

<p>1 Tuesday, 13 December 2011 2 (11.30 am) 3 LORD JUSTICE LEVESON: Mr Jay, I'm very sorry to everybody 4 for keeping them. I was not in control of my own 5 timetable. 6 MR JAY: The first witness today, please, is Mr Lawrence 7 Abramson. 8 LORD JUSTICE LEVESON: Thank you. 9 MR LAWRENCE HOWARD ABRAMSON (sworn) 10 Questions by MR JAY 11 MR JAY: Sit down, please, Mr Abramson, and make yourself 12 comfortable. Can you provide us with your full name? 13 A. It's Lawrence Howard Abramson. 14 Q. You have a file we have prepared for you and in that 15 file, under tab 2, you will find your first witness 16 statement, which you dated 23 September. 17 A. Yes. 18 Q. And your second witness statement in its final 19 incarnation is dated 8 December; is that right? 20 A. I'm sure it is, yes. 21 Q. It's under tab 7? 22 A. Yes. 23 Q. There's a statement of truth which you've appended to 24 both witness statements. Subject to a minor correction 25 you wish to make to paragraph 7 of your first witness Page 1</p>	<p>1 your evidence. For the purpose of preparing either or 2 both witness statements, did you have access to 3 Harbottle & Lewis files? 4 A. I did, yes. Not the original but a photocopy of it. 5 Q. On 9 May 2007, if I can take you back to then -- 6 A. Yes. 7 Q. -- were you approached by Mr John Chapman of 8 News International to perform a particular task? 9 A. I was, yes. 10 Q. Was there a telephone conversation on that day which is 11 evidenced by an entry in your daybook, which we know is 12 LHA5? 13 A. Yes. 14 Q. Under our tab 8. The transcript of it is 33448. 15 A. Yes, I have it. 16 Q. Can we run through this and see what interpretation you 17 can provide? 18 A. Yes. 19 Q. It is necessarily elliptical since these are notes 20 presumably you were taking during the course of the 21 conversation, Mr Chapman, or -- 22 A. That's right, yes. 23 Q. "Work -- cut off emails." 24 Do you know what that means? 25 A. I think he's telling me that he has a new piece and work Page 3</p>
<p>1 statement, is this your evidence, Mr Abramson? 2 A. It is, yes. 3 Q. The correction you wish to make, on my understanding, if 4 you look at paragraph 7, 01128, the first page of your 5 first witness statement, you wish to correct the date as 6 to when you first started working for News -- which, of 7 course, is News International -- and other related 8 companies. You wish to correct that date, as 9 I understand it? 10 A. Yes. 11 Q. To when? 12 A. It seems to be 2005 when I did my first piece of work 13 for News. 14 Q. You, of course, are a solicitor. You were a partner at 15 a firm called Harbottle & Lewis as from 1 September 16 1998; is that right? 17 A. That's right, yes. 18 Q. And you left in May 2010 to join another firm; is that 19 correct? 20 A. That's correct. 21 Q. Your specialism or specialisms, please, Mr Abramson? 22 A. I'm a litigator and I have particular expertise in the 23 media and entertainment industries. 24 Q. Thank you. Now, waiver of privilege -- that's legal 25 professional privilege -- has been given in relation to Page 2</p>	<p>1 and that he's telling me that some of the emails that 2 he's about to give me access to have been cut off. 3 Q. In what sense cut off, please? 4 A. They're incomplete. We see that on the file itself. 5 They end in the middle of a sentence, middle of a line, 6 and they just don't go any further. 7 Q. Is that due to some IT glitch or did you have any idea 8 why they were cut off? 9 A. It must have been some IT glitch at News. We were given 10 access to the server, not the actual emails themselves, 11 so there had to be some IT issue there. 12 Q. Fair enough. Then it says: 13 "-- 2 others." 14 Can you help us with that? 15 A. Yes. I -- the short answer is I don't remember exactly 16 what was being said at the time, but doing the best 17 I can, I believe that he's telling me that Mr Goodman 18 has made allegations that two others were aware of his 19 activities. 20 Q. Fair enough. 21 "-- Mulcaire -- on books. Got paid TT plus cash." 22 I think we can work out what that might be. 23 A. Very well. 24 Q. Then "cut off" again -- 25 LORD JUSTICE LEVESON: Help me with "TT", Mr Jay. Page 4</p>

<p>1 MR JAY: Telegraphic transfer. 2 A. That's right. 3 LORD JUSTICE LEVESON: Thank you. 4 MR JAY: We know he was getting paid, under the contract, 5 something in the region of 105,000 a year on a monthly 6 basis, so that's probably a reference to that, and the 7 cash -- maybe I should ask you about the cash. What 8 understanding did you have about the cash? 9 A. He told me that Mulcaire was paid by News, both by 10 telegraphic transfer and by cash. 11 Q. Yes. The "cut off", is that another reference to the 12 cut-off emails? 13 A. I think so, yes. 14 Q. And then: 15 "Other journalists used Mulcaire." 16 A. Yes, he was telling me that there were other journalists 17 at News that used Mulcaire. Mulcaire was a private 18 investigator, so I don't think he was telling me that 19 other journalists used Mulcaire for phone hacking, but 20 he's telling me that other just journalists are using 21 Mulcaire for quite legitimate ... 22 Q. You think for legitimate or illegitimate reasons? 23 A. I don't know one way or the other but I think he's 24 telling me that other journalists use Mulcaire for 25 legitimate reasons.</p> <p style="text-align: center;">Page 5</p>	<p>1 coming with a more full set of instructions. 2 Q. I understand: 3 "Alexander is code name." 4 I'm continuing with this exhibit. That, we know, is 5 the code name for Mr Mulcaire. 6 A. For Mulcaire. 7 Q. Then the next sentence -- it's not even a sentence: 8 "Concern not to provoke Mulcaire?" 9 What does that mean? 10 A. News were concerned not to -- he's telling me that 11 they're concerned not to provoke Mulcaire either by 12 Mulcaire making the same sort of allegations that 13 Goodman was making, or, conversely, by Goodman's 14 allegations provoking Mulcaire. That was obviously 15 a concern that News had. 16 Q. "How do we contain it?" 17 A. What he's telling me there is that News are concerned to 18 contain the publicity that will inevitably arise from 19 Clive Goodman making allegations that there were others 20 at News that were aware of his activities. 21 Q. So this related to what Goodman might say, and what 22 Mulcaire might say as well; is that right? 23 A. Yes. 24 Q. Then the final fragment in LHA5: 25 "Blank emails."</p> <p style="text-align: center;">Page 7</p>
<p>1 LORD JUSTICE LEVESON: I'm sorry, I've not got from this 2 note the word "phone hacking" yet at all. 3 A. Sir, that's probably correct, but this what is not 4 a complete transcript of what he's telling me. This is 5 me making notes of things I might need to remember 6 later. 7 LORD JUSTICE LEVESON: I see. 8 MR JAY: The context is that we know from other evidence 9 that Messrs Mulcaire and Goodman by this stage had 10 received prison sentences on 26 January 2007 for phone 11 hacking offences. Were you aware of that when you spoke 12 to -- 13 A. Oh yes, that would have been the first thing he would 14 have told me, "I'm calling you about Clive Goodman." 15 Q. So the context there is phone hacking or is it more 16 general? Can you recall? 17 A. At this stage in the conversation, I'm probably not 18 clear where it's going. He's giving me background 19 information. He's explaining a few things that he -- 20 that I need to be aware of and then he's going to tell 21 me what he wants me to do. 22 Q. Yes. Well, we're going to see his letter of 10 May. 23 A. I think he would have told me that he's putting all this 24 in writing anyway, so I'm only making a few scribbled 25 notes to help me along because I know there's an email</p> <p style="text-align: center;">Page 6</p>	<p>1 A. It's the same point as the cut-off emails and we see in 2 the file there are some emails that are just blank. 3 He's saying, "Don't be alarmed, that's how they are." 4 Q. An email arrived the following day from Mr Chapman. 5 It's in LHA2, which is your tab 4, and it's our document 6 01171. 7 A. Yes. 8 Q. I don't know how good a copy this is. 9 A. It's not a very good copy, but I'm familiar with the 10 email. 11 Q. There's a better one directly underneath your tab 11. 12 A. Actually, there's one on the screen as well. Yes, 13 that's a better one. 14 LORD JUSTICE LEVESON: Just be careful. I think we just 15 ought to leave this one onscreen because I notice the 16 one on screen is redacted. 17 A. It is. 18 MR JAY: 01171 is the one we're going to be looking at, as 19 it were, publicly, and we're going to be quite careful 20 with some names. I'm not going to mention them, in 21 other words, Mr Abramson. 22 A. Yes. 23 Q. But these are your instructions, that on 5 February 2007 24 you're told by Mr Chapman: 25 "We terminated the employment of Clive Goodman, the</p> <p style="text-align: center;">Page 8</p>

<p>1 royal correspondent of News of the World, following his 2 imprisonment for conspiracy to intercept voicemail 3 messages."</p> <p>4 There's reference to Mr Mulcaire. You're faxed 5 a copy of the termination letter and then other letters, 6 one of which we'll look at in a moment.</p> <p>7 "The letter of 14 March requests certain emails 8 which Goodman believed to be potentially relevant to his 9 appeal. This request was refused. However, both myself 10 and Daniel Cloke, our head of HR, went through all the 11 emails fitting into the above categories which our IT 12 department were able to recover from archive. The 13 purpose of this exercise was to find any evidence in 14 such emails to support the contentions made by Goodman 15 in his letter of 2 March, paragraphs I and II -- ie that 16 his illegal actions were known about and supported 17 [words redacted] and that [words redacted] and others 18 were carrying out similar illegal procedures. We found 19 nothing that amounted to reasonable evidence of either 20 of the above contentions. Because of the bad publicity 21 that could result in an allegation in an employment 22 tribunal that we had covered up potentially damaging 23 evidence found on our email trawl, I would ask that you 24 or a colleague carry out an independent review of the 25 emails in question and report back to me with any</p> <p style="text-align: center;">Page 9</p>	<p>1 Q. This is from Mr Hinton to Mr Goodman on 5 February 2 terminating -- I'm paraphrasing this -- Mr Goodman's 3 employment but -- and this is the third paragraph: 4 "... given your unblemished and frequently 5 distinguished years of service ... it's been decided 6 that upon your termination you will receive one year's 7 salary."</p> <p>8 Do you see that? 9 A. I do, yes.</p> <p>10 Q. Mr Goodman's appeal letter, which we have in redacted 11 form, is really the next document, 01176. 12 A. Yes.</p> <p>13 Q. Where he makes, as it were, four points the. The first 14 point is: 15 "The decision is perverse is because my actions were 16 carried out with the full knowledge and approval of 17 [redacted names]." 18 A. Yes.</p> <p>19 Q. "The decision is inconsistent because ... other members 20 of staff were carrying out the same illegal procedures." 21 The third point relates to Mr Crone, as does the 22 fourth point. 23 A. Yes.</p> <p>24 Q. So you were looking at the emails in this context. On 25 14 May, you sent a standard retainer letter to</p> <p style="text-align: center;">Page 11</p>
<p>1 findings of material that could possibly tend to support 2 either of Goodman's contentions. We will make available 3 to you access to the emails in question as soon as 4 possible."</p> <p>5 So your brief, as it were, was to identify material 6 that could possibly tend to support either of Goodman's 7 contentions. Do you see that? 8 A. Yes.</p> <p>9 Q. Quite a low standard of proof? 10 A. In -- material in the emails.</p> <p>11 Q. Yes. So we see the background, News International's 12 letter to Mr Goodman, which is referred to here, was 13 sent on 5 February 2007, and it's our document 01174. 14 A. I'm sorry, where do I find that? 15 Q. It's under tab 4 in your bundle. 16 A. Thank you.</p> <p>17 Q. Just a few pages later on. 18 A. Tab 4, did you say? 19 Q. It's under tab 4 in your bundle. 20 A. It's the same -- 21 Q. Tab 4. I'm working from the tabs on the far right-hand 22 side, Mr Abramson. 23 A. I'm sorry, tab 4 in my bundle is LHA2. 24 Q. That's correct. 25 A. Yes, I'm sorry, I have it, yes.</p> <p style="text-align: center;">Page 10</p>	<p>1 Mr Chapman, which is directly under your tab 6. It's 2 our document 01285. 3 A. Yes.</p> <p>4 Q. In which you set out the basis of your charging, 5 et cetera. 6 A. Yes.</p> <p>7 Q. You were reviewing, pursuant to this instruction, 8 approximately 2,500 emails for a particular purpose; is 9 that correct? 10 A. Yes. I'm not sure the figure of 2,500 was something 11 that was communicated to me at the time, but certainly 12 I'm aware of that now.</p> <p>13 Q. Was that review undertaken by you or by those for whom 14 you were responsible under your supervision? 15 A. It was a team of junior lawyers, two paralegals and one 16 trainee under my supervision.</p> <p>17 Q. Could you confirm, please, in general terms what emails, 18 if any, you saw at this stage? 19 A. The emails I -- at this stage? None. I went onto the 20 server just to check that it worked. Are you asking me 21 during the course of the exercise? 22 Q. Yes. 23 A. The emails I saw were those that were brought to my 24 attention by the junior lawyers. They did the initial 25 trawl and they would bring to my attention anything that</p> <p style="text-align: center;">Page 12</p>

