

<p>1 Wednesday, 14 March 2012 2 (10.06 am) 3 Discussion re procedure 4 LORD JUSTICE LEVESON: Yes, Mr Garnham? 5 MR GARNHAM: Sir, good morning. May I raise a matter before 6 the evidence begins today? Those I represent are 7 becoming, sir, increasingly concerned about the fairness 8 of certain parts of the Inquiry's procedures in the 9 light of the allegations against a number of senior 10 police officers being articulated in recently disclosed 11 witness statements, particularly that of Mr Tickner. We 12 also have concerns about the evidence of Mr Clive 13 Driscoll. 14 LORD JUSTICE LEVESON: About? 15 MR GARNHAM: Mr Clive Driscoll, a witness for tomorrow as 16 well, although we understand he may be indicating to the 17 Inquiry that he is unhappy with his statement as 18 presently drafted, and has certainly not signed it. 19 The allegations made by Mr Tickner are made against 20 witnesses who have already given evidence and to whom 21 these allegations, at least for the greater part, were 22 never put. We understand the Inquiry is intending to 23 call Mr Tickner tomorrow, and given the nature of the 24 allegations, they are certain to receive significant 25 publicity.</p> <p style="text-align: center;">Page 1</p>	<p>1 those anticipated from Mr Tickner are put to the 2 witnesses when they give their evidence. Certainly, 3 sir, merely permitting a written response doesn't meet 4 the case, because those are not to be aired or tested in 5 public, and the damage to the reputation of the 6 witnesses concerned will, as a result of the procedure 7 being adopted, already have been done. 8 Sir, I will, of course, be seeking leave to 9 cross-examine, but I'll be obliged first to give Mr Jay 10 notice of my questions. He will take those that he 11 thinks appropriate, probably the lines he thinks 12 strongest, and I will be left at best, and with your 13 consent, with a time-limited opportunity to construct 14 a cross-examination out of the residue left behind. 15 Although I can put the contrary case to the witness, 16 the public will hear only Mr Tickner's side of the 17 story. 18 LORD JUSTICE LEVESON: Well, it becomes a question, doesn't 19 it, of who speaks first. I think I'm right in saying 20 that Mr Tickner comes to the Inquiry through the general 21 request for evidence that was published on the website. 22 MR GARNHAM: I'm sure that's right, sir, because he begins 23 by saying, "I have not received a section 21 notice." 24 LORD JUSTICE LEVESON: There you are. And it's probably 25 quite important that we don't ignore important evidence.</p> <p style="text-align: center;">Page 3</p>
<p>1 There is, we submit, sir, a real unfairness in this 2 procedure. The allegations being made are unproven and 3 unsupported by independent evidence. They have, we 4 would say, the flavour of attempts to use the Inquiry as 5 a vehicle to settle old scores, and those criticised 6 have had no chance to deal with the issues when they 7 gave evidence. 8 These previous witnesses face being traduced in the 9 press without any possibility of effective redress or 10 rebuttal. It is, we would submit, sir, not enough, with 11 respect, for the Inquiry to indicate a willingness to 12 receive written evidence in response, or to say that the 13 Inquiry is not a fact-finding tribunal in respect of 14 matters such as this. 15 LORD JUSTICE LEVESON: Well, I'm not sure that quite the 16 same principles apply in relation to this aspect of the 17 work of the Inquiry. The reason that I've not gone into 18 the detail of individual behaviour in the first module, 19 and indeed in aspects of this module, is because of the 20 ongoing investigation. I'm not sure the same issues 21 quite arise here. 22 MR GARNHAM: Well, sir, that reinforces the submission 23 I make then, because if in fact it is the case that this 24 is, on these matters, a fact-finding tribunal, then even 25 more important is it that allegations as serious as</p> <p style="text-align: center;">Page 2</p>	<p>1 Where that should take us is a fair question, and 2 I don't know whether you've discussed that with Mr Jay. 3 I don't want to traduce anyone without giving them the 4 opportunity to respond. I hope that I have demonstrated 5 a very keen appreciation of being fair to all, but of 6 course the dynamic changes. I have no doubt that had we 7 seen this statement in advance, the thing could have 8 been dealt with differently. 9 MR GARNHAM: I too have no doubt about that, sir. I'm sure 10 that if Mr Jay had had sight of that statement at the 11 time these senior Met witnesses were giving evidence, he 12 would have put the points to them, but the point is by 13 the witness timing the submission of his statement to 14 when all these witnesses are finished giving the 15 evidence, the opportunity for that to be done disappears 16 and that's where the unfairness lies. 17 LORD JUSTICE LEVESON: Yes, I understand that might be 18 slightly oversubtle, but I take your point. 19 MR GARNHAM: Sir, I'm conscious of the fact that these were 20 concerns raised by other core participants during 21 Module 1. 22 LORD JUSTICE LEVESON: Yes. 23 MR GARNHAM: But the difference is that the evidence that's 24 now to be called from Mr Tickner is being volunteered by 25 the witness after the people about whom the criticisms</p> <p style="text-align: center;">Page 4</p>

