal because he had a column which was kind of a gossip column, which touched on all areas of celebrity as well as royalty. It was under the heading "Blackadder", which he ran for, I think, a year or two just before this period. Page 96

24 (Pages 93 to 96)

1 Q. You didn't seriously think, did you, at the time that 1 others were probably involved. 2 Wr Mulcaire was acting for other newspapers? He was 2 MR MAY: The party line was being put out: one rogue 4 A. 1 think - 1 did - 1 certainly think that now, and 2 MR MAY: The party line was being put out: one rogue 7 A. 1 think 1 did - 1 certainly think that now, and 2 MR MAY: The party line was being put out: one rogue 7 A. 1 think 1 did - 1 certainly think that now, and 2 MR May: The party line was being put out: one rogue 7 But as I say, my view is that it was for others at 3 A. Was. My feeling is 1 hosqiit is void probably come 9 the other three parties in court on that diy. 0 Weren there unnous: sping around within 10 News International which might have infiltrated ining the outparty and discussions in the context of a specific 10 News International wore indeed involved? 1 3 DRD JUSTICE LEVESON: Well, you were certainly right there 11 News International so the every out first aware that the rogue ropout? 1 News International wore out oper termany that the outpart of a specific request of a specific request of a specific request of specific request of a specific request of samp din the outpart on samp? 1 1			-	
2 Mr Mulcaire was acting for other newspapers? He was 2 Mr Mulcaire was being put out: one rogue 3 Wr Mith, -1 did -1 certainly think that now, and 1 Tepreter. And you heard that party line being peddled, 4 A. I think -1 did -1 certainly think that now, and 1 Cau't remember when I first though tit, but I suspect 3 A. Yes. 7 But as 1 say, my view is that if was for others at 1 A. Yes. 4 A. Yes. 8 News International because that's what I've beard from 4 A. Yes. 6 U was using peddled one, it was peddled several 9 the oth Bailey. 9 back to bite the people who were saying it, which was 9 10 O. Wrenet there numours going around within 10 0. This was your feeling, was it? 12 A. I don't remember runnours, but I didn't need runnours 1 1007 DISTICE IFVESON: Well, you were certainly right thee 14 A. I don't remember runnours, but I didn't need runnours 10 A. I was giving legal advice? I an entitled to ask you 15 because I'd already goti i, really. From the hearing at or at the otheset of saif of the News of the Word is 3 A. I was giving legal advice in the discussi	1	Q. You didn't seriously think, did you, at the time that	1	others were probably involved.
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26 (Pages 101 to 104)