3 (Pages 9 to 12)

<p>1 they were concerned about, using quite a conservative 2 approach to make sure that nothing fell through the net. 3 There were also a bundle of emails that arrived 4 about roughly halfway through the process from Daniel 5 Cloke in hard copy that he wanted me to look at. 6 Q. I'll ask you a little bit more about that in a moment. 7 You wrote a letter to the Select Committee on 24 August 8 of this year, which is under tab 3 in this bundle. 9 A. Yes. 10 Q. Can I just ask you, please, about the last paragraph on 11 the first page of the letter, which is our document 12 01133. 13 A. Yes. 14 Q. We see there that on 24 May, you had a longer 15 conversation with Mr Chapman lasting between 18 and 24 16 minutes: 17 "Having reviewed a limited number of emails that the 18 junior emails had produced to me, I was able to satisfy 19 myself in most instances that they fell outside the 20 scope of what Harbottle & Lewis have been instructed to 21 consider. There remain somewhere in the order of 22 a dozen emails that I had a query about. I therefore 23 spoke to John Chapman and discussed these emails with 24 him, and during the course of that conversation, John 25 Chapman explained and I accepted why those emails fell</p> <p style="text-align: center;">Page 13</p>	<p>1 Q. Which is under our tab 6. I think it's going to be 2 document 33444. 3 LORD JUSTICE LEVESON: How about tab 7? 4 MR JAY: It's tab 7, yes. 5 A. Yes. I'm sorry, which paragraphs did you say? 6 Q. 19 to 21. 7 A. Yes. 8 Q. Paragraph 20. You were asked some questions 9 specifically on the letter to the Select Committee we 10 have just looked at. 11 In paragraph 20, you say: 12 "There were some emails that I brought to 13 Mr Chapman's attention even though they did not show 14 evidence of knowledge by others of phone hacking by 15 Clive Goodman or show that others were engaged in 16 similar illegal activities or were slightly outside the 17 date range I had been asked to look in. This was 18 because, having seen them, I wanted to ensure that 19 Mr Chapman was aware of them in the event that the 20 matter ever proceeded on to an ET, because in my view 21 they contained potentially confidential or sensitive 22 matters that News may not want to have to give 23 disclosure of." 24 Are you able to give us any idea of what these 25 emails were about, apart from the fact that they might</p> <p style="text-align: center;">Page 15</p>
<p>1 outside the scope of what News International instructed 2 Harbottle & Lewis to consider." 3 So can we be slightly more precise about these 4 emails? Do these emails fall outside the relevant date 5 or are these emails irrelevant emails? 6 A. It's not that they fell outside -- at this stage, the 7 ones I'm talking to Mr Chapman about on 24 May don't 8 fall outside the date range. They fell outside what 9 I had been asked to consider because they did not 10 support Mr Goodman's allegations of others being 11 aware of his phone hacking activities. 12 LORD JUSTICE LEVESON: What was your concern about them? 13 A. My concern, sir, was that I was aware that there was 14 a possibility that this matter might reach an employment 15 tribunal and that News would have much wider disclosure 16 obligations if that happened than they would have just 17 responding to the documents that Clive Goodman had asked 18 for, and I felt that these emails showed News, for one 19 reason or another, in an unfavourable light and were the 20 sort of emails that I had to flag up to them, that: "If 21 this came to a tribunal and you had to disclose these, 22 they could result in adverse publicity for you." 23 MR JAY: You deal with this in paragraphs 19 to 21 of your 24 second witness statement. 25 A. Yes.</p> <p style="text-align: center;">Page 14</p>	<p>1 be potentially embarrassing? 2 A. I'm hesitating because I know you don't want to go into 3 the content of the emails. They showed confidential 4 sources, concerns not to reveal sources. They revealed 5 cash payments -- will you stop me if you say something 6 you don't want -- I'm not supposed to -- 7 Q. Yes. 8 A. They revealed quite an active involvement in 9 Clive Goodman's prosecution. They showed the -- trying 10 to influence the way the prosecution was being 11 conducted -- or the defence was being conducted. And 12 there is one email that's been redacted that I thought 13 would not reflect well on -- 14 Q. Yes, I'll stop you there, Mr Abramson. I think that's 15 a sufficient flavour. 16 Can I be clear, though, about one matter, and I just 17 want you to answer this question, please, "yes" or "no". 18 At this stage -- and we're on 24 May 2007 -- had you 19 seen any emails which went back as far as the year 2003? 20 A. No. 21 Q. So is this right: the earliest email you saw went back 22 to 2005, possibly? 23 A. Yes, I believe that's right. 24 Q. Thank you. 25 There's one slightly earlier document which you</p> <p style="text-align: center;">Page 16</p>

<p>1 don't mind me referring to, Mr Abramson. It's under 2 your tab 11, dated 16 May 2007. It's our number 20039. 3 A. Yes. 4 Q. This is an attendance note which covers the issue of 5 unfair dismissal, which possibly was outside your 6 specific area of expertise -- 7 A. Absolutely. I'd brought in another assistant to provide 8 the advice on that. 9 Q. Was the concern at this stage, aside from the merits of 10 any unfair dismissal claim, to limit any adverse 11 publicity which might arise from whatever Mr Goodman 12 might say in the ET proceedings? 13 A. Yes, I think that's right. 14 Q. You, I think -- indeed I know -- gave a draft of your 15 advice to Mr Chapman for consideration by him before it 16 would be formalised? 17 A. That's right, yes. 18 Q. It is a document which, unfortunately, because of what 19 it contains, we can't put up on the screen. It hasn't 20 been redacted. But in order to identify it, it is 21 20087, and you will find it under tab 11. 22 A. Yes. 23 Q. What we see here is that at 13.13 hours on 25 May it 24 says: 25 "Draft for discussion this pm." Page 17</p>	<p>1 A. Yes. I see the difference in the wording, yes. 2 Q. Do you think that there is a difference between the two 3 formulations? 4 A. Yes. Yes, I can see -- well, there's plainly 5 a difference in the two formulations. 6 Q. Had you asked yourself the question: "Was there evidence 7 which possibly tended to support either of Goodman's 8 contentions?" might your advice have been any 9 difference? 10 A. In the emails that I had seen at that point, probably 11 not. I don't think there would have been. 12 Q. Fair enough. We know from other evidence -- and I think 13 I can take this quite shortly -- that it wasn't until 14 29 June 2007 that your firm received from the Central 15 Criminal Court the transcript of Mr Justice Gross' 16 sentencing remarks delivered on 10 January 2007; is that 17 right? 18 A. Yes. 19 LORD JUSTICE LEVESON: I think he got the whole transcript 20 A. We got the transcript of the -- what I would call the 21 judgment first, and then -- I wasn't aware of this until 22 very recently, but it does appear that we got the full 23 transcript of that day as well. 24 MR JAY: Yes. We know from what Mr Justice Gross said that 25 in relation to counts 16 to 20, which were not the Page 19</p>
<p>1 It's been sent on your behalf to Mr Chapman. 2 "Draft for discussion this pm. We have, on your 3 instructions, searched the emails that you were able to 4 let us have access to from the accounts ..." 5 And then I'm not going to mention names. 6 "I confirm that we did not find any evidence that 7 proved that [notionally redacted names] knew that 8 Clive Goodman, Glenn Mulcaire or any other journalists 9 at the News of the World were engaged in illegal 10 activities prior to their arrest." 11 The final advice was given on 29 May. Again, it 12 can't be put on the screen. It's page 20134 and under 13 the self-same tab 11. Do you see that? 14 A. Yes, I do. 15 Q. After the names, which have been notionally redacted, 16 you say: 17 "I can confirm that we did not find anything in 18 those emails which appear to us to be reasonable 19 evidence that Clive Goodman's illegal actions were known 20 about ..." 21 Et cetera. 22 A. Yes. 23 Q. Your instructions, given to you on 10 May, had set out 24 a slightly lower test, "possibly tend to support" rather 25 than "reasonable evidence". Do you recall that? Page 18</p>	<p>1 Goodman/Mulcaire counts but were counts relating to five 2 other targets, that Mr Justice Gross referred generally 3 to others at News International with whom Mr Mulcaire 4 might have been working. 5 A. Yes. 6 Q. Do you follow me? 7 A. Yes. 8 Q. Had you had Mr Justice Gross' remarks available when you 9 advised on 29 May 2007, might your advice have been any 10 different? 11 A. My advice was limited to the content of the emails. So 12 I don't think it would have been. 13 Q. Okay. Can I go back, please, to your second witness 14 statement. Paragraph 23. 15 A. Yes. 16 Q. You indicate what your approach was and you have 17 explained that approach to us. We need your help with 18 a further batch of emails, which you refer to in 19 paragraph 25. 20 A. Yes. 21 Q. Which were printed out on 24 May 2007. Did those emails 22 relate back to an earlier period of time, namely 2003? 23 A. They did, yes. 24 Q. Were those emails considered by you at this stage, 25 namely at all material times between 24 May 2007 and, Page 20</p>

5 (Pages 17 to 20)