<p>1 were made have given their evidence, so they couldn't 2 deal with it then, and furthermore, unlike some of the 3 other core participants, the MPS are not in a position 4 to publish a rebuttal of his evidence in the press 5 tomorrow as they don't own a convenient organ of the 6 press to do that. 7 LORD JUSTICE LEVESON: Yes, I understand that point, too. 8 MR GARNHAM: It is, with respect, not a trivial point. The 9 allegations being made against people like Lord Blair, 10 Sir Paul Stephenson and others are very serious. They 11 come, to use the popular expression, from left field. 12 They've not been prefaced or anticipated before, they've 13 not been dealt with, and we know what the headlines will 14 be tomorrow as a result of them, and that, sir, is 15 unfair. 16 LORD JUSTICE LEVESON: I take the point. Have you discussed 17 this with Mr Jay? 18 MR GARNHAM: I've warned Mr Jay that I was going to raise 19 the matter with you, but I haven't discussed the 20 contents. 21 LORD JUSTICE LEVESON: All right. 22 MR GARNHAM: We would invite you and Mr Jay, sir, to devise 23 a mechanism that if this witness is to be called, and in 24 passing, sir, we would question its relevance, but if he 25 is to be called, that a mechanism can be adopted that</p> <p style="text-align: center;">Page 5</p>	<p>1 anything, but, sir, I wanted that to be absolutely 2 clear. 3 LORD JUSTICE LEVESON: Thank you very much. I'm not sure 4 that I'm going to let you sit quite so much on the fence 5 in that regard, and it may be that equally the authority 6 or its successor body ought to be considering that which 7 its former employee has said, to find out whether there 8 is material which I ought to know about that would 9 either utterly undermine that which he has said, in 10 which case I may take a view about whether it should be 11 called, or alternatively, a different line is taken, in 12 which case I may have to make all sorts of arrangements 13 to make sure that I've been fair to everybody concerned. 14 Fairness will remain my touchstone, for everybody, 15 contrary to some views. That's what I believe in. But 16 therefore it's important to have a balanced approach to 17 everybody's perception of this evidence. 18 MR PHILLIPS: Yes. The potential implications of the 19 statement are being considered and investigated as 20 I speak. 21 LORD JUSTICE LEVESON: Thank you. If it's necessary for me 22 to put the evidence back, then I would be prepared to 23 contemplate doing that, to allow an orderly 24 understanding of what's going on. 25 MR PHILLIPS: Sir, in my submission, that would be an</p> <p style="text-align: center;">Page 7</p>
<p>1 makes it clear that this evidence does not go 2 unchallenged and has not been tested. 3 LORD JUSTICE LEVESON: Oh, well, I think we'd probably do 4 a bit more than that. At least that's what I would 5 want. At this stage let me just think about what you've 6 said. I apprehend that contrary to my best endeavours, 7 today will be rather shorter than even the last few 8 days, so we'll have some time to return to this later on 9 today, and in the meantime Mr Jay can consider what 10 you've said. 11 MR GARNHAM: Thank you, sir. 12 MR PHILLIPS: Sir, before you hear the evidence, may I make 13 a couple of points, because of course Mr Tickner was an 14 employee of my clients. 15 LORD JUSTICE LEVESON: Yes. 16 MR PHILLIPS: The statement, as I hope was clear from what 17 Mr Garnham said, came as a complete surprise certainly 18 to me yesterday afternoon. It is not, I should make 19 absolutely clear, served as part of the MPA/MOPC's 20 section 21 notices response. We hope in the three 21 statements we have provided that we've dealt with all of 22 the issues raised in your notices, but this is the 23 statement of a volunteer. I'm not going to say anything 24 about the specific points in addition to that raised by 25 Mr Garnham, certainly not going to take issue with</p> <p style="text-align: center;">Page 6</p>	<p>1 obvious first step. Obviously that's without prejudice 2 to the larger arguments that Mr Garnham has advanced. 3 LORD JUSTICE LEVESON: Mr Phillips, it's the second step. 4 The first step is to find out this afternoon what the 5 broad position is, and then we can decide. I don't want 6 to disrupt the timetable, not least because, although 7 there are some spaces, they are rapidly diminishing as 8 issues are raised and have to be resolved in fairness to 9 everybody. So we don't have an unlimited end date for 10 this, as everybody who has been involved in this Inquiry 11 only too well appreciates. 12 MR PHILLIPS: No, sir, although it is also fair to say that 13 the timetable is subject to rapid change. I've made the 14 point about Mr Tickner's statement arriving yesterday 15 afternoon. I now gather from Mr Garnham, which I didn't 16 know, that there may be a yet further witness to be 17 called on Thursday, Mr Driscoll. So, sir, there are 18 changes -- 19 LORD JUSTICE LEVESON: Oh, we make changes all the time. 20 MR PHILLIPS: Yes. 21 LORD JUSTICE LEVESON: But we only, I hope, make changes for 22 good reason. And there may be good reason here, but 23 we'll revisit it again later on in the day. 24 MR PHILLIPS: Yes. 25 LORD JUSTICE LEVESON: Mr Jay, have I correctly understood</p> <p style="text-align: center;">Page 8</p>

<p>1 where this evidence came from?</p> <p>2 MR JAY: (Nods head).</p> <p>3 LORD JUSTICE LEVESON: Thank you. Right.</p> <p>4 MS BOON: Sir, the first witness today is Ms Sandra Laville,</p> <p>5 please.</p> <p>6 LORD JUSTICE LEVESON: Thank you very much indeed.</p> <p>7 MS SANDRA ELIZABETH LAVILLE (affirmed)</p> <p>8 Questions by MS BOON</p> <p>9 MS BOON: Please give your full name.</p> <p>10 A. Sandra Elizabeth Laville.</p> <p>11 Q. You've provided the Inquiry with a witness statement</p> <p>12 dated 8 February of this year. You've signed</p> <p>13 a statement of truth in the standard form; that's right,</p> <p>14 isn't it?</p> <p>15 A. Yes.</p> <p>16 Q. Is this your formal evidence to the Inquiry?</p> <p>17 A. Yes.</p> <p>18 Q. I'd just like to begin by setting out your career</p> <p>19 history. You say at paragraph 5 of your statement that</p> <p>20 you've been a journalist for 23 years and you have wide</p> <p>21 experience of covering both home and foreign news.</p> <p>22 A. Yes.</p> <p>23 Q. You started your career on local papers in Northampton</p> <p>24 and then Plymouth before moving to London?</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 9</p>	<p>1 Q. In your witness statement, would it be a fair</p> <p>2 description of your evidence to say that there are the</p> <p>3 following key themes, if I set them out? The first key</p> <p>4 theme is that, as a journalist, you're the people's eyes</p> <p>5 and ears, that your job is to hold powerful organs of</p> <p>6 the state, like the MPS, to account and ensure that they</p> <p>7 do not abuse their powers?</p> <p>8 A. Yes, absolutely.</p> <p>9 Q. That's the first. The second is that the official Met</p> <p>10 police outlets of information are of value to you but of</p> <p>11 limited value, for a variety of reasons which we'll</p> <p>12 explore, and they don't always give you the full</p> <p>13 picture, all of the information that you need to do your</p> <p>14 job?</p> <p>15 A. That's right.</p> <p>16 Q. The next theme is that for that reason you rely on</p> <p>17 informal contacts with police officers?</p> <p>18 A. Yes.</p> <p>19 Q. And that there's nothing inherently wrong with this</p> <p>20 informal contact, you say; it can operate lawfully and</p> <p>21 in the public interest?</p> <p>22 A. Yes.</p> <p>23 Q. And finally you'd be extremely concerned if anything</p> <p>24 were done that had the effect of suppressing that</p> <p>25 informal contact?</p> <p style="text-align: center;">Page 11</p>
<p>1 Q. You worked for the Evening Standard for four years and</p> <p>2 you then joined the Daily Telegraph, where you covered</p> <p>3 major home and foreign news stories for six years; is</p> <p>4 that right?</p> <p>5 A. Yes.</p> <p>6 Q. Your work there included covering some of the major</p> <p>7 conflicts of that period, investigative reporting,</p> <p>8 feature writing and working as a senior reporter on the</p> <p>9 home news team?</p> <p>10 A. Yes.</p> <p>11 Q. You also worked on the news desk from time to time. You</p> <p>12 then moved to the Guardian seven years ago, where you</p> <p>13 worked as a senior news correspondent and, latterly, as</p> <p>14 the crime correspondent?</p> <p>15 A. Yes.</p> <p>16 Q. And that's the position you now hold?</p> <p>17 A. Yes, that's right.</p> <p>18 Q. You explain that most Guardian News and Media Limited</p> <p>19 journalists are expected to write for both the Guardian</p> <p>20 and the Observer, so you give evidence today you say on</p> <p>21 behalf of the Observer as well; is that right?</p> <p>22 A. Yes, that's right.</p> <p>23 Q. You say throughout your career you've had experience of</p> <p>24 dealing with police officers, one way or another?</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 10</p>	<p>1 A. Yes.</p> <p>2 Q. I would like to take you through those themes, but</p> <p>3 before I do, I'd like you just to highlight as you see</p> <p>4 it the historical context to the culture of relations</p> <p>5 between the media on the one hand and the Metropolitan</p> <p>6 Police Service on the other. In your witness statement</p> <p>7 you described something of a pendulum swing. Where do</p> <p>8 you say the pendulum is swinging to and from?</p> <p>9 A. The pendulum tends to swing from openness and back to</p> <p>10 a clampdown on the flow of information to pressure upon</p> <p>11 individual officers to stop them talking freely, and</p> <p>12 then back to openness again when there's a reaction</p> <p>13 against that. And then if there's another -- the</p> <p>14 Commissioner comes in or there's an incident that the</p> <p>15 police perceive as coming from too much openness, if you</p> <p>16 like, the pendulum swings back again, and predominantly</p> <p>17 there's the polarity of the kind of position of</p> <p>18 prohibition, of stopping people talking, making the</p> <p>19 information come from the official channels only, and</p> <p>20 then there's the position of openness, where officers of</p> <p>21 inspector rank and above currently are allowed to speak</p> <p>22 freely to the press without getting authority from</p> <p>23 above.</p> <p>24 Q. You refer to Lord Condon's tenure as Commissioner. What</p> <p>25 was the position then, from your perception?</p> <p style="text-align: center;">Page 12</p>