1	"I remember that he started the meeting with the	1	A. I don't remember hearing the 250, so if it ended
2	words 'we thought this had all gone away'."	2	swiftly, in my memory it had nothing to do with that,
3	Did you say that?	3	no. I don't remember it ended swiftly, actually.
4	A. I can't remember saying it, but I'm not denying I did.	4	I thought we just ran out of discussion. It was all
5	Q. "He told me that he'd asked all News of the World	5	very pleasant and shake hands and off I went.
6	journalists whether they'd been involved in hacking."	6	Q. Yes. Okay. Then the litigation proceeded and know
7	Is that correct?	7	that. We also know that in January 2008 Mr Taylor made
8	A. Yes.	8	an application for third-party disclosure against the
9	Q. How many people did you speak to?	9	police and that you were sent documents disclosed by the
10	A. Six or seven, I should think. Maybe a little bit less.	10	police to the claimant in April 2008. Do you follow me?
11	Maybe five.	11	A. Yes.
12	Q. The "all News of the World journalists", that suggests		LORD JUSTICE LEVESON: Mr Jay, just pause there for
12	everyone. You'd obviously been a bit more selective	13	a moment.
13	than that.	14	MR JAY: Yes.
15	A. I don't think I told him I spoke to "all	15	LORD JUSTICE LEVESON: How long do you have for Mr Crone
16	News of the World journalists", no. I think I'd	16	MR JAY: At least another hour.
17	suggested I'd spoken to those who could possibly or were		LORD JUSTICE LEVESON: Then I think the answer probably is
18	likely to have been involved.	18	to draw stumps now and carry on, if it's a convenient
19	Q. Could possibly or likely to be involved, but you had	19	moment.
20	a handful; is that right?	20	MR JAY: Yes. And I note the time and Mr Crone has been
20	A. Yes.	21	going for a while.
21	Q. "He said that they had confirmed to him that they had	21	LORD JUSTICE LEVESON: Yes.
22	not."	23	MR JAY: Regardless of
23 24	Again, is that correct?	23	LORD JUSTICE LEVESON: I'm very conscious that I am
24	A. Yes.	25	responsible for disrupting today's timetable.
23	Page 105		Page 107
1	Q. "In response to this statement I said to Tom that whilst	1	But just before we leave, let me just ask one
2	I believed him, I did not believe them."	1 2	question of you, if I might: some employers might take
	I believed him, I did not believe them." Did Mr Lewis say that?		question of you, if I might: some employers might take the view that they would have to find out if any of
2	I believed him, I did not believe them." Did Mr Lewis say that? A. Yes.	2	question of you, if I might: some employers might take the view that they would have to find out if any of their employees had been breaking the law. Some
2 3	I believed him, I did not believe them." Did Mr Lewis say that? A. Yes. Q. Did you believe them?	2 3	question of you, if I might: some employers might take the view that they would have to find out if any of their employees had been breaking the law. Some employers. They might ask the police for help, get back
2 3 4	I believed him, I did not believe them." Did Mr Lewis say that? A. Yes. Q. Did you believe them? A. Well, I'm reverting I'm returning to what I've been	2 3 4	question of you, if I might: some employers might take the view that they would have to find out if any of their employees had been breaking the law. Some employers. They might ask the police for help, get back their own documents to see what they revealed, and
2 3 4 5 6 7	I believed him, I did not believe them." Did Mr Lewis say that?A. Yes.Q. Did you believe them?A. Well, I'm reverting I'm returning to what I've been saying to you in the last few answers: I thought it	2 3 4 5	question of you, if I might: some employers might take the view that they would have to find out if any of their employees had been breaking the law. Some employers. They might ask the police for help, get back their own documents to see what they revealed, and commence an internal investigation to clear out anyone
2 3 4 5 6	I believed him, I did not believe them." Did Mr Lewis say that? A. Yes. Q. Did you believe them? A. Well, I'm reverting I'm returning to what I've been saying to you in the last few answers: I thought it probably was more widespread than one rogue reporter.	2 3 4 5 6	question of you, if I might: some employers might take the view that they would have to find out if any of their employees had been breaking the law. Some employers. They might ask the police for help, get back their own documents to see what they revealed, and commence an internal investigation to clear out anyone who might have been involved in illegal behaviour.
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1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	I found out subsequently, because he was dismissed immediately after very shortly after he was sentenced. LORD JUSTICE LEVESON: Yes. It's not specifically the decision, of course. I take your point, and I know he was. That's how you got into the topic. A. Mm. LORD JUSTICE LEVESON: But it's the general feeling, it's the ethos of the system, not the specific decision that I'm really directing my question to. A. I can't speak for what was going through other people's minds, those running the company at the time, and they didn't specifically share with me in this context. But I think there was a feeling that bad things had happened, clearly, possibly more than had come out, but there was also a feeling that they weren't going to happen any more, they weren't happening now, when those thoughts were going on, they weren't going to happen any more, and the company hoped to move forward on that basis. That's my view of it. LORD JUSTICE LEVESON: It's particularly in the context of what Mr Goodman then says is, "Come on, everybody, I was promised this support". Anyway, I was just keen to get your over-arching view of the ethos at the time, which to me is more important than any of the specific details Page 109	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	INDEX MR LAWRENCE HOWARD ABRAMSON (sworn) Questions by MR JAY
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