<p>1 say, the end of June 2007?</p> <p>2 A. No, I don't believe they were.</p> <p>3 Q. It's clear from your witness statement that those emails</p> <p>4 were considered by others in your office, is this right,</p> <p>5 working under your supervision?</p> <p>6 A. Yes.</p> <p>7 Q. And were attempts made by them to draw those matters to</p> <p>8 your attention, if I can put it in that general way?</p> <p>9 A. Yes.</p> <p>10 Q. It's clear from what you're saying in paragraphs 28 to</p> <p>11 30 of your witness statement that owing to the</p> <p>12 intervention of a holiday and other considerations, and</p> <p>13 having regard to your billing records, which you have</p> <p>14 looked at, you're sure that you did not look at the 2003</p> <p>15 emails which I'm referring to rather obliquely and</p> <p>16 generally; is that correct?</p> <p>17 A. "Sure" is a high threshold to apply to something which</p> <p>18 happened four and a half years ago, but to my best</p> <p>19 recollection, I don't believe I saw those emails.</p> <p>20 Q. May I put the question in these terms, being, I hope,</p> <p>21 very careful as I do pose the question. Have you since</p> <p>22 seen the 2003 emails?</p> <p>23 A. Yes.</p> <p>24 Q. It may be a bit of a hypothetical question, but had you</p> <p>25 seen those emails back in May 2007, would your advice</p> <p style="text-align: center;">Page 21</p>	<p>1 be added to your advice?</p> <p>2 A. Yes.</p> <p>3 Q. "Equally, having seen a copy of Clive Goodman's notice</p> <p>4 of appeal of 2 March 2007, we did not find anything that</p> <p>5 we consider to be directly relevant to the grounds of</p> <p>6 appeal put forward by him."</p> <p>7 A. Yes.</p> <p>8 Q. That was his suggestion.</p> <p>9 A. Yes.</p> <p>10 Q. It's clear that you rejected it because if you look just</p> <p>11 above the email I've just referred to, you sent him an</p> <p>12 email timed at 17.53 hours on 25 May, which says:</p> <p>13 "I can't say the last sentence in the penultimate</p> <p>14 paragraph, I'm afraid. Can we discuss next week?"</p> <p>15 A. Yes.</p> <p>16 Q. Why couldn't you say it?</p> <p>17 A. I think the short answer is it wasn't the exercise we'd</p> <p>18 been asked to conduct. We'd been asked to look for</p> <p>19 whether there was evidence in emails that supported</p> <p>20 specific allegations, and to have then signed off on an</p> <p>21 opinion that was much wider than the exercise we'd been</p> <p>22 conducting would have been wholly wrong and I couldn't</p> <p>23 have done that.</p> <p>24 Q. In terms of the narrow brief that you had been given,</p> <p>25 focusing on these emails in the context of (i) and (ii)</p> <p style="text-align: center;">Page 23</p>
<p>1 have been the same or different?</p> <p>2 A. Different.</p> <p>3 Q. I'm not going to go into that any further, you</p> <p>4 understand, Mr Abramson. It might indicate to us</p> <p>5 whether you had seen those emails, because you've told</p> <p>6 us that had you seen them, your advice would have been</p> <p>7 different. But can I ask you, though, about one</p> <p>8 particular email that you sent to Mr Chapman on 25 May</p> <p>9 2007, which again, I'm afraid, we're not going to be</p> <p>10 able to put on the screen for the self-same reason.</p> <p>11 It's number 20107, which is under your tab 11.</p> <p>12 A. Yes.</p> <p>13 Q. You can look at an email which is in the middle of the</p> <p>14 page from Mr Chapman to you, timed at 12.39 hours on</p> <p>15 Friday, 25 May. Are you with me, Mr Abramson?</p> <p>16 A. Yes, I am.</p> <p>17 Q. Mr Chapman is making a few suggestions to the draft</p> <p>18 email you had previously sent him and which we have</p> <p>19 looked at.</p> <p>20 A. Yes.</p> <p>21 Q. We can skim-read it, but the sentence which might</p> <p>22 interest us is the penultimate sentence, beginning,</p> <p>23 "Equally"; do you see that?</p> <p>24 A. Yes.</p> <p>25 Q. This is a sentence which Mr Chapman is suggesting might</p> <p style="text-align: center;">Page 22</p>	<p>1 of Mr Goodman's appeal letter --</p> <p>2 A. Yes.</p> <p>3 Q. -- you felt that you could not go as far as Mr Chapman</p> <p>4 wanted you to go?</p> <p>5 A. That's right. We hadn't been asked to consider grounds</p> <p>6 (iii) or (iv), so there might be any number of evidence</p> <p>7 there that might have been relevant to those grounds</p> <p>8 that we just hadn't looked at.</p> <p>9 Q. Did you have a discussion with Mr Chapman about this</p> <p>10 additional sentence, or was it done entirely by email</p> <p>11 exchange?</p> <p>12 A. I don't believe it was done -- I don't recall any</p> <p>13 further conversation. There's no reference in the time</p> <p>14 records to any further conversation, so the best</p> <p>15 evidence I have is no.</p> <p>16 Q. Thank you. Can I just understand, in my final question,</p> <p>17 what you believe the purpose of your providing this</p> <p>18 advice in writing to News International was. It's</p> <p>19 evident that it would or might be of comfort to them for</p> <p>20 an external legal adviser to consider a batch of emails</p> <p>21 and to express an opinion about them, but was it your</p> <p>22 understanding that your written advice, which was</p> <p>23 ultimately given in the form of a letter, would be or</p> <p>24 might be more widely disseminated?</p> <p>25 A. It was their -- the opinion was given to them. I would</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 expect them to come back to me if they were going to 2 disseminate any further than to them, any further 3 than -- well, any further. 4 MR JAY: Thank you, Mr Abramson. Those are all my 5 questions. 6 LORD JUSTICE LEVESON: All right. Thank you very much 7 indeed. 8 MR JAY: Sir, the next witness is Mr Pike. I haven't been 9 able to check whether he's arrived. He has arrived. 10 LORD JUSTICE LEVESON: I think Mr Rhodri Davies wants to 11 have a word with you. 12 MR JAY: Excuse me for turning my back. 13 LORD JUSTICE LEVESON: Yes, of course. (Pause) 14 MR JAY: We can proceed with Mr Pike. 15 LORD JUSTICE LEVESON: Very good. Thank you. (Pause) 16 MR JULIAN CHARLES PIKE (sworn) 17 Questions by MR JAY 18 MR JAY: Mr Pike, I invite you to make yourself comfortable 19 and to provide us with your full name. 20 A. Julian Charles Pike. 21 Q. Mr Pike, you provided the Inquiry with three witness 22 statements. 23 A. That's correct. 24 Q. The first is dated 23 September of this year. It's 25 under tab 1 in the bundle we prepared for you. The</p> <p style="text-align: center;">Page 25</p>	<p>1 Q. In paragraph 11 of your first witness statement, which 2 is our page 01312, in relation to a question which was 3 covering the legality of phone hacking, computer hacking 4 and blagging, you say: 5 "Separate from advising on an ad hoc basis as 6 a question may arise in a particular case, the firm has 7 never been instructed to advise [any of the relevant 8 companies] on methods employed by journalists to obtain 9 information." 10 Then you deal specifically with one particular case, 11 but then you make it clear in paragraph 13 that you have 12 been advising in relation to individual phone hacking 13 claims, in particular Mr Gordon Taylor's claim; is that 14 correct? 15 A. That's all right, yes. 16 Q. Can I ask you, please, this general question. We know 17 that News International were saying, if I can put it in 18 these terms, that Mr Goodman was one rogue reporter. 19 When did you believe that that was untrue? 20 A. That would be obviously when material came forward in 21 the Taylor case. 22 Q. So if we can get our bearings, the application made by 23 Mr Taylor to the Metropolitan Police for third-party 24 disclosure was made in January 2008. It was provided to 25 the defendant, for whom you were acting in April 2008,</p> <p style="text-align: center;">Page 27</p>
<p>1 second is dated 2 December and the third is equally 2 dated 2 December. Appended to each statement is 3 a statement of truth; is that right? 4 A. That's correct. 5 Q. So this is your formal evidence to the Inquiry; is that 6 right? 7 A. That's correct. 8 Q. There's been no waiver of legal professional privilege 9 in relation to the evidence you are providing this 10 Inquiry? 11 A. That's correct. 12 Q. Can I just understand, please, your professional 13 background? You've been a partner at Farrer & Co since 14 1999; is that correct? 15 A. That's right. 16 Q. And Farrers have been advising NGN and 17 News International for about 25 years; is that right? 18 A. That's correct. 19 Q. In general terms, the sort of advice that you have been 20 giving them, if you could give us a snapshot picture of 21 that, please, Mr Pike? 22 A. It typically involves doing defamation claims, privacy 23 claims, more recent times. Also involves advice in 24 relation to reporting restriction hearings, contempt 25 applications, et cetera.</p> <p style="text-align: center;">Page 26</p>	<p>1 so are we to deduce that it was at that point that you 2 no longer believed the rogue reporter defence? 3 A. That's right. 4 Q. Did you have any suspicions about the accuracy of that 5 defence at any earlier stage? 6 A. I think we're beginning to tread into privileged 7 territory. Unless Mr Davies is happy for me to answer 8 that question, I think I'm going over the line into 9 privileged information. 10 Q. Can I ask you the question in these terms: given that 11 the targets of counts 16 to 20 on the Goodman/Mulcaire 12 indictment were outside the bailiwick of Mr Goodman, who 13 was the royal correspondent, did you not, as a matter of 14 common sense and having regard to Mr Justice Gross' 15 sentencing remarks, which must have known about, start 16 to harbour doubts about Mr Goodman being only one rogue 17 reporter? 18 A. Speaking generally, I think one can have suspicions, but 19 one has to follow the evidence. 20 Q. Are you able to assist the Inquiry further as to that 21 without going into privileged matters? 22 A. As much as I'd be happy to do so, I think the difficulty 23 would be that I would be going into privileged 24 territory; I'm sorry. 25 Q. Okay. Did you advise in relation to Mr Max Clifford's</p> <p style="text-align: center;">Page 28</p>

<p>1 claim?</p> <p>2 A. Correct.</p> <p>3 Q. There is a publicly available document which covers his</p> <p>4 claim, so I can refer to it without there being any</p> <p>5 difficulties about privilege. It's in a file which</p> <p>6 looks like this, Mr Pike. I don't know whether you have</p> <p>7 it.?</p> <p>8 A. File 4?</p> <p>9 Q. File 4. It says at the front:</p> <p>10 "Tom Crone, Julian Pike and others."</p> <p>11 A. That's right.</p> <p>12 Q. If you look under tab 1, Mr Myler's evidence to the</p> <p>13 Select Committee which was sent as recently as</p> <p>14 1 December, on the first page of that, Max Clifford</p> <p>15 settlement, second paragraph:</p> <p>16 "The settlement negotiations were overseen and</p> <p>17 directed by the chief executive, Rebekah Brooks. She</p> <p>18 knew Mr Clifford well and I believe it's likely that she</p> <p>19 spoke directly to Mr Clifford about his claim. Mr Crone</p> <p>20 and Mr Pike were also involved in the settlement</p> <p>21 discussions."</p> <p>22 Is that correct?</p> <p>23 A. Not completely, no. I was not involved in any</p> <p>24 settlement negotiations as substantive claim. I did</p> <p>25 deal with the issues of costs.</p> <p style="text-align: center;">Page 29</p>	<p>1 damage?</p> <p>2 A. Again, we're treading into privileged territory.</p> <p>3 I don't have a waiver.</p> <p>4 Q. But just looking at what we can see in this letter and</p> <p>5 going no further, and excluding from your mind, if you</p> <p>6 have to, any privileged matters, can you assist us,</p> <p>7 please?</p> <p>8 A. I don't think I can, unless -- you know, I'm very happy</p> <p>9 to help the Inquiry, but the difficulty is my client has</p> <p>10 said it's not waiving privilege, so ...</p> <p>11 Q. Okay. May I ask you, please, about the Gordon Taylor</p> <p>12 settlement. Did you tell Mr Mark Lewis:</p> <p>13 "He was negotiating [that's Mr Lewis was</p> <p>14 negotiating] with Mr Murdoch."</p> <p>15 A. My position on this is very clear. It's on the record.</p> <p>16 The answer's no.</p> <p>17 Q. The answer's no?</p> <p>18 A. No.</p> <p>19 Q. There are, again, as there were with Mr Clifford's</p> <p>20 claim, documents in the public domain, which you,</p> <p>21 I think, provided to the Select Committee. These are in</p> <p>22 the large lever-arch file, which has been called file 3,</p> <p>23 under tab 7. This is the sheaf of documents which</p> <p>24 includes leading counsel's opinion. Do you follow me,</p> <p>25 Mr Pike?</p> <p style="text-align: center;">Page 31</p>
<p>1 Q. Okay. Reading on:</p> <p>2 "As far as I'm able to recollect, the only</p> <p>3 involvement I had concerning Mr Clifford's claim arose</p> <p>4 at a meeting I attended with Mrs Brooks, Mr Crone and</p> <p>5 Mr Pike in Mrs Brooks' office."</p> <p>6 Pausing there, do you remember that meeting,</p> <p>7 Mr Pike?</p> <p>8 A. I think I know what meeting he's referring to, yes.</p> <p>9 Q. Mr Myler can't remember when this meeting took place.</p> <p>10 Do you know approximately when it took place?</p> <p>11 A. Probably some time around January/early February 2010,</p> <p>12 I think.</p> <p>13 Q. "It must have been prior to the settlement being agreed</p> <p>14 with Mr Clifford, because I remember Mr Crone and</p> <p>15 Mr Pike advising Mrs Brooks that the amount she</p> <p>16 indicated she was prepared to offer Mr Clifford in</p> <p>17 settlement of his claim was more than they advised was</p> <p>18 necessary."</p> <p>19 Is that correct?</p> <p>20 A. I think -- sorry, I am just thinking as to whether or</p> <p>21 not privilege prevents me from answering that question.</p> <p>22 I think the answer is that I can answer that question</p> <p>23 and that is correct.</p> <p>24 Q. Was it clear to you, Mr Pike, that News International</p> <p>25 were prepared to pay an overvalue to avoid reputational</p> <p style="text-align: center;">Page 30</p>	<p>1 A. I do.</p> <p>2 Q. Working on the pagination which either you or the Select</p> <p>3 Committee provided, if you could look, please, at</p> <p>4 document JCP5. Are these your notes?</p> <p>5 A. They are.</p> <p>6 Q. Do they relate, as we can see perhaps more clearly at</p> <p>7 JCP7, to a telephone call you had with Colin Myler on</p> <p>8 27 May 2008?</p> <p>9 A. Correct.</p> <p>10 Q. Were they notes which were made at the time or</p> <p>11 subsequently?</p> <p>12 A. They are exactly contemporaneous on the telephone call.</p> <p>13 Q. I'll just ask you a few questions about the transcript.</p> <p>14 It starts by saying:</p> <p>15 "Spoke to James Murdoch. Not any options. Wait for</p> <p>16 silk's view."</p> <p>17 I'm not going to ask you further about that. Then</p> <p>18 it says:</p> <p>19 "One result of Goodman, CG [that, of course, is</p> <p>20 Goodman] sprayed around allegations. Horrid process."</p> <p>21 What did you take that to mean?</p> <p>22 A. That is a reference to the employment claim that</p> <p>23 Clive Goodman brought.</p> <p>24 Q. So he sprayed around allegations. We've seen them in</p> <p>25 a letter he wrote, I think, on 2 March of 2007. What</p> <p style="text-align: center;">Page 32</p>