3 (Pages 9 to 12)

<p>1 A. From my experience at the time, you could not talk to 2 a police officer without a press officer present, and 3 even if you met that officer outside court, they would 4 want to talk to you, but they would say, "I can't do it, 5 Sandra, you have to call the press office". The press 6 office would then arrive the next day, or possibly the 7 next week, and stand on the shoulder of that officer and 8 control what he was saying, in my perception. 9 Q. When did things change? 10 A. Well, then Lord Stevens' policy of Met-wide 11 communication came in, and that changed the policy to 12 what I perceived as more openness, and that's kind of 13 where we stand at the moment, but obviously there's 14 a huge consideration being taken now as to where to go 15 from there. 16 Q. And you say in your statement that since Lord Stevens 17 became Commissioner, the MPS has encouraged informal 18 contact? 19 A. Yes. 20 Q. Informal relationship-building between officers of the 21 rank of inspector and above and members of the media? 22 A. Yes, absolutely. 23 LORD JUSTICE LEVESON: Are there any lines? 24 A. Yes, there are obviously lines. We should know the 25 boundaries. There's the law and there's ethical Page 13</p>	<p>1 you always have to probe deeper and talk to others to 2 find out the truth, I suppose. 3 Q. In the case of Kirk Reid, that was a trial that was 4 taking place in a public court? 5 A. It was a trial in a public court, but there are hundreds 6 of public courts, you know. There's only one of me, and 7 there's only one of my other colleagues, and news 8 agencies don't cover all the courts. You rely on your 9 informal contacts with police officers to alert you to 10 things happening in courts that you might know about or 11 investigations that are going on which are interesting, 12 so you need a pointer, and I got a pointer from informal 13 contact. 14 LORD JUSTICE LEVESON: But there always used to be reporters 15 in court. 16 A. There are reporters in some courts; there are not 17 reporters in all courts by any means at all any more, 18 no. 19 LORD JUSTICE LEVESON: So what you're saying is because 20 reporters can't afford to cover courts now for 21 commercial reasons -- 22 A. That's part of it. 23 LORD JUSTICE LEVESON: -- they have to rely on somebody else 24 to tell them where the dirt is? 25 A. Well, I don't think it's necessarily that. I think the Page 15</p>
<p>1 considerations and the police officers should know the 2 boundaries and the journalists should know the 3 boundaries, and you operate within those boundaries. 4 LORD JUSTICE LEVESON: The question, therefore, is where are 5 the boundaries? Doubtless we're going to come to that. 6 MS BOON: We are. 7 Dealing first of all then with the official channels 8 of information, in your own words, what are the 9 limitations on or problems with relying exclusively on 10 official communications from the Metropolitan Police 11 Service? 12 A. Well, official communications tend to be on issues that 13 the Metropolitan Police wants publicised. They tend to 14 be quite narrow. They don't add colour and texture that 15 comes from talking to an individual officer. They don't 16 address, as I refer to in my statement, issues 17 potentially where the Metropolitan Police is not going 18 to be perceived in a good light. You know, the official 19 channels of the Metropolitan Police did not inform me or 20 others of Kirk Reid, the serial rapist, the trial going 21 on in an outside court in London, in which they had 22 failed several times to intercept him. We found that 23 out through informal contacts. 24 So one can take the official information and the 25 official contacts and what they say on the one hand, but Page 14</p>	<p>1 reporters do not cover all courts across the country, 2 and police officers who are aware of cases coming up 3 will let you know of cases of interest. And police 4 officers who might have been concerned that this case 5 wasn't being highlighted and should be highlighted 6 brought it to people's attention. 7 MS BOON: You say in your statement that senior management 8 are concerned about protecting the force's corporate 9 image, which can lead to them being secretive and 10 defensive. Is that your evidence? 11 A. Yes. 12 Q. So is defensive an adjective that you say can be fairly 13 applied to the MPS when responding to media enquiries? 14 Is that what you're saying? 15 A. They tend to be defensive, yes. 16 Q. How does this manifest in practice? 17 A. Well, they give you limited answers to the questions. 18 They don't expand. They rely on you to continue 19 probing, and to continue probing you need to know what 20 you're asking for. In order to know what you're asking 21 for, you need to have had a conversation with someone, 22 to have an open dialogue with an officer who can help 23 you ask the right questions, I suppose. 24 Q. In fact, you do give a balanced picture in your witness 25 statement, don't you, because you give two examples of Page 16</p>

1 what you would describe as quite excellent official
 2 briefings from the MPS, and one was the briefing in
 3 relation to the sentencing of Robert Napper for the
 4 murder of Rachel Nickell. What was it in particular
 5 about that briefing that impressed you?
 6 **A. Firstly, it was run by senior officers and officers on
 7 the investigation. They knew what they were talking
 8 about. They were allowed to talk freely. They gave
 9 information about past mistakes, which had never been --
 10 never seen the light of day before. They were honest,
 11 they were open, they didn't lie. And it just made for
 12 an accurate picture of the unsolved murder, what had
 13 gone wrong and what had gone right, because the team who
 14 finally solved it did an excellent job.**
 15 Q. You say it was an example of the Met at its best.
 16 **A. Yes, I think so.**
 17 Q. Willing to admit mistakes, make amends and go on to
 18 solve the crime many years later.
 19 You also give another example in your statement of
 20 the briefings over the riots last summer. Again, what
 21 was it about those briefings that were positive?
 22 **A. Well, it was obviously a fast-moving situation.
 23 Journalists were under a lot of pressure to get
 24 information and get it fast and write stories quickly,
 25 and the Met briefings were -- they provided facts and**
 Page 17

1 **figures quickly. They gave us an insight into the
 2 difficulty of what they were facing, the kind of
 3 knife-edge decisions they were making, and they were
 4 honest, most importantly.**
 5 Q. Do you have a comment generally on the speed with which
 6 you can obtain information through official channels?
 7 **A. Generally it tends to be too slow. I mean, we all work
 8 in a digital age nowadays. You have to get things on
 9 the web, on the Internet fast, you have to respond very
 10 quickly.**
 11 Another example I give during the riots is wanting
 12 to portray the human face of what police officers were
 13 going through at the time, which hadn't been covered.
 14 **I wasn't able to do that through the official channels
 15 of the Metropolitan Police, I had to use informal
 16 contacts, I had to go out and make approaches to
 17 officers myself, and that resulted in an article
 18 which -- one of the only articles actually at the time
 19 that showed what these police officers were going
 20 through.**
 21 Q. Who were you contacting to get information about the
 22 human side of the riots from the police perspective?
 23 **A. Police officers.**
 24 Q. Sorry, before, which official channels did you try?
 25 **A. The Scotland Yard Press Bureau.**
 Page 18

1 Q. And what sort of response were you getting when you
 2 posed the question?
 3 **A. The response was, "Yes, we understand, we want to do it,
 4 we're very busy, we can't do it today, we probably can't
 5 do it tomorrow, we're really busy, I understand". That
 6 was the response. I mean, they were trying, but they
 7 were very busy.**
 8 LORD JUSTICE LEVESON: I mean, all those answers are
 9 probably entirely valid.
 10 **A. Absolutely.**
 11 LORD JUSTICE LEVESON: Of course, what you did then was go
 12 to other officers, who presumably took the time to speak
 13 to you in their own time?
 14 **A. No, I did it in a couple of hours in an afternoon.
 15 I mean, I had to file a story that day for that
 16 evening's web. So I made approaches through social
 17 media sites, I then spoke to officers on the phone, if
 18 they agreed. I contacted the Police Review magazine to
 19 see if they had any officers. You know, I made every
 20 effort to find officers through other means.**
 21 MS BOON: I've been asked by one of the core participants to
 22 ask you whether you consider that the limitations that
 23 you've described, or the difficulties you've described,
 24 can be corrected by the MPS or whether it's more
 25 a symptom of the institution itself and it's not going
 Page 19

1 to get any better?
 2 **A. I think if you're saying -- can you repeat the question?**
 3 Q. I have been asked to ask you whether the limitations
 4 you've described, the speed, the fact that the MPS is
 5 seeking, as you say, to protect its corporate
 6 reputation, can this be corrected? Can this be improved
 7 do you think?
 8 **A. Well, it can be corrected and improved, in my opinion,
 9 if you allow police officers who are adults and
 10 experienced people to talk freely to the press and
 11 understand the legal boundaries that they should walk
 12 between, and I think 70 press officers in an enormous
 13 organisation are never going to be able to give out
 14 information quickly and correctly and in enough detail
 15 to cope with the huge demands from journalists.**
 16 Q. So for you it's not about necessarily improving the
 17 corporate message, it's just allowing officers to speak
 18 freely to the media themselves, trusting them to do
 19 that?
 20 **A. Yes, empowering them, trusting them to do that and
 21 understanding that for years we've had a mutually
 22 beneficial relationship, journalists and police
 23 officers, and that relationship is in the public
 24 interest because it talks to openness and it talks to
 25 transparency. And it's lasted for a long time because**
 Page 20