<p>1 did you think the "horrid process" was a reference to?</p> <p>2 A. I think that was to the fact that these allegations had</p> <p>3 been made and those -- that News had to address them.</p> <p>4 Q. Was it being conveyed to you that there was a need to</p> <p>5 close down these sort of allegations; in other words,</p> <p>6 stop them either being made in the future or, at the</p> <p>7 very least, entering the public domain?</p> <p>8 A. No, I don't think that was being conveyed to me at the</p> <p>9 time, no.</p> <p>10 Q. You didn't get that feeling at all from Mr Myler during</p> <p>11 the course of this call?</p> <p>12 A. No, I don't think so, no.</p> <p>13 Q. Can I deal lower down -- it's level with the upper hole</p> <p>14 punch:</p> <p>15 "Didn't believe culture in the newsroom -- editor."</p> <p>16 Can you assist us with interpreting that, Mr Pike?</p> <p>17 A. I think, as best I can recollect, that that's</p> <p>18 a reference to Mr Myler saying that he didn't believe</p> <p>19 there was a culture in the newsroom to that effect.</p> <p>20 Q. Then underneath it says:</p> <p>21 "Didn't know [indecipherable]."</p> <p>22 It looks to me, Mr Pike, that these are your notes.</p> <p>23 If you go to the manuscript, you say "didn't know</p> <p>24 a lot"; is that correct?</p> <p>25 A. I think that's one interpretation. The reason why I put</p> <p style="text-align: center;">Page 33</p>	<p>1 "CM, my position as editor, cannot ignore it. Back</p> <p>2 to CG plus. Appealed against his sacking, failed to</p> <p>3 give direct evidence. Had to be seen new editor</p> <p>4 couldn't be seen to dismiss their allegations."</p> <p>5 Again, can you interpret that for us?</p> <p>6 A. Certainly. What Mr Myler was saying to me was that</p> <p>7 these allegations had been made. He'd come in as editor</p> <p>8 and he had to address those allegations. He couldn't be</p> <p>9 seen to be simply dismissing them, so he had to go</p> <p>10 through a proper process.</p> <p>11 Q. Thank you. Then at the next page:</p> <p>12 "Les no longer here. James would say get rid of</p> <p>13 him, cut out cancer."</p> <p>14 I'm not going to ask you about what that may mean,</p> <p>15 Mr Pike.</p> <p>16 Can I ask you about another document, which is</p> <p>17 JCP10. So we get our bearings, this is covering -- it's</p> <p>18 a transcript of a call you had with Mr Mark Lewis, who</p> <p>19 of course was your opponent, on 6 June 2008. By that</p> <p>20 point, is this correct, you had obtained and read</p> <p>21 leading counsel's opinion, which we know to be dated</p> <p>22 3 June 2008?</p> <p>23 A. (Nods head)</p> <p>24 Q. Is that right?</p> <p>25 A. That's correct, yeah.</p> <p style="text-align: center;">Page 35</p>
<p>1 "indecipherable" in here was because I couldn't be</p> <p>2 certain, so I wasn't going to make a statement as to</p> <p>3 what the words were if I wasn't sure about it. "A lot"</p> <p>4 is definitely an interpretation.</p> <p>5 LORD JUSTICE LEVESON: Can you think of another one?</p> <p>6 A. Not immediately, no, sir. But -- it could be "a bit",</p> <p>7 for example.</p> <p>8 LORD JUSTICE LEVESON: Except if you look at your Bs, you</p> <p>9 write them differently. There you are, previous line.</p> <p>10 Doesn't matter.</p> <p>11 A. Yes.</p> <p>12 MR JAY: Assuming, as I'm afraid I've done, that it says</p> <p>13 "didn't know a lot", are you able to assist at all with</p> <p>14 what that might be a reference to?</p> <p>15 A. No, not now, no.</p> <p>16 Q. I'm going to miss out some parts and look at the middle</p> <p>17 of the page:</p> <p>18 "-- Assurances to PCC and then ditto assurances made</p> <p>19 by CM to staff."</p> <p>20 Do you know what that was about?</p> <p>21 A. Yes, the whole of this section is referring to what</p> <p>22 Mr Myler told me that he had done, I think, once he'd</p> <p>23 come into the business. There's a whole series of them,</p> <p>24 as you can see.</p> <p>25 Q. Yes. Then a little bit lower down:</p> <p style="text-align: center;">Page 34</p>	<p>1 Q. We'll have a look at that opinion in a moment. So this</p> <p>2 is evidence of a continuing negotiation you're having</p> <p>3 with Mr Lewis with a view to compromising Mr Taylor's</p> <p>4 claim; is that correct?</p> <p>5 A. That's right.</p> <p>6 Q. At the top we can see:</p> <p>7 "1.2 million confidentiality."</p> <p>8 Could you help us with that, please?</p> <p>9 A. That is the combined figure of damages and costs that</p> <p>10 Mr Lewis asked for in that conversation and obviously</p> <p>11 the reference to confidentiality is reference to the</p> <p>12 agreement being kept confidential.</p> <p>13 Q. Then immediately underneath that -- it is very difficult</p> <p>14 to decipher your writing -- it does possibly say</p> <p>15 "a part" in the manuscript. Are you able to help us at</p> <p>16 all as to either what it says or what it means?</p> <p>17 A. No. I think it does read "a part", which is why I put</p> <p>18 it in the transcript of it. I can't help you now as to</p> <p>19 what that means.</p> <p>20 Q. Did Mr Lewis give a breakdown as between damages and</p> <p>21 costs relating to the 1.2 million?</p> <p>22 A. Yes, it's there in the transcript. He wanted £1 million</p> <p>23 damages and £200,000 costs.</p> <p>24 Q. On an indemnity basis; that's right, isn't it?</p> <p>25 A. That's right.</p> <p style="text-align: center;">Page 36</p>

9 (Pages 33 to 36)

<p>1 Q. What was your assessment of that offer? 2 A. It was a demand which was way over the top. 3 Q. You didn't have leading counsel's opinion at that stage 4 as to quantum, did you? 5 A. I did. 6 Q. Sorry, you did. My apologies, yes. It came on 3 June. 7 A. That's right. 8 Q. And leading counsel's figure -- and we'll see it -- it 9 was 250,000 or perhaps a bit more, wasn't it? 10 A. That's right. 11 Q. So we can do the arithmetic ourselves. It's way over 12 the level your leading counsel was advising. Did you 13 have any other view as to the offer apart from the fact 14 it was well over? Perhaps I shouldn't ask the question 15 in any tendentious form. 16 LORD JUSTICE LEVESON: But if this transcript is part of the 17 public domain, this offer wasn't a genuine pre-estimate 18 of the value of the claim; he's identifying two 19 possibilities, isn't he? 20 A. Sorry? Help me, sir. 21 LORD JUSTICE LEVESON: Well, he's not suggesting that his 22 valuation of the claim as a claim for damages is 23 a million pounds. He's identifying why he wants 24 a million pounds, isn't he? 25 A. I think he was -- in the conversation, he was doing two</p> <p style="text-align: center;">Page 37</p>	<p>1 "rife in organisation"? 2 A. Not at that time, no. 3 Q. But wasn't that what leading counsel was advising? 4 A. Certainly the evidence we had at that stage was 5 suggesting that the rogue reporter line wasn't 6 sustainable. We didn't have, at that stage, evidence of 7 it being "rife". 8 Q. Leading counsel was advising -- and we have this at 9 JCP21, paragraph 6 -- it's true he didn't use the word 10 "rife". In paragraph 6, six or seven lines to the 11 bottom, he says this: 12 "In the light of these facts, there is a powerful 13 case that there is or was a culture of illegal 14 information access used at NGN in order to produce 15 stories for publication." 16 A. Yes, but that's with reference more so to the 17 Information Commissioner's office documentation, not to 18 the police documentation. 19 Q. But leading counsel's advice was based on a number of 20 factors, wasn't it? The first factor, if we can look 21 a little bit earlier in the advice, was the disclosure 22 of a contract between, if I can put it in these vague 23 terms, someone at News International and Mr Mulcaire in 24 2005; that's correct, isn't it? 25 A. There was a contract at that date, that's right.</p> <p style="text-align: center;">Page 39</p>
<p>1 things, sir. He wanted a million pounds and he was 2 explaining why he wanted it. 3 MR JAY: Seven figures not to open his mouth. So in effect 4 he's making it clear to you that you would need to buy 5 him off. That's the truth, isn't it? 6 A. That's what it says, yes. I agree. 7 Q. Then when it says, seven lines from the end of this: 8 "I want to carry on because of issues because NGN is 9 wrong and carry on. One way or another, this is going 10 to hurt." 11 That's Mr Lewis speaking, is it? 12 A. No, I don't think so. If you look at the next page, 13 JCP11, that's a typed transcript of the call and I think 14 what that's a reference to is Mr Lewis quoting 15 Mr Taylor. 16 Q. Yes. It's Mr Lewis speaking on behalf of his client? 17 A. Yes, that's right. 18 Q. And then: 19 "Want to show News of the World stories, 20 News of the World doing this rife in organisation." 21 That, again, is Mr Lewis speaking, isn't it? 22 A. It's Mr Lewis speaking and saying this is what his 23 client's views are. I think that's right. 24 Q. You knew that Mr Lewis, speaking on behalf of his 25 clients, was right, didn't you, when he referred to</p> <p style="text-align: center;">Page 38</p>	<p>1 Q. Referred to in paragraph 4. 2 A. Mm-hm. 3 Q. It was based also on the "for Neville" email, not that 4 it was described in those terms? 5 A. That's right. 6 Q. And it was also based on Operation Motorman, wasn't it? 7 A. That's right. 8 Q. So leading counsel's advice was based on three 9 particular matters and led him to conclude, looking at 10 those matters collectively, that there was a culture of 11 illegal information access used at NGN. That's right, 12 isn't it? 13 A. I agree with that, absolutely. 14 Q. He had also, in paragraph 3, referred to at least three 15 journalists -- I'm not going to name them -- who appear 16 to have been intimately involved in Mr Mulcaire's 17 illegal research into Mr Taylor's affairs? We can see 18 that, can't we? 19 A. That's right. 20 Q. It's possible that you didn't agree with leading counsel 21 but I'll ask you whether you did in a moment. But the 22 reference to a culture of illegal information access 23 rather suggests that it was reasonably widespread, 24 doesn't it? 25 A. I agree with that, but what you're basing it on in the</p> <p style="text-align: center;">Page 40</p>