<p>1 it actually works.</p> <p>2 LORD JUSTICE LEVESON: It's not been without its own</p> <p>3 difficulties, as we've been hearing in the last few</p> <p>4 weeks.</p> <p>5 A. Of course it's not been without its own difficulties,</p> <p>6 but I think you're talking about a minority in an</p> <p>7 organisation of 52,000 people, and a minority of</p> <p>8 journalists in a trade where most people are honourable,</p> <p>9 most people do their job correctly and understand the</p> <p>10 law, both on the police side and on the journalist side.</p> <p>11 LORD JUSTICE LEVESON: I understand that, but unfortunately</p> <p>12 the way human systems operate in this country is that we</p> <p>13 have to legislate -- I don't mean legislate. We have to</p> <p>14 make decisions based upon failing safely. You have to</p> <p>15 fail safely. In other words, you have to be in</p> <p>16 a position to protect what is important against those</p> <p>17 who may not observe the rules, because failure to</p> <p>18 observe the rules might be beneficial to one side of the</p> <p>19 story, damage everybody else, but itself be damaging.</p> <p>20 A. I understand that, but don't you also have to legislate</p> <p>21 or regulate or encourage best practice and empower and</p> <p>22 train and teach people, reiterate the legal boundaries</p> <p>23 and not overreact to something that is -- we're talking</p> <p>24 about a minority of people, and we're talking --</p> <p>25 LORD JUSTICE LEVESON: Do you think that we're overreacting?</p> <p style="text-align: center;">Page 21</p>	<p>1 a good thing.</p> <p>2 LORD JUSTICE LEVESON: That's not always how it's been</p> <p>3 portrayed by the press.</p> <p>4 A. Well, I'm a responsible journalist. I think it's a good</p> <p>5 thing if people think about what they're doing a little</p> <p>6 more carefully and examine the facts and have a personal</p> <p>7 integrity about the fact that the people they're writing</p> <p>8 about are human beings and you affect their life with</p> <p>9 everything you write, and I think that's a good thing if</p> <p>10 they're reflecting more on that.</p> <p>11 LORD JUSTICE LEVESON: It so happens that so do I, but here</p> <p>12 the boot is on the other foot, isn't it, because what</p> <p>13 you're saying is that greater care is now undermining</p> <p>14 the work that you do. That's what you're effectively</p> <p>15 saying.</p> <p>16 A. But I think there's a difference between a corporation,</p> <p>17 an organisation from the top reacting to something in</p> <p>18 the way they're reacting, and after all these decisions</p> <p>19 are being made at the very top, and the officers who</p> <p>20 haven't done anything wrong, the middle-ranking</p> <p>21 officers, are the ones who are being affected by it.</p> <p>22 So in order to tackle a scandal, if you like, what</p> <p>23 they seem to be doing is handing more power to senior</p> <p>24 officers to control the flow of information, and</p> <p>25 actually you could argue that you should open it up and</p> <p style="text-align: center;">Page 23</p>
<p>1 A. I think there's been an overreaction within the</p> <p>2 Metropolitan Police already, yes. Absolutely. It</p> <p>3 affects everything I do at the moment.</p> <p>4 LORD JUSTICE LEVESON: That's different. The fact that your</p> <p>5 work has been affected at the moment doesn't mean to say</p> <p>6 there's been an overreaction. It may be that new lines</p> <p>7 have to be created, it may be that's right, but do you</p> <p>8 think that what has emerged is really being blown up</p> <p>9 into something it isn't and is not serious? Or do you</p> <p>10 think that it is serious and therefore does need to be</p> <p>11 addressed?</p> <p>12 A. I'm not saying it's been blown up into something that's</p> <p>13 more serious than it is, it is serious, but I'm saying</p> <p>14 the reaction of the police and the way they are</p> <p>15 responding to that I perceive as an overreaction because</p> <p>16 what they're doing and what is already happening is that</p> <p>17 open lines of communication, which have been there for</p> <p>18 many years, are being closed down.</p> <p>19 LORD JUSTICE LEVESON: Some of your colleagues might say</p> <p>20 exactly the same has happened in relation to the way in</p> <p>21 which the press report stories generally, but maybe I'm</p> <p>22 taking you outside what you've come to talk about.</p> <p>23 A. I think you mean that the press are being more careful?</p> <p>24 LORD JUSTICE LEVESON: Mm.</p> <p>25 A. Yes, and in some ways that's not a bad thing, it's</p> <p style="text-align: center;">Page 22</p>	<p>1 allow officers to speak freely, because in that way you</p> <p>2 could highlight future scandals, you could allow your</p> <p>3 officers -- empower them to highlight future scandals.</p> <p>4 It's happened in the past, it happened under</p> <p>5 Robert Mark.</p> <p>6 So I perceive it as an overreaction, I do. If you</p> <p>7 stop -- it's already happening. I have relationships</p> <p>8 with officers that the press office are trying to stop</p> <p>9 me talking to now, for no -- no decisions have been</p> <p>10 made, but this is happening already.</p> <p>11 MS BOON: Can you describe those circumstances? You were</p> <p>12 trying to speak to somebody informally and you were</p> <p>13 stopped by a press officer, is that --</p> <p>14 A. An officer of quite senior rank who I've known for many</p> <p>15 years, I asked him to talk to me about a subject that he</p> <p>16 knew very well, he'd been the senior investigating</p> <p>17 officer, both cases had concluded, he was quite happy to</p> <p>18 talk to me but he said I had to ask a press officer.</p> <p>19 I asked a press officer in an email and on the phone and</p> <p>20 she refused me access to the officer.</p> <p>21 Q. Did you then go back to the officer to ask --</p> <p>22 A. I went back to the officer. He said, "Sorry, that's the</p> <p>23 way it is now."</p> <p>24 Q. That's not what would have happened before, you're</p> <p>25 saying?</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 A. Absolutely not.</p> <p>2 Q. Before I move on to explore in more detail your informal</p> <p>3 contacts and the benefits that you say you derive from</p> <p>4 them, I just want to explore what you say at</p> <p>5 paragraph 36 on page 09442. That's about the head of</p> <p>6 public affairs. Sorry, I don't think it is</p> <p>7 paragraph 36.</p> <p>8 LORD JUSTICE LEVESON: There is a paragraph 36.</p> <p>9 MS BOON: It may or may not be the one --</p> <p>10 LORD JUSTICE LEVESON: It's all to do with favouritism.</p> <p>11 MS BOON: Ah, that is the right one. I did have the right</p> <p>12 reference. 09442.</p> <p>13 A. Sorry, I'm not --</p> <p>14 Q. It's page 15 if you don't have the MOD number in the</p> <p>15 bottom right-hand corner. Paragraph 36.</p> <p>16 A. Yes, I think I'm there.</p> <p>17 Q. "I think if the head of public affairs is the gatekeeper</p> <p>18 to senior officers -- for example -- and acts in the</p> <p>19 same way to all crime journalists that is one thing, but</p> <p>20 if that head of public affairs is seen to favour certain</p> <p>21 news organisations, or certain journalists, then that is</p> <p>22 unhealthy and raises questions about why that is taking</p> <p>23 place."</p> <p>24 I've been asked by a core participant to ask you</p> <p>25 whether you're saying there that Mr Fedorcio is in your</p> <p style="text-align: center;">Page 25</p>	<p>1 you know, and then when I negotiated, I would be there</p> <p>2 as well. I mean, it wasn't anything -- I didn't</p> <p>3 perceive it as anything wrong. I perceived it as these</p> <p>4 people had known each other for a very long time and it</p> <p>5 was my job to get that access as well.</p> <p>6 Q. Were there any journalists or titles that were notably</p> <p>7 not in the circle?</p> <p>8 A. No, I don't think so. You know, I've worked for the</p> <p>9 Standard, the Telegraph and the Guardian, and I managed</p> <p>10 to get myself in the circle, if there was one, if</p> <p>11 I perceived there to be one. It's about how you</p> <p>12 operate, really. I didn't see it as being any</p> <p>13 particular newspaper.</p> <p>14 LORD JUSTICE LEVESON: What you're saying is that this is</p> <p>15 unhealthy.</p> <p>16 A. I think it's unhealthy --</p> <p>17 LORD JUSTICE LEVESON: That's your word, not mine.</p> <p>18 A. Well, I think it's unhealthy. I didn't actually say</p> <p>19 that this was -- what I'm describing now was unhealthy.</p> <p>20 I'm saying that if there was a perception that the head</p> <p>21 of press was feeding stories to one particular</p> <p>22 organisation, I don't know whether that was happening,</p> <p>23 that is unhealthy. Sorry, to be clear on that.</p> <p>24 LORD JUSTICE LEVESON: I see.</p> <p>25 MS BOON: So you're not saying that it's your evidence that</p> <p style="text-align: center;">Page 27</p>
<p>1 view someone who favoured certain news organisations or</p> <p>2 journalists in a way that was unhealthy?</p> <p>3 A. I think there was something of an inner circle that was</p> <p>4 created, but to my perception that was more about the</p> <p>5 length of time certain individuals had been covering</p> <p>6 crime and they had built relationships over many years;</p> <p>7 in fact, you know, seven or eight years, and they knew</p> <p>8 each other very well.</p> <p>9 But, yes, there was certainly at times a perception</p> <p>10 that you would have a briefing and then maybe another</p> <p>11 briefing with a smaller group of people would go on,</p> <p>12 but, you know, then you negotiate that and you make sure</p> <p>13 you get in the smaller briefing. I mean, that's what</p> <p>14 journalists do. It's our job to go to the source of the</p> <p>15 information and find it out, and I don't -- it never</p> <p>16 struck me as anything dodgy, it just struck me as these</p> <p>17 people were good at their jobs and, you know, they'd</p> <p>18 managed to make a very good contact over many years.</p> <p>19 Q. So there would be a formal briefing and you say then</p> <p>20 others would go on. So some journalists would go to</p> <p>21 a different room with those who had been giving the</p> <p>22 briefing and continue the conversation?</p> <p>23 A. No, I think sometimes you might go to a pub afterwards,</p> <p>24 and sometimes you might see a few journalists with the</p> <p>25 press -- with Fedorcio afterwards, but that wasn't --</p> <p style="text-align: center;">Page 26</p>	<p>1 there was a favouring of certain news organisations in</p> <p>2 terms of access or provision of information?</p> <p>3 A. Not that I was aware of, no. Not clearly, no.</p> <p>4 Q. So moving on then to the informal contacts, we should be</p> <p>5 clear, first of all, what you mean when you say</p> <p>6 "informal contact". Is this informal but authorised,</p> <p>7 informal in the sense of being secret, in the sense that</p> <p>8 the police officer you're speaking to wouldn't want</p> <p>9 their line manager to know? What do you mean when you</p> <p>10 say "informal contact"?</p> <p>11 A. Well, informal contact, as I perceive it, is there was</p> <p>12 a broadbrush authorisation for officers, as I've said,</p> <p>13 of inspector rank and above to be able to talk to</p> <p>14 journalists, so informal contacts would be after work,</p> <p>15 in a pub, in a cafe, in a restaurant, that kind of</p> <p>16 informal.</p> <p>17 Q. So not necessarily something they'd want to hide from</p> <p>18 their line manager, if their line manager asked them,</p> <p>19 "What were you doing last night?"</p> <p>20 A. No.</p> <p>21 LORD JUSTICE LEVESON: Why must it always be in a pub,</p> <p>22 a cafe or a restaurant? Why does it have to be linked</p> <p>23 with food and drink?</p> <p>24 A. Because it's part of human relationships. I think if an</p> <p>25 officer has worked all day and takes time out from his</p> <p style="text-align: center;">Page 28</p>

<p>1 family to come and meet me, I see nothing wrong with 2 buying him a drink or having a meal with him. As long 3 as it's reasonable, as long as common sense is applied, 4 I see it as part of normal human relationships, and 5 journalists do it with every profession. They do it 6 with doctors, they do it with trade union leaders, they 7 do it with lawyers, they do it with pharmaceutical 8 companies. You know, scientific reporters do it with 9 scientists.</p> <p>10 MS BOON: On page 09431, that's page 4 if you don't have the 11 MOD reference, the second substantive paragraph on that 12 page, you describe "informal dialogue with police 13 officers" as "vital" and going to the heart of your role 14 in a democracy. These are quite strong words. Why is 15 such informal contact so important, do you say? 16 I appreciate you've touched on this to some degree 17 already, but is there anything you want to add to why 18 it's so important?</p> <p>19 A. Because the police force is a very powerful organisation 20 in this country. They need to be held to account. You 21 can't hold them to account by taking information from 22 the official channels only. They have the power to lock 23 people up for a long time. We've had miscarriages of 24 justice. You know, we have to -- journalists have to be 25 able to hold the police to account, and you can't do</p> <p style="text-align: center;">Page 29</p>	<p>1 Q. You set out some noble reasons for speaking to you, but 2 in your experience, have you had cause to doubt the 3 legitimacy of the motives of your contacts or to doubt 4 the accuracy of the information they are providing you? 5 First of all, their motives, have you had reason to 6 doubt their motives?</p> <p>7 A. Well, I think it depends on the contact, and obviously 8 you have to have a sort of thought process in your head: 9 if someone's telling you something, why are they telling 10 you this? So there's always that going on, and you 11 would have to have those caveats, if you used that 12 information. You would try and check the information in 13 another way, if you were suspicious of it, but yes, 14 I mean even with my best contacts I sometimes think, 15 "Why you are telling me this?"</p> <p>16 Q. And what about the accuracy of the information? Do you 17 sometimes doubt that you're being told the truth by your 18 informal contacts?</p> <p>19 A. Far less than by the official contacts.</p> <p>20 Q. Have you known or sensed in your contact, informal 21 contact, that a police officer or member of police staff 22 is trying to put pressure on you to dilute a story or 23 not to publish facts or to pursue an agenda of their 24 own? Do you ever feel you're being manipulated?</p> <p>25 A. I think you're constantly aware that you mustn't be</p> <p style="text-align: center;">Page 31</p>
<p>1 that by using official sources only.</p> <p>2 Q. What sort of ranks are you talking about of people that 3 you have contact with? Is there any particular level of 4 seniority within the Met?</p> <p>5 A. Well, probably mostly inspector and above, detective 6 superintendent, you know, that kind of rank.</p> <p>7 Q. You've explained why you like to have or why you see it 8 necessary to your role to have informal contact with 9 police officers. Why do you consider they wish to 10 maintain that contact with you?</p> <p>11 A. Because often police officers feel that their work isn't 12 coming across through the official channels. They are 13 also interested in talking to journalists who are 14 interested in crime and policing. They want to add 15 colour and texture to an investigation that they might 16 have been involved in. You know, for example, Trident. 17 It's not -- Trident the unit that now covers gangs and 18 used to cover gun crime in the black community, that 19 wasn't something the media wrote about, and I've written 20 stories about the work that Trident does through my 21 informal contacts with Trident officers. And I would 22 never have been able to write those stories through 23 official channels, and those stories, many of them, show 24 the police up in a very good light. So that's why 25 officers like to talk to journalists.</p> <p style="text-align: center;">Page 30</p>	<p>1 manipulated and that you shouldn't take everything that 2 they say without question. I have been asked not to run 3 a story because it potentially might cut across 4 a criminal investigation. If I have found something out 5 myself that I then speak to an officer I know about and 6 he says, "Look, there's an ongoing criminal inquiry 7 here; if you write this, it's going to jeopardise it", 8 I would listen to that officer, obviously.</p> <p>9 Q. That's of course one thing, an officer saying, "Don't 10 publish this information because it might jeopardise a 11 future trial". What about, "Don't run that story, don't 12 include that information, because it puts me in a bad 13 light or it puts the MPS in a bad light", have you had 14 that sort of conversation?</p> <p>15 A. I haven't openly recently, no, I don't think so, and 16 I would be very suspicious of that and I probably 17 wouldn't -- I would disregard it.</p> <p>18 Q. You appear to be quite confident in your statement that 19 maintaining these lines of communication doesn't 20 necessarily involve breaking the law or officers 21 committing disciplinary offences. How can you be so 22 confident about that?</p> <p>23 A. I think there's criminality and then there's 24 a journalist going out about their legitimate 25 activities. I think I know the law and the police</p> <p style="text-align: center;">Page 32</p>

1 **should know the law, and those boundaries shouldn't be**
 2 **crossed. And if they are crossed, each party should**
 3 **know that they've crossed them and should -- you know,**
 4 **they shouldn't cross them, and if somebody crosses them**
 5 **with me, I will say to them, "Should you be telling them**
 6 **that? You know, I can't use that."**
 7 Q. But are the boundaries always clear about where
 8 information can lawfully be provided and where it can't?
 9 **A. I think the boundaries are quite clear, yes.**
 10 Q. And how do you know that the officer you're speaking to
 11 understands where the line is drawn?
 12 **A. Well, if an officer -- it's never happened to me, but if**
 13 **an officer meets me and says, "Look, here's this victim,**
 14 **here's her telephone number and address", I would be**
 15 **horrified. It's never happened, and I would be**
 16 **absolutely questioning that officer as to why they were**
 17 **doing that.**
 18 Q. But do organisational formal checks on contact not help
 19 in ensuring that an officer doesn't cross those
 20 boundaries? Doesn't there need to be some input from
 21 above?
 22 **A. I think there is input from above. I think they -- you**
 23 **know, if you're talking about a senior investigating**
 24 **officer talking to a journalist, I mean he would know**
 25 **what he can and can't say. I'm not sure -- I mean, it's**
 Page 33

1 **all very well to tell an officer to write everything**
 2 **down, but that doesn't necessarily mean they're going to**
 3 **write down the bits that they don't want their bosses to**
 4 **find out about, does it? It doesn't actually provide**
 5 **the checks and balances that you're suggesting.**
 6 LORD JUSTICE LEVESON: Well, one way it might is that if
 7 somebody can see that a particular journalist seems to
 8 be meeting a particular police officer three times
 9 a week every week, that might give rise to some concern,
 10 mightn't it?
 11 **A. Yes, I -- yes.**
 12 LORD JUSTICE LEVESON: So might that not be a way of
 13 monitoring the position? I entirely agree that one can
 14 stultify and remove or create a barrier which might be
 15 damaging, and if one required a tick-box type culture to
 16 be put into place, that may be retrogressive. I can
 17 understand that point. But doesn't there have to be
 18 some mechanism for check, if only to ensure that
 19 everybody understands that there has to be some -- it
 20 isn't a free-for-all, and if so, what could that be?
 21 **A. Yes I think it's not unconditional, the contact, and I'm**
 22 **not sure. I mean, part of me thinks that what you need**
 23 **to do is empower police officers and trust them and**
 24 **instill them with examples from above, you know, with**
 25 **examples of integrity and what they should and shouldn't**
 Page 34

1 **do as part of that, and ethical training about what they**
 2 **should and shouldn't say and, you know, reiterating the**
 3 **law.**
 4 LORD JUSTICE LEVESON: There's all that, I entirely agree.
 5 Of course --
 6 **A. I'm not sure that -- that kind of supervision that**
 7 **you're talking about, if an officer wants to break the**
 8 **boundaries, if an officer wants to break the law, he's**
 9 **not going to write it in his notebook.**
 10 LORD JUSTICE LEVESON: Of course he isn't, of course he
 11 isn't, but if then he hasn't, as it were, recorded
 12 a contact, without talking about what he discussed,
 13 necessarily, if he hasn't recorded a contact and that's
 14 caught, then that raises some questions, doesn't it?
 15 **A. Yes.**
 16 LORD JUSTICE LEVESON: Which are legitimate.
 17 **A. Yes.**
 18 LORD JUSTICE LEVESON: So there's the check. By all means
 19 maintain the line above the rank of inspector, but if
 20 you are speaking to a reporter, that ought to be
 21 auditable.
 22 **A. In a diary or whatever.**
 23 LORD JUSTICE LEVESON: Whatever. So that there is
 24 a mechanism of control, and if you don't write it down,
 25 well, then that raises concern.
 Page 35