10 (Pages 37 to 40)

<p>1 main, in order to generate your culture, are the 2 Information Commissioner's documents, more so than the 3 two documents you have in relation to Taylor. 4 Q. Right. 5 LORD LEVESON: Is that right? Because Motorman was by now 6 history, wasn't it? 7 A. It was historical in terms of it was relating to 8 a period prior to 2003. 9 LORD JUSTICE LEVESON: And it had been in the public domain? 10 A. That's right. 11 MR JAY: I just want to analyse the significance of the 12 Operation Motorman material just a little bit with you, 13 Mr Pike. First of all, we know from what's in the 14 public domain and evidence given to this Inquiry that it 15 had all been publicised in two reports from the 16 Information Commissioner's office which came out in 17 2006; is that correct? 18 A. That's right. 19 Q. Did you know that at the time, in 2008? 20 A. Yes, I was aware of that, I think. 21 Q. Was not the significance of the Operation Motorman 22 material only this: that it was capable of being used as 23 similar fact evidence in relation to Mr Taylor's claim 24 but it wasn't directly probative of Mr Taylor's claim? 25 A. I agree.</p> <p style="text-align: center;">Page 41</p>	<p>1 Q. Was that a view which you knew Mr Crone to share? 2 A. Yes. 3 Q. Was it a view which you knew Mr Myler to share? 4 A. Probably. I don't recall having a direct conversation 5 with him about that, but probably. 6 Q. You, of course, were not at the meeting which took place 7 on 10 June 2008 with Mr James Murdoch; is that correct? 8 A. That's correct. 9 Q. You can't assist us as to what was discussed, although 10 we do know from JCP13 that following that meeting, you 11 had a telephone conversation with Mr Crone; is that 12 right? 13 A. That's correct. 14 Q. And again, following your normal practice, you were 15 taking a note during the course of the telephone 16 conversation, which we see at JCP12, and that's been 17 transcribed for us; is that right? 18 A. That's right. 19 Q. To the best of your recollection, was this immediately 20 after the meeting? 21 A. I couldn't say if it was immediately after. I don't 22 know. It's quite likely. 23 Q. What the note as transcribed says is as follows: 24 "Tom, meeting with JM and CM. JM said he wanted to 25 think through the options."</p> <p style="text-align: center;">Page 43</p>
<p>1 Q. Would you agree? 2 A. Yes, that's fine. 3 Q. Leading counsel's opinion was clearly saying: there's 4 a culture of illegal information access used at this 5 company, which -- we can interpret the word "culture" in 6 as many ways as we like, but it does rather suggest that 7 even if not endemic, it was widespread; would you agree 8 with that? 9 A. I agree. 10 Q. So when we come back to what Mr Lewis was saying about 11 it being rife, although one would not have expected you 12 to agree with him during the course of without prejudice 13 communication, he wasn't necessarily that far off the 14 mark, was he? 15 A. If you were to describe the illegality as being the 16 wider issues raised by the Information Commissioner, 17 then no, he wouldn't be. I think, however, what is 18 being talked about here in this conversation is the 19 specific illegal activity of accessing voicemail 20 messages. 21 Q. Was it clear to you by this point that it really was in 22 your client's interest that these matters should not 23 enter the public domain in the form of a contested piece 24 of civil litigation? 25 A. Self-evident, I'd say.</p> <p style="text-align: center;">Page 42</p>	<p>1 But all you've done there, presumably, is faithfully 2 record what Mr Crone told you; is that correct? 3 A. That would be right, yes. 4 Q. In the next sentence there's some fairly frank language, 5 but I can deal with it in these terms. Mr Myler, is 6 this right, wasn't altogether convinced that one should 7 go along with Mr Taylor's proposals; is that right? 8 A. That's right. 9 Q. Because by that stage there had been a Part 36 offer, 10 £350,000, hadn't there? 11 A. That's right. 12 Q. Which was above Mr Silverleaf's outer limit and in terms 13 of managing the litigation risk would surely be plenty 14 of money to protect the company against a judgment in 15 court, wouldn't it? 16 A. That's right. 17 Q. Can you help us, though, with the first point after the 18 dash? It says: 19 "On the end of drip drip, do a deal with them." 20 Can you help us with what that might mean? 21 A. I'm not entirely sure, no. This is three and a half 22 years ago, so I can't be absolutely certain as to what 23 that was a reference to. 24 Q. But it might be a reference to ever-increasing offers, 25 that you've reached more or less the end -- because</p> <p style="text-align: center;">Page 44</p>

<p>1 350,000 was, after all, a very generous offer indeed --</p> <p>2 you've made it clear that there is a bit more in the</p> <p>3 kitty for an early deal, and "do a deal with them" might</p> <p>4 mean: "Let's close the deal if we can"?</p> <p>5 A. It might well be, yes.</p> <p>6 Q. What does the next bit mean:</p> <p>7 "Paying them off plus then silence ..."</p> <p>8 It either says "falls" or "fails".</p> <p>9 A. I think it says "fails".</p> <p>10 Q. What to that mean?</p> <p>11 A. I think that's a reference to saying that you reach an</p> <p>12 agreement with them, but then the confidentiality around</p> <p>13 that agreement doesn't hold.</p> <p>14 Q. Doesn't hold or does hold?</p> <p>15 A. Doesn't hold.</p> <p>16 Q. So was that Mr Myler's concern, that whatever</p> <p>17 confidentiality stipulations were agreed -- and of</p> <p>18 course, that was a sine qua non of the settlement -- it</p> <p>19 might not be much good because there wouldn't be</p> <p>20 silence; is that right?</p> <p>21 A. I think that's what that's saying, yes.</p> <p>22 Q. You may be right about the interpretation, but one is</p> <p>23 musing then about the point of reaching a settlement at</p> <p>24 a gross overvalue in order to achieve nothing. Can you</p> <p>25 help us with that?</p> <p style="text-align: center;">Page 45</p>	<p>1 LORD JUSTICE LEVESON: Yes. I wonder whether we can't</p> <p>2 abbreviate lunch. I don't see why you should all suffer</p> <p>3 because of my lateness but I'm very conscious that we</p> <p>4 have a fair amount to do today. We can either go on</p> <p>5 a bit now or we can resume at quarter 2, but I'm</p> <p>6 perfectly happy if people object to that. Don't all</p> <p>7 speak at once.</p> <p>8 MR JAY: We're making quite good progress in terms of the</p> <p>9 timing, but maybe if we were to come back at 1.45 pm.</p> <p>10 LORD JUSTICE LEVESON: Anybody has any objection on that?</p> <p>11 Thank you very much. We'll say 1.45 pm.</p> <p>12 (1.01 pm)</p> <p>13 (The luncheon adjournment)</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: center;">Page 47</p>
<p>1 A. I think the view would have been at the time that that</p> <p>2 was the best option open to the company at the time.</p> <p>3 Q. Can we just explore this? One option would be to fight</p> <p>4 the case on the basis of a very generous Part 36,</p> <p>5 Mr Taylor loses and the cost consequences are</p> <p>6 catastrophic for him, but matters enter the public</p> <p>7 domain. The other option is you continue to negotiate,</p> <p>8 you pay even more over the odds to achieve a settlement,</p> <p>9 you sign it up with a confidentiality clause but that</p> <p>10 doesn't do any good either because you don't achieve the</p> <p>11 silence you were wishing to attain. It's not a great</p> <p>12 option, is it?</p> <p>13 A. Neither, but those scenarios are obviously not great</p> <p>14 outcomes and we've seen what's happened since.</p> <p>15 Q. Okay. What about the next -- is that "if" or "it"?</p> <p>16 It's probably "if". That's how you've deciphered it.</p> <p>17 "Intriguing process".</p> <p>18 A. I'm not sure now what that's a reference to. I'm sorry.</p> <p>19 Q. Then there's a reference to Mr Mulcaire, but the point</p> <p>20 that might be made in relation to him: it's all very</p> <p>21 well he's jointly and severally liable as second</p> <p>22 defendant, but you're not going to be able to enforce</p> <p>23 any claim across against him, are you?</p> <p>24 A. That's right.</p> <p>25 MR JAY: That may be a convenient moment to pause for lunch.</p> <p style="text-align: center;">Page 46</p>	

12 (Pages 45 to 47)