1 **A. I wouldn't have a problem with that myself at all, no.**
 2 **I think that's a good idea.**
 3 LORD JUSTICE LEVESON: All right.
 4 MS BOON: One can conceive of circumstances where
 5 a relationship can form where a journalist, for
 6 instance, might suppress a story that puts an individual
 7 or the organisation in a negative light in exchange for
 8 a promise of further information in the future or
 9 a better exclusive in the future. Is that something
 10 that you are aware of happening, that you've witnessed?
 11 **A. You're going to have to repeat that, sorry.**
 12 Q. The sort of quid pro quo, the I'll scratch your back if
 13 you scratch mine, that a journalist, on a police
 14 officer's request, doesn't publish a particular article
 15 in exchange for the officer promising in the future to
 16 give an exclusive, give further information. Is that
 17 sort of inappropriate relationship --
 18 **A. The only time in my experience that's happened has been**
 19 **totally legitimate in that I have come across something**
 20 **which has cut across an inquiry and I've been told that,**
 21 **"Can you wait until the end of the inquiry and then**
 22 **you'll be briefed on the investigation, you can run your**
 23 **story", so that's my only experience of that kind of**
 24 **conversation.**
 25 Q. Moving on to the question of hospitality and
 Page 36

<p>1 entertainment, to what extent do you agree with</p> <p>2 Lord Condon's view that hospitality can be part of</p> <p>3 a grooming process that leads to unethical or criminal</p> <p>4 behaviour?</p> <p>5 A. Well, I don't agree with it. I don't perceive --</p> <p>6 I think that's a very strong thing to say. I think, as</p> <p>7 I've said, there's criminality and then there's</p> <p>8 legitimate journalistic activity, and socialising to</p> <p>9 a reasonable extent, using common sense, with police</p> <p>10 officers is not a grooming process. These people are</p> <p>11 grown-ups. Some of them make life and death decisions</p> <p>12 about -- they deal with organised crime, they</p> <p>13 investigate rape. You know, the idea that me buying</p> <p>14 them a couple of beers or a meal is grooming them in any</p> <p>15 way is faintly ludicrous, to be honest. I don't agree</p> <p>16 with that.</p> <p>17 Q. What about a higher level of hospitality, dinners in</p> <p>18 expensive restaurants with champagne, that sort of</p> <p>19 level, as opposed to a meal after work?</p> <p>20 A. Again there's the law, there's the Bribery Act. I think</p> <p>21 if it's not reasonable, if you're repeatedly taking an</p> <p>22 officer to the Savoy and throwing in a lap dancing club</p> <p>23 repeatedly, obviously that's not reasonable or common</p> <p>24 sense and it potentially is illegal, so there's your</p> <p>25 criminality.</p> <p style="text-align: center;">Page 37</p>	<p>1 A. Yes.</p> <p>2 Q. You say:</p> <p>3 "In addition, it is always important to remember</p> <p>4 that you as a journalist have your agenda -- of seeking</p> <p>5 out information -- to call the police to account, and</p> <p>6 they have their agenda. I am always aware that as</p> <p>7 a specialist you might be in danger of getting too</p> <p>8 close, or going native, as some put it. I have</p> <p>9 a constant checks and balances going on in my head when</p> <p>10 dealing with the police, in order to try and avoid</p> <p>11 this."</p> <p>12 There are a few questions that arise out of that</p> <p>13 paragraph. What first of all are the dangers that</p> <p>14 you're referring to?</p> <p>15 A. Well, I think if you're a specialist and you spend your</p> <p>16 time talking to police officers, you start to see things</p> <p>17 from their perspective and their perspective only, and</p> <p>18 that's dangerous and you need to check yourself and</p> <p>19 think, well, they're telling me they're arresting all</p> <p>20 these people after the riots and maybe I need to flip</p> <p>21 the coin over and go and speak to the people who have</p> <p>22 been arrested. You can't take the information from one</p> <p>23 source only.</p> <p>24 Q. That's what you mean by "going native"?</p> <p>25 A. Mm.</p> <p style="text-align: center;">Page 39</p>
<p>1 Q. So what levels of hospitality do you offer or provide to</p> <p>2 your contacts?</p> <p>3 A. Reasonable levels, and we have a policy at the Guardian</p> <p>4 where everything I claim has to be supervised.</p> <p>5 Q. So what is reasonable?</p> <p>6 A. I think there's a guideline -- we don't do</p> <p>7 hospitality -- there's a guideline at the Guardian that</p> <p>8 it should be no more than £40 to £45 for two people</p> <p>9 having a meal, but I mean sometimes it goes above that.</p> <p>10 Obviously we live in London. But, you know, reasonable</p> <p>11 amount.</p> <p>12 Q. And the level of hospitality that you feel comfortable</p> <p>13 accepting from the police, where would you draw that</p> <p>14 line?</p> <p>15 A. I wouldn't be comfortable about being taken to lavish</p> <p>16 restaurants and wined and dined, no, I wouldn't.</p> <p>17 Q. Why wouldn't you? That might seem like an obvious</p> <p>18 question, but why wouldn't you?</p> <p>19 A. Because I think you would be wondering what are they</p> <p>20 trying to get out of this, why are they taking me here?</p> <p>21 Why couldn't we have just had a reasonable meal</p> <p>22 somewhere? Why is this happening?</p> <p>23 Q. Paragraph 31 of your statement starts at 09440, page 13.</p> <p>24 In fact it's 09441 that I want to take you to, over the</p> <p>25 page. Do you have that?</p> <p style="text-align: center;">Page 38</p>	<p>1 Q. Have you ever felt that you've got too close in the way</p> <p>2 you've highlighted there as a risk?</p> <p>3 A. I think I've sometimes examined things through the prism</p> <p>4 of knowing what the police are thinking, and I have</p> <p>5 checked myself and thought, "You know, you need to think</p> <p>6 about it from the other side", yes, I do, but I've never</p> <p>7 put anything into print that I would be embarrassed</p> <p>8 about in that way, it's a process that goes on.</p> <p>9 Q. It's not about getting too close to individuals on</p> <p>10 a friendship level, you're talking about getting too</p> <p>11 close in the terms of unconsciously becoming biased</p> <p>12 towards the police, is that what you're --</p> <p>13 A. Yes.</p> <p>14 Q. The checks and balances in your head, is there anything</p> <p>15 you want to add to what's going through your mind to</p> <p>16 make sure that you remain independent -- you preserve</p> <p>17 your independent approach to the information?</p> <p>18 A. I think it's just that, that you have to question what</p> <p>19 you're being told all the time.</p> <p>20 Q. Moving on to the culture of relations between the media</p> <p>21 and forces other than the Metropolitan Police Service,</p> <p>22 in your own words, how do these compare with the MPS?</p> <p>23 A. They tend to take their lead from the Metropolitan</p> <p>24 Police. There are notable examples. I've mentioned</p> <p>25 Devon and Cornwall do a very good media operation, but</p> <p style="text-align: center;">Page 40</p>

10 (Pages 37 to 40)