A	agreement 36:12 45:12,13 alarmed 8:3 Alexander 7:3 allegation 9:21 allegations 4:18 7:12,14,19 14:10 23:20 32:20,24 33:2 33:5 35:4,7,8 altogether 44:6 amount 30:15 47:4 amounted 9:19 analyse 41:11 answer 4:15 16:17 23:17 28:7 30:22,22 answering 30:21 answer's 31:16 31:17 Anybody 47:10 anyway 6:24 apart 15:25 37:13 apologies 37:6 appeal 9:9 11:10 23:4,6 24:1 Appealed 35:2 appear 18:18 19:22 40:15 appended 1:23 26:2 application 27:22 applications 26:25 apply 21:17 approach 13:2 20:16,17 approached 3:7 approval 11:16 approximately 12:8 30:10 April 27:25 archive 9:12 area 17:6 arithmetic 37:11 arose 30:3 arrest 18:10 arrived 8:4 13:3 25:9,9 aside 17:9 asked 14:9,17 15:8,17 19:6 23:18,18 24:5 36:10 asking 12:20 assessment 37:1 assist 28:20 31:6 33:16 34:13 43:9 assistant 17:7 Assuming 34:12 assurances 34:18 34:18 attain 46:11	attempts 21:7 attendance 17:4 attended 30:4 attention 12:24 12:25 15:13 21:8 August 13:7 available 10:2 20:8 29:3 avoid 30:25 aware 4:18 6:11 6:20 7:20 12:12 14:11,13 15:19 19:21 41:20	B	back 3:5 9:25 16:19,21 20:13 20:22 21:25 25:1,12 35:1 42:10 47:9 background 6:18 10:11 26:13 bad 9:20 bailiwick 28:12 based 39:19 40:3 40:6,8 basing 40:25 basis 5:6 12:4 27:5 36:24 46:4 batch 20:18 24:20 bearings 27:22 35:17 beginning 22:22 28:6 behalf 18:1 38:16,24 believe 4:17 16:23 21:2,19 24:12,17 27:19 29:18 33:15,18 believed 9:8 28:2 best 4:16 21:18 24:14 33:17 43:19 46:2 better 8:11,13 billing 21:13 bit 13:6 21:24 34:6,25 37:9 39:21 41:12 45:2,6 47:5 blagging 27:4 blank 7:25 8:2 books 4:21 bottom 39:11 breakdown 36:20 brief 10:5 23:24 bring 12:25 Brooks 29:17 30:4,5,15 brought 12:23 15:12 17:7	32:23 Bs 34:8 bundle 10:15,19 10:23 13:3,8 25:25 business 34:23 buy 38:4	C	call 19:20 32:7 32:12 33:11 35:18 38:13 called 2:15 31:22 calling 6:14 cancer 35:13 capable 41:22 careful 8:14,19 21:21 carried 11:16 carry 9:24 38:8,9 carrying 9:18 11:20 case 27:6,10,21 39:13 46:4 cash 4:21 5:7,7,8 5:10 16:5 catastrophic 46:6 categories 9:11 Central 19:14 certain 9:7 34:2 44:22 certainly 12:11 35:6 39:4 cetera 12:5 18:21 26:25 CG 32:19 35:2 Chapman 3:7,21 8:4,24 12:1 13:15,23,25 14:7 15:19 17:15 18:1 22:8,14,17,25 24:3,9 Chapman's 15:13 charging 12:4 Charles 25:16,20 check 12:20 25:9 chief 29:17 civil 42:24 claim 17:10 27:13 29:1,4 29:19,24 30:3 30:17 31:20 32:22 36:4 37:18,22,22 41:23,24 46:23 claims 26:22,23 27:13 clause 46:9 clear 6:18 16:16 21:3,10 23:10 27:11 30:24 31:15 38:4 42:21 45:2 clearly 32:6 42:3	client 31:9 38:16 clients 38:25 client's 38:23 42:22 Clifford 29:14 29:18,19 30:14 30:16 Clifford's 28:25 30:3 31:19 Clive 6:14 7:19 8:25 14:17 15:15 16:9 18:8,19 23:3 32:23 Cloke 9:10 13:5 close 33:5 45:4 CM 34:19 35:1 43:24 code 7:3,5 Colin 32:7 colleague 9:24 collectively 40:10 combined 36:9 come 25:1 34:23 35:7 42:10 47:9 comfort 24:19 comfortable 1:12 25:18 coming 7:1 Commissioner 42:16 Commissioner's 39:17 41:2,16 Committee 13:7 15:9 29:13 31:21 32:3 common 28:14 communicated 12:11 communication 42:13 companies 2:8 27:8 company 42:5 44:14 46:2 complete 6:4 completely 29:23 compromising 36:3 computer 27:3 concern 7:8,15 14:12,13 17:9 45:16 concerned 7:10 7:11,17 13:1 concerning 30:3 concerns 16:4 conclude 40:9 conduct 23:18 conducted 16:11 16:11 conducting 23:22 confidential 15:21 16:3	36:12 confidentiality 36:7,11 45:12 45:17 46:9 confirm 12:17 18:6,17 conscious 47:3 consequences 46:5 conservative 13:1 consider 13:21 14:2,9 23:5 24:5,20 consideration 17:15 considerations 21:12 considered 20:24 21:4 Colin 32:7 colleague 9:24 collectively 40:10 combined 36:9 come 25:1 34:23 35:7 42:10 47:9 comfort 24:19 comfortable 1:12 25:18 coming 7:1 Commissioner 42:16 Commissioner's 39:17 41:2,16 Committee 13:7 15:9 29:13 31:21 32:3 common 28:14 communicated 12:11 communication 42:13 companies 2:8 27:8 company 42:5 44:14 46:2 complete 6:4 completely 29:23 compromising 36:3 computer 27:3 concern 7:8,15 14:12,13 17:9 45:16 concerned 7:10 7:11,17 13:1 concerning 30:3 concerns 16:4 conclude 40:9 conduct 23:18 conducted 16:11 16:11 conducting 23:22 confidential 15:21 16:3	9:1 28:13 cost 46:5 costs 29:25 36:9 36:21,23 counsel 37:12 39:3,8 40:20 counsel's 31:24 35:21 37:3,8 39:19 40:8 42:3 counts 19:25 20:1,1 28:11 course 2:7,14 3:20 12:21 13:24 25:13 32:19 33:11 35:19 42:12 43:6,15 45:18 court 19:15 44:15 covered 9:22 covering 27:3 35:17 covers 17:4 29:3 Criminal 19:15 Crone 11:21 29:10,19 30:4 30:14 43:1,11 44:2 culture 33:15,19 39:13 40:10,22 41:1 42:4,5 cut 3:23 4:2,3,8 4:24 5:11 35:13 cut-off 5:12 8:1	D	damage 31:1 damages 36:9,20 36:23 37:22 damaging 9:22 Daniel 9:10 13:4 dash 44:18 date 2:5,8 14:4,8 15:17 39:25 dated 1:16,19 17:2 25:24 26:1,2 35:21 Davies 25:10 28:7 day 3:10 8:4 19:23 daybook 3:11 deal 14:23 27:10 29:25 33:13 44:5,19 45:3,3 45:4 December 1:1,19 26:1,2 29:14 decided 11:5 decipher 36:14 deciphered 46:16 decision 11:15 11:19 deduce 28:1
----------	---	--	----------	--	--	----------	--	--	---	--	----------	--

defamation 26:22	draw 21:7	evidence 2:1 3:1 6:8 9:13,19,23 15:14 18:6,19 18:25 19:6,12 23:19 24:6,15 26:5,9 28:19 29:12 35:3 36:2 39:4,6 41:14,23	31:22,22	given 2:25 4:9 11:4 18:11,23 23:24 24:23,25 28:10 41:14	37:20 44:17,20 45:25	initial 12:24 Inquiry 25:21 26:5,10 28:20 31:9 41:14
defence 16:11 28:2,5	due 4:7	<hr/> E <hr/>	files 3:3	Glenn 18:8	hesitating 16:2	instances 13:19
defendant 27:25 46:22	earlier 16:25 20:22 28:5 39:21	earliest 16:21	final 1:18 7:24 18:11 24:16	glitch 4:7,9	high 21:17	instructed 13:20 14:1 27:7
definitely 34:4	early 45:3	either 3:1 7:11 9:19 10:2,6 19:7 32:2 33:6 36:16 45:8 46:10 47:4	find 1:15 9:13 10:14 17:21 18:6,17 23:4	going 6:18,20,22 8:18,19,20 15:1 18:5 22:3 22:9 25:1 28:8 28:21,23 31:5 32:17 34:2,16 35:14 38:9 40:15 46:22	historical 41:7	instruction 12:7
delivered 19:16	editor 33:15 35:1 35:3,7	elliptical 3:19	findings 10:1	good 8:8,9 25:15 45:19 46:10 47:8	history 41:6	instructions 7:1 8:23 18:3,23
demand 37:2	effect 33:19 38:3	email 6:25 8:4,10 9:23 16:12,21 22:8,13,18 23:11,12 24:10 40:3	fine 42:2	Goodman 4:17 6:9,14 7:13,19 7:21 8:25 9:8 9:14 10:12 11:1 14:17 15:15 17:11 18:8 27:18 28:12,16 32:19 32:20,23	hoc 27:5	intercept 9:2
department 9:12	emails 3:23 4:1 4:10 5:12 7:25 8:1,2 9:7,11,14 9:25 10:3,10 11:24 12:8,17 12:19,23 13:3 13:17,18,22,23 13:25 14:4,4,5 14:5,18,20 15:12,25 16:3 16:19 18:3,18 19:10 20:11,18 20:21,24 21:3 21:15,19,22,25 22:5 23:19,25 24:20	explained 13:25 20:17	firm 2:15,18 19:14 27:6	Goodman's 7:13 10:2,6 11:2,10 14:10 16:9 18:19 19:7 23:3 24:1	hold 45:13,14,14 45:15	interest 22:22 42:22
describe 42:15	explaining 6:19 38:2	explains 6:19 38:2	first 1:6,15,25 2:4,5,6,12 6:13 11:13 13:11 19:21 25:24 27:1 29:14 39:20 41:13 44:17	grounds 23:5 24:5,7	holiday 21:12	International 2:7 3:8 14:1 20:3 24:18 26:17 27:17 30:24 39:23
described 40:4	embarrassing 16:1	explore 46:3	fitting 9:11	grosso 19:15,24 20:2,8 28:14 45:24	hope 21:20	International's 10:11
difference 19:1,2 19:5,9	employed 27:8	express 24:21	five 20:1	grounds 23:5 24:5,7	horrid 32:20 33:1	interpret 35:5 42:5
different 20:10 22:1,2,7	employment 8:25 9:21 11:3 14:14 32:22	external 24:20	flag 14:20	half 21:18 44:21	hypothetical 21:24	interpretation 3:16 33:25 34:4 45:22
differently 34:9	endemic 42:7	<hr/> F <hr/>	flavour 16:15	hacking 5:19 6:2 6:11,15 14:11 15:14 27:3,3 27:12	idea 4:7 15:24	interpreting 33:16
difficult 36:13	engaged 15:15 18:9	fact 15:25 33:2 37:13 41:23	focusing 23:25	great 46:11,13	identify 10:5 17:20	intervention 21:12
difficulties 29:5	ensure 15:18	factor 39:20	follow 20:6 28:19 31:24	gross 19:15,24 20:2,8 28:14 45:24	identifying 37:18 37:23	intimately 40:16
difficulty 28:22 31:9	enter 42:23 46:6	factors 39:20	following 8:4 9:1 43:10,14	grounds 23:5 24:5,7	illegal 9:16,18 11:20 15:16 18:9,19 39:13 40:11,17,22 42:4,19	Intriguing 46:17
direct 35:3 43:4	entering 33:7	facts 39:12	follows 43:23	grounds 23:5 24:5,7	illegality 42:15	investigator 5:18
directed 29:17	entertainment 2:23	failed 35:2	form 11:11 24:23 37:15 42:23	grounds 23:5 24:5,7	illegitimate 5:22	invited 25:18
directly 8:11 12:1 23:5 29:19 41:24	entirely 24:10 44:21	fails 45:8,9 fair 4:12,20 19:12 47:4	formalised 17:16	grounds 23:5 24:5,7	immediately 34:6 36:13 43:19,21	involved 29:20 29:23 40:16
disclose 14:21	entry 3:11	fairly 44:4	formulations 19:3,5	grounds 23:5 24:5,7	imprisonment 9:2	involvement 16:8 30:3
disclosure 14:15 15:23 27:24 39:21	engage 15:15 18:9	faithfully 44:1	forward 23:6 27:20	grounds 23:5 24:5,7	incarnation 1:19	involved 29:20 29:23 40:16
discuss 23:14	employment 8:25 9:21 11:3 14:14 32:22	fall 14:4,8	found 9:18,23	grounds 23:5 24:5,7	incarnations 1:19	involved 29:20 29:23 40:16
discussed 13:23 43:9	endemic 42:7	falls 45:8	four 11:13 21:18	grounds 23:5 24:5,7	includes 31:24	involved 29:20 29:23 40:16
discussion 17:25 18:2 24:9	enforce 46:22	familiar 8:9 far 10:21 16:19 24:3 30:2 42:13	fourth 11:22	grounds 23:5 24:5,7	incomplete 4:4	involved 29:20 29:23 40:16
discussions 29:21	engaged 15:15 18:9	Farrer 26:13	fragment 7:24	grounds 23:5 24:5,7	inconsistent 11:19	involved 29:20 29:23 40:16
dismiss 35:4	ensure 15:18	Farrers 26:16	frank 44:4	grounds 23:5 24:5,7	indecipherable 33:21 34:1	involved 29:20 29:23 40:16
dismissal 17:5,10	enter 42:23 46:6	faxed 9:4	frankly 11:4	grounds 23:5 24:5,7	indemnity 36:24	involved 29:20 29:23 40:16
dismissing 35:9	entering 33:7	February 8:23 10:13 11:1 30:11	Friday 22:15	grounds 23:5 24:5,7	independent 9:24	involved 29:20 29:23 40:16
disseminate 25:2 24:24	entertainment 2:23	feeling 33:10	front 29:9	grounds 23:5 24:5,7	indicate 20:16 22:4	involved 29:20 29:23 40:16
distinguished 11:5	entirely 24:10 44:21	fell 13:2,19,25 14:6,8	full 1:12 7:1 11:16 19:22 25:19	grounds 23:5 24:5,7	indicated 30:16	involved 29:20 29:23 40:16
ditto 34:18	entry 3:11	felt 14:18 24:3	future 33:6	grounds 23:5 24:5,7	indictment 28:12	involved 29:20 29:23 40:16
document 8:5 10:13 11:11 12:2 13:11 15:2 16:25 17:18 29:3 32:4 35:16	equally 22:23 23:3 26:1	figure 12:10 36:9 37:8	<hr/> G <hr/>	grounds 23:5 24:5,7	individual 27:12	involved 29:20 29:23 40:16
documentation 39:17,18	et 12:5 15:20	figures 38:3	general 6:16 12:17 21:8 26:19 27:16	grounds 23:5 24:5,7	industries 2:23	involved 29:20 29:23 40:16
documents 14:17 31:20,23 41:2 41:3	event 15:19	file 1:14,15 4:4 8:2 29:5,8,9	generally 20:2 21:16 28:18	grounds 23:5 24:5,7	inevitably 7:18	involved 29:20 29:23 40:16
doing 4:16 26:22 37:25 38:20	everybody 1:3		generate 41:1 46:4	grounds 23:5 24:5,7	influence 16:10	involved 29:20 29:23 40:16
domain 31:20 33:7 37:17 41:9,14 42:23 46:7	ever-increasing 44:24		genuine 37:17	grounds 23:5 24:5,7	information 6:19 27:9 28:9 39:14,17 40:11 40:22 41:2,16 42:4,16	involved 29:20 29:23 40:16
doubts 28:16			getting 5:4	grounds 23:5 24:5,7		involved 29:20 29:23 40:16
dozen 13:22			give 4:2 15:22,24 26:20 35:3 36:20	grounds 23:5 24:5,7		involved 29:20 29:23 40:16
draft 17:14,25 18:2 22:17				grounds 23:5 24:5,7		involved 29:20 29:23 40:16

JM 43:24,24	legitimate 5:21 5:22,25	low 10:9	5:9,15,17,17	O	2:4 11:3 13:10	28:1 35:20
John 3:7 13:23 13:24	Les 35:12	lower 18:24 33:13 34:25	5:19,21,24 6:9	object 47:6	15:8,11 20:14	42:21 44:17
join 2:18	letter 6:22 9:5,7 9:15 10:12	lunch 46:25 47:2	7:5,6,8,11,12	objection 47:10	20:19 23:14	45:23 46:19
jointly 46:21	LEVESON 1:3,8 4:25 5:3 6:1,7 8:14 14:12	luncheon 47:13	7:14,22 9:4	obligations 14:16	27:1,11 29:15	points 11:13
journalists 5:15 5:16,19,20,24 18:8 27:8 40:15	Let's 45:4	M	18:8 20:3 39:23 46:19	obliquely 21:15	39:9,10 40:1 40:14	police 27:23 39:18
judgment 19:21 44:14	level 33:13 37:12	main 41:1	Mulcaire's 40:16	obtain 27:8	paragraphs 9:15 14:23 15:5 21:10	pose 21:21
Julian 25:16,20 29:10	lever-arch 31:22	making 6:5,24 7:12,13,19 22:17 38:4 47:8	Murdoch 31:14 32:15 43:7	obtained 35:20	paralegals 12:15	position 31:15 35:1
June 19:14 21:1 35:19,22 37:6 43:7	LEVESON 1:3,8 4:25 5:3 6:1,7 8:14 14:12	managing 44:13	myling 45:23	obviously 7:14 27:20 36:10 46:13	paraphrasing 11:2	possibilities 37:19
junior 12:15,24 13:18	LHA2 8:5 10:23	manuscript 33:23 36:15	Myler 30:9 32:7 33:10,18 34:22 35:6 43:3 44:5	odds 46:8	part 36:15,17 37:16 44:9 46:4	possibility 14:14
Justice 1:3,8 4:25 5:3 6:1,7 8:14 14:12	LHA5 3:12 7:24	March 9:7,15 23:4 32:25	Myler's 29:12 45:16	offences 6:11	particular 2:22 3:8 12:8 22:8 27:6,10,13 40:9	possible 10:4 40:20
15:3 19:15,19 19:24 20:2,8 25:6,10,13,15 28:14 34:5,8 37:16,21 41:9 47:1,10	liable 46:21	mark 31:12 35:18 42:14	N	offer 30:16 37:1 37:13,17 44:9 45:1	partner 2:14 26:13	possibly 10:1,6 16:22 17:5 18:24 19:7 36:14
K	light 14:19 39:12	material 10:1,5 10:10 20:25 27:20 41:12,22	name 1:12 7:3,5 25:19 40:15	offers 44:24	parts 34:16	potentially 9:8 9:22 15:21 16:1
keeping 1:4	limit 17:10 44:12	matters 15:22 21:7 28:21 31:6 40:9,10 42:22 46:6	names 8:20 11:17 18:5,7 18:15	office 21:4 30:5 39:17 41:16	pause 25:13,15 46:25	pounds 37:23,24 38:1
kept 36:12	limited 13:17 20:11	Max 28:25 29:14	negotiate 46:7	Oh 6:13	pay 30:25 46:8	powerful 39:12
kitty 45:3	line 4:5 28:8 34:9 39:5	mean 7:9 32:21 35:14 44:20 45:4,6,10	negotiating 31:13,14	Okay 20:13 28:25 30:1 31:11 46:15	Paying 45:7	practice 43:14
knew 18:7 29:18 38:24 43:1,3	lines 38:7 39:10	means 3:24 36:16,19	negotiation 36:2	once 34:22 47:7	payments 16:5	precise 14:3
know 3:11,24 5:4 5:23 6:8,25 7:4 8:8 16:2 17:14 19:12,24 27:16 29:6 30:8,10 31:8 33:21,23 34:13,20 35:21 41:13,19 43:10 43:22	litigation 42:24 44:13	media 2:23	negotiations 29:16,24	ones 14:7	PCC 34:18	prejudice 42:12
knowledge 11:16 15:14	litigator 2:22	meeting 30:4,6,8 30:9 43:6,10 43:20,24	need 6:5,20 20:17 33:4 38:4	onscreen 8:15	penultimate 22:22 23:13	prepared 1:14 25:25 30:16,25
known 9:16 18:19 28:15	little 13:6 34:25 39:21 41:12	members 11:19	net 13:2	open 38:3 46:2	people 47:6	preparing 3:1
L	longer 13:14 28:2 35:12	mention 8:20 18:5	never 27:7	Operation 40:6 41:12,21	perfectly 47:6	presumably 3:20 44:1
language 44:4	look 2:4 9:6 13:5 15:17 21:14 22:13 23:10,18 29:12 32:3 34:8,16 36:1 38:12 39:20	media 2:23	Neville 40:3	opinion 23:21 24:21,25 31:24 35:21 36:1 37:3 42:3	perform 3:8	prevents 30:21
large 31:22	looked 15:10 21:14 22:19 24:8	means 3:24 36:16,19	new 3:25 35:3	opponent 35:19	period 20:22 41:8	previous 34:9
lasting 13:15	looking 8:18 11:24 31:4 40:9	message 9:3 42:20	News 2:6,7,13 3:8 4:9 5:9,17 7:10,15,17,20 9:1 10:11 14:1 14:15,18 15:22 18:9 20:3 24:18 26:17 27:17 30:24 33:3 38:19,20 39:23	option 46:2,3,7 46:12	perverse 11:15	previously 22:18
lateness 47:3	looks 29:6 33:22	methods 27:8	net 13:2	options 32:15 43:25	phone 5:19 6:2 6:10,15 14:11 15:14 27:3,12	pre-estimate 37:17
Lawrence 1:6,9 1:13	LORD 1:3,8 4:25 5:3 6:1,7 8:14 14:12 15:3 19:19 25:6,10,13,15 34:5,8 37:16 37:21 41:5,9 47:1,10	Metropolitan 27:23	never 27:7	order 13:21 17:20 39:14 41:1 45:24	perform 3:8	printed 20:21
lawyers 12:15,24	loses 46:5	middle 4:5,5 22:13 34:16	Neville 40:3	original 3:4 38:20 39:1	period 20:22 41:8	prior 18:10 30:13 41:8
leading 31:24 35:21 37:3,8 37:12 39:3,8 39:19 40:8,20 42:3	lot 33:24 34:3,13	million 36:7,21 36:22 37:23,24 38:1	new 3:25 35:3 3:8 4:9 5:9,17 7:10,15,17,20 9:1 10:11 14:1 14:15,18 15:22 18:9 20:3 24:18 26:17 27:17 30:24 33:3 38:19,20 39:23	ought 8:15	performed 3:8	privately 26:22
leave 8:15		mind 17:1 31:5	newsroom 33:15 33:19	outcomes 46:14	period 20:22 41:8	private 5:17
led 40:9		minor 1:24 31:4 40:9	NGN 26:16 38:8 39:14 40:11	outer 44:12	Pike 25:8,14,16 25:18,20,21 26:21 29:6,10 29:20 30:5,7 30:15,24 31:25 33:16,22 35:15 41:13	privilege 2:24,25 26:8 29:5 30:21 31:10
left 2:18		minutes 13:16	Nods 35:23 non 45:18	outside 13:19 14:1,4,6,8,8 15:16 17:5 28:12	perform 3:8	privileged 28:6,9 28:21,23 31:2 31:6
legal 2:24 24:20 26:8		Mm-hm 40:2	normal 43:14	overseen 29:16	period 20:22 41:8	probably 5:6 6:3 6:17 19:10 30:11 43:4,5 46:16
legality 27:3		moment 9:6 13:6 36:1 40:21 46:25	note 6:2 17:4 43:15,23	overvalue 30:25 45:24	perverse 11:15	probative 41:24

progress 47:8	reached 44:25	6:5 30:6,9,14	23:12 29:9	severally 46:21	starts 32:14	41:23,24 44:7
proof 10:9	reaching 45:23	report 9:25	32:18 33:20	share 43:1,3	statement 1:16	team 12:15
proper 35:10	read 35:20 36:17	reporter 27:18	34:12 36:16	sheaf 31:23	1:18,23 2:1,5	telegraphic 5:1
proposals 44:7	Reading 30:1	28:2,17 39:5	38:6,7 39:11	short 4:15 23:17	14:24 20:14	5:10
prosecution 16:9	really 11:11	reporting 26:24	43:23 44:18	shortly 19:13	21:3,11 26:2,3	telephone 3:10
16:10	42:21	reports 41:15	45:8,9	show 15:13,15	27:1 34:2	32:7,12 43:11
protect 44:14	reason 14:19	reputational	scenarios 46:13	38:19	statements 1:24	43:15
proved 18:7	22:10 33:25	30:25	scope 13:20 14:1	showed 14:18	3:2 25:22	tell 6:20 31:12
provide 1:12	reasonable 9:19	request 9:9	screen 8:12,16	16:3,9	stipulations	telling 3:25 4:1
3:17 17:7	18:18,25	requests 9:7	17:19 18:12	side 10:22	45:17	4:17 5:16,18
25:19	reasonably	research 40:17	22:10	sign 46:9	stop 16:5,14 33:6	5:20,24 6:4
provided 25:21	40:23	responding	scribbled 6:24	signed 23:20	stories 38:19	7:10,17
27:24 31:21	reasons 5:22,25	14:17	searched 18:3	significance	39:15	tend 10:1,6
32:3	Rebekah 29:17	responsible	second 1:18	41:11,21	Subject 1:24	18:24
providing 24:17	recall 6:16 18:25	12:14	14:24 20:13	silence 45:7,20	subsequently	tended 19:7
26:9	24:12 43:4	restriction 26:24	26:1 29:15	46:11	32:11	tendentious
provoke 7:8,11	receive 11:6	result 9:21 14:22	46:21	silk's 32:16	substantive	37:15
provoking 7:14	received 6:10	32:19	section 34:21	Silverleaf's	29:24	terminated 8:25
public 31:20	19:14	resume 47:5	see 3:16 4:4 6:7	44:12	suffer 47:2	terminating 11:2
33:7 37:17	recollect 30:2	retainer 11:25	6:22 8:1 10:7	similar 9:18	sufficient 16:15	termination 9:5
41:9,14 42:23	33:17	reveal 16:4	10:11 11:8	15:16 41:23	suggest 42:6	11:6
46:6	recollection	revealed 16:4,8	13:14 17:23	simply 35:9	suggesting 22:25	terms 12:17
publication	21:19 43:19	review 9:24	18:13 19:1,4	sine 45:18	37:21 39:5	21:20 23:24
39:15	record 31:15	12:13	22:23 31:4	sir 6:3 14:13	suggestion 23:8	26:19 27:18
publicised 41:15	44:2	reviewed 13:17	32:6 34:24	25:8 34:6	suggestions	28:10 39:23
publicity 7:18	records 21:13	reviewing 12:7	36:6 37:8	37:20 38:1	22:17	40:4 41:7 44:5
9:20 14:22	24:14	Rhodri 25:10	40:17 43:16	Sit 1:11	suggests 40:23	44:12 47:8
17:11	recover 9:12	rid 35:12	47:2	six 39:10	supervision	territory 28:7,24
publicly 8:19	redacted 8:16	rife 38:20 39:1,7	seen 15:18 16:19	skim-read 22:21	12:14,16 21:5	31:2
29:3	9:17,17 11:10	39:10 42:11	19:10 21:22,25	slightly 14:3	support 9:14	test 18:24
punch 33:14	11:17 16:12	right 1:19 2:16	22:5,6 23:3	15:16 16:25	10:1,6 14:10	Thank 1:8 2:24
purpose 3:1 9:13	17:20 18:7,15	2:17 3:22 5:2	32:24 35:3,4,9	18:24	18:24 19:7	5:3 10:16
12:8 24:17	refer 20:18 29:4	7:22 16:21,23	46:14	snapshot 26:20	supported 9:16	16:24 24:16
pursuant 12:7	reference 5:6,11	17:13,17 19:17	Select 13:7 15:9	solicitor 2:14	23:19	25:4,6,15
put 17:19 18:12	9:4 24:13	21:4 24:5 25:6	29:13 31:21	soon 10:3	supported 16:6	35:11 47:11
21:8,20 22:10	32:22 33:1,18	26:3,6,15,17	32:2	sorry 1:3 6:1	sure 1:20 12:10	thing 6:13
23:6 27:17	34:14 36:11,11	27:15 28:3	Self-evident	10:14,23,25	13:2 21:14,17	things 6:5,19
33:25 36:17	38:14 39:16	29:11 35:24	42:25	15:5 28:24	34:3 44:21	38:1
39:22	40:22 44:23,24	36:5,24,25	self-same 18:13	30:20 37:6,20	46:18	think 3:25 4:22
putting 6:23	45:11 46:18,19	37:7,10 38:17	22:10	46:18	surely 44:13	5:13,18,22,23
<hr/> Q <hr/>	referred 10:12	38:23,25 39:25	sense 4:3 28:14	sort 7:12 14:20	suspicious 28:4	6:23 8:14 15:1
qua 45:18	20:2 23:11	40:5,7,11,19	sensitive 15:21	26:19 33:5	28:18	16:14 17:13,14
quantum 37:4	38:25 40:1,14	41:4,5,10,18	sent 10:13 11:25	sources 16:4,4	sustainable 39:6	19:2,11,12,19
quarter 47:5	referring 17:1	43:12,17,18	18:1 22:8,18	speak 47:7	sworn 1:9 25:16	20:12 23:17
query 13:22	21:15 30:8	44:3,6,7,8,11	23:11 29:13	speaking 28:18	<hr/> T <hr/>	25:10 28:6,8
question 9:25	34:21	44:16 45:20,22	sentence 4:5 7:7	38:11,16,21,22	tab 1:15,21 3:14	28:18,22 30:8
10:3 16:17	reflect 16:13	46:24	7:7 22:21,22	38:24	8:5,11 10:15	30:12,20,22
19:6 21:20,21	refused 9:9	right-hand 10:21	22:25 23:13	specialism 2:21	10:18,19,21,23	31:8,21 32:25
21:24 24:16	regard 21:13	risk 44:13	24:10 44:4	specialisms 2:21	12:1 13:8 15:1	33:1,2,8,12,17
27:2,6,16 28:8	28:14	rogue 27:18 28:2	sentences 6:10	specific 17:6	15:3,4 17:2,21	33:25 34:5,22
28:10 30:21,22	region 5:5	28:16 39:5	28:15	23:20 42:19	18:13 22:11	36:17 37:25
37:14	rejected 23:10	roughly 13:4	sentencing 19:16	specifically 15:9	25:25 29:12	38:12,13,23
questions 1:10	relate 20:22 32:6	royal 9:1 28:13	28:15	27:10	31:23	41:20 42:17
15:8 25:5,17	related 2:7 7:21	run 3:16	Separate 27:5	spoke 6:11 13:23	tabs 10:21	43:25 45:9,11
32:13	relates 11:21	<hr/> S <hr/>	September 1:16	29:19 32:15	take 3:5 19:13	45:21 46:1
quite 5:21 8:19	relating 20:1	sacking 35:2	2:15 25:24	sprayed 32:20,24	32:21	thinking 30:20
10:9 13:1 16:8	36:21 41:7	salary 11:7	series 34:23	staff 11:20 34:19	talked 42:18	third 11:3,21
19:13 43:22	relation 2:25	satisfy 13:18	12:20	stage 6:9,17	12:18,19 14:6	26:1
47:8	19:25 26:9,24	saw 12:18,23	service 11:5	12:18,19 14:6	16:18 17:9	third-party
quoting 38:14	27:2,12 28:25	16:21 21:19	set 7:1 12:4	20:24 28:5	37:3 39:4,6	27:23
<hr/> R <hr/>	41:3,23 46:20	27:17 32:14	18:23	37:3 39:4,6	44:9	thought 16:12
raised 42:16	relevant 9:8 14:4	29:16,20,24	settlement 29:15	44:9	standard 10:9	three 25:21 40:8
range 14:8 15:17	23:5 24:7 27:7	30:13,17 31:12	29:16,20,24	started 2:6	11:25	40:14 44:21
reach 14:14	remain 13:21	33:18 35:6	30:13,17 31:12	start 28:15	41:3 46:5	threshold 21:17
45:11	remarks 19:16	38:22 42:3,10	45:18,23 46:8	started 2:6	Taylor's 27:13	time 4:16 12:11
	remember 4:15	45:11,21	seven 38:3,7		36:3 40:17	20:22 24:13
		says 4:12 17:24	39:10			30:11 32:10

33:9 39:2 41:19 46:1,2 timed 22:14 23:12 times 20:25 26:23 timetable 1:5 timing 47:9 today 1:6 47:4 told 5:9 6:14,23 8:24 22:5 34:22 44:2 Tom 29:10 43:24 top 36:6 37:2 trainee 12:16 transcribed 43:17,23 transcript 3:14 6:4 19:15,19 19:20,23 32:13 35:18 36:18,22 37:16 38:13 transfer 5:1,10 trawl 9:23 12:25 tread 28:6 treading 31:2 tribunal 9:22 14:15,21 true 39:9 truth 1:23 26:3 38:5 trying 16:9 TT 4:21,25 Tuesday 1:1 turning 25:12 two 4:18 12:15 19:2,5 37:18 37:25 41:3,15 typed 38:13 typically 26:22	view 15:20 32:16 36:3 37:13 43:1,3 46:1 views 38:23 voicemail 9:2 42:19 <hr/> W Wait 32:15 waiver 2:24 26:8 31:3 waiving 31:10 want 15:22 16:2 16:6,17 38:8 38:19 41:11 wanted 13:5 15:18 24:4 36:22 38:1,2 43:24 wants 6:21 25:10 37:23 wasn't 19:13,21 23:17 34:2,3 37:9,17 39:3,5 39:20 40:6 41:6,24 42:13 44:6 way 5:23 16:10 21:8 37:2,11 38:9 ways 42:6 week 23:14 went 9:10 12:19 16:19,21 we'll 9:6 36:1 37:8 47:11 we're 6:22 8:18 8:19 16:18 22:9 28:6 31:2 47:8 we've 32:24 46:14 wholly 23:22 widely 24:24 wider 14:15 23:21 42:16 widespread 40:23 42:7 wish 1:25 2:3,5,8 wishing 46:11 witness 1:6,15,18 1:24,25 2:5 3:2 14:24 20:13 21:3,11 25:8 25:21 27:1 wonder 47:1 word 6:2 25:11 39:9 42:5 wording 19:1 words 8:21 9:17 9:17 33:5 34:3 work 2:12 3:23 3:25 4:22 worked 12:20 working 2:6 10:21 20:4 21:5 32:2	World 9:1 18:9 38:19,20 wouldn't 42:17 44:15 45:19 write 34:9 writing 6:24 24:18 36:14 written 24:22 wrong 23:22 38:9 wrote 13:7 32:25 <hr/> Y yeah 35:25 year 5:5 13:8 16:19 25:24 years 11:5 21:18 26:17 44:22 year's 11:6 <hr/> 0 01128 2:4 01133 13:12 01171 8:6,18 01174 10:13 01176 11:11 01285 12:2 01312 27:2 <hr/> 1 1 2:15 25:25 29:12,14 36:22 1.01 47:12 1.2 36:7,21 1.45 47:9,11 10 6:22 18:23 19:16 43:7 105,000 5:5 11 8:11 17:2,21 18:13 22:11 27:1 11.30 1:2 12.39 22:14 13 1:1 27:11 13.13 17:23 14 9:7 11:25 16 17:2 19:25 28:11 17.53 23:12 18 13:15 19 14:23 15:6 1998 2:16 1999 26:14 <hr/> 2 2 1:15 4:13 9:15 23:4 26:1,2 32:25 47:5 2,500 12:8,10 20 15:8,11 19:25 28:11 200,000 36:23 2003 16:19 20:22 21:14,22 41:8 20039 17:2 2005 2:12 16:22	39:24 2006 41:17 2007 3:5 6:10 8:23 10:13 16:18 17:2 19:14,16 20:9 20:21,25 21:1 21:25 22:9 23:4 32:25 2008 27:24,25 32:8 35:19,22 41:19 43:7 20087 17:21 2010 2:18 30:11 20107 22:11 2011 1:1 20134 18:12 21 14:23 15:6 23 1:16 20:14 25:24 24 13:7,14,15 14:7 16:18 20:21,25 25 17:23 20:19 22:8,15 23:12 26:17 250,000 37:9 26 6:10 27 32:8 28 21:10 29 18:11 19:14 20:9 <hr/> 3 3 13:8 31:22 35:22 37:6 40:14 30 21:11 33444 15:2 33448 3:14 350,000 44:10 45:1 36 44:9 46:4 <hr/> 4 4 8:5 10:15,18,19 10:21,23 29:8 29:9 40:1 <hr/> 5 5 8:23 10:13 11:1 <hr/> 6 6 12:1 15:1 35:19 39:9,10 <hr/> 7 7 1:21,25 2:4 15:3,4 31:23 <hr/> 8 8 1:19 3:14 <hr/> 9 9 3:5			
--	---	--	--	--	--	--