<p>1 they tend to look to the Metropolitan Police so they 2 follow their lead. 3 Q. Are there variations within the regional forces, within 4 the other forces, or can you say that there's a culture 5 on the one hand of the MPS and on the other hand the 6 other police forces? 7 A. No, I think they follow the MPS, most of them. 8 LORD JUSTICE LEVESON: Are you surprised to read that 9 actually there are different policies across the 10 country? 11 A. Yes. I mean obviously I don't -- you know, I don't 12 every day deal with every single police force in the 13 country. 14 LORD JUSTICE LEVESON: No, but you may have read it in these 15 reports. 16 A. Yes, yes, yes. Some forces seem to be more helpful than 17 others, but I'm not aware of all their individual 18 policies, no. 19 MS BOON: Page 09437, paragraph 17 of your statement. You 20 describe the way Suffolk police handled the media during 21 the murders of the prostitutes in Ipswich as a "very 22 powerful and deeply impressive media operation". What 23 was it about that operation that made it such a success 24 in your view? 25 A. They had hundreds of journalists from the national press Page 41</p>	<p>1 Q. What about a family member of a police officer or member 2 of police staff? 3 A. A family member I would describe in a different way. 4 A member of police staff, depends what they did, to be 5 honest. 6 Q. Sorry, it was more I was asking you whether you would 7 describe a family member of a member of police civilian 8 staff as a police source. 9 A. No. 10 Q. So the police authority, IPCC, the police itself, 11 although not necessarily a member of police staff? 12 A. No, it wouldn't necessarily be a police officer, so to 13 speak. 14 Q. What about a government source, from government? 15 A. Only if they were linked to policing would I call them 16 a police source. I wouldn't say police source for 17 somebody that wasn't linked to policing. I think that's 18 misleading. 19 Q. I suppose it's how you define "linked to policing" that 20 is of interest to the core participant who asked me to 21 ask the question, and also perhaps of general interest 22 to the Inquiry. Can you say where you would draw the 23 line, because "linked to policing" could be quite 24 broadly defined. 25 A. It is quite broad. It's necessarily broad because you Page 43</p>
<p>1 and international press on their doorstep, they had 2 a crime unfolding in front of their eyes, but they 3 managed to hold briefings, release details that they 4 were able to release, keep us informed of the 5 investigation so that we could keep our beast back on 6 the news desk fed, if you like. There was incredible 7 pressure from the news desks and a demand for stories, 8 and they also acted as human beings. This was an 9 incredibly powerful, upsetting thing that was happening, 10 and police officers are human beings and they showed 11 that to us in a way, so you know it was just honest and 12 it was impressive in that way. 13 Q. Yes. The use of the phrase "police source", I've been 14 asked to explore this with you. Do you ever use the 15 phrase "police source"? 16 A. Yes, I do. 17 Q. And when you do, who or what organisations fall under 18 that umbrella? Who are you encapsulating potentially? 19 A. Anybody linked to policing, I would say. 20 Q. So how do you define that, anybody linked to policing? 21 A. Police authority, IPCC, you know, a police officer. 22 Broadly anybody linked to policing. 23 Q. And what about, say, a family member of a police officer 24 or member of police staff? 25 A. Sorry? Page 42</p>	<p>1 don't want to identify the source, but my policy is not 2 to mislead, so I would try and keep it quite tight. 3 Q. Can you comment on whether other journalists adopt the 4 same approach as you? 5 A. I can't comment on that. 6 Q. The question of involvement in police operations or 7 ride-alongs, as some might call them -- 8 LORD JUSTICE LEVESON: Just before you go on to that, on the 9 same topic of other police authorities and your recent 10 evidence, what should be the priority, in your view, of 11 "feeding the beast" in the context of a major inquiry? 12 In other words, lots of things to do in a major inquiry. 13 How important is it to deal with media demand, in your 14 view? Where should it rank? 15 A. It does depend on the inquiry, because some inquiries 16 absolutely require publicity as they're hunting 17 suspects, so it depends on the individual inquiry. 18 I think the police understand that in a major 19 investigation, there is a lot of public concern. In 20 a child abduction, for example, there's a lot of fear 21 created, so they need to provide as accurate as possible 22 information. I don't -- you know, that was my phrase, 23 "feeding the beast". It's my beast, not their beast. 24 LORD JUSTICE LEVESON: No, I understand that, and you just 25 identified two reasons why it might be in the interests Page 44</p>

<p>1 of the police to help you, because they want help to get 2 witnesses or to hunt a suspect or to deal with fear. 3 Those are very, very good police-orientated reasons. 4 But because I was very conscious that feeding the beast 5 was your beast, I was actually asking a slightly 6 different question, which is: how significant is it, do 7 you think, for the police to have to pay attention to 8 your needs? Not their needs, your needs?</p> <p>9 A. I don't think -- you know, if I am making demands on 10 them that they don't want to satisfy, they're perfectly 11 entitled to say, "We're not giving you that information 12 at this stage", and they do say that, "We can't go there 13 at this time", they say that, and they say that during 14 major investigations and they said that in Suffolk, and 15 we understood them and we trusted them because they were 16 being honest, and therefore we listened.</p> <p>17 LORD JUSTICE LEVESON: And the next question, before we pass 18 on to the new topic that Ms Boon wants to deal with, is 19 you said in your statement that some forces, and you 20 mentioned one of them being Merseyside, are very 21 helpful, and I wanted to pick you up on Merseyside 22 because there a link between the present Commissioner 23 and Merseyside, namely he was the Chief Constable of 24 Merseyside.</p> <p>25 A. Yes. I didn't intend to make that link, but --</p> <p style="text-align: center;">Page 45</p>	<p>1 and then he would probably go to the press office and 2 liaise with them.</p> <p>3 Q. Can you give examples of operations to which you have 4 been given access?</p> <p>5 A. I haven't actually done it for a long time because 6 I don't think I get much out of it, to be honest, so 7 I can't actually give you examples.</p> <p>8 Q. Why don't you feel you get much out of it?</p> <p>9 A. Because it's all about the official lines of the 10 Metropolitan Police showing themselves, whatever they 11 want to show, whether it's being tough post the riots or 12 being tough on drug gangs or being tough, currently, on 13 street gangs. I'm not sure you'd get much out of it 14 beyond a picture of someone being arrested, a door being 15 broken down or ...</p> <p>16 Q. Why is that not of interest to you if the police want to 17 show that they're reacting robustly to a particular 18 problem?</p> <p>19 A. It is of interest, but it's only of interest if I flesh 20 it out with other information. You know, there's 21 currently at the moment going on an anti-gang operation 22 in the Metropolitan Police. We don't seem to be able to 23 get access to that at the moment. All we seem to get at 24 the moment is being bombarded with facts and figures and 25 information, which is pretty meaningless without context</p> <p style="text-align: center;">Page 47</p>
<p>1 LORD JUSTICE LEVESON: I wanted to know what Merseyside were 2 doing well that you could pick up. Here is an 3 opportunity for you to provide some publicity for a view 4 that Mr Hogan-Howe might want to listen to.</p> <p>5 A. Well I don't deal with the Commissioner level all the 6 time. If I phone Merseyside press office and I ask to 7 speak to a police officer, they generally try and 8 accommodate, they don't obstruct. Nine times out of 9 ten, they've been able to provide me with that officer 10 or an officer that can talk to the issue I want. They 11 don't make me talk to the press officer only and they 12 are just generally helpful in that way.</p> <p>13 LORD JUSTICE LEVESON: Thank you.</p> <p>14 MS BOON: So the topic of media involvement in police 15 operations. You say you've been asked in the past to 16 get involved in operations and write a piece. If you 17 want to become involved, if you want to shadow officers 18 during an operation, who do you ask, who do you approach 19 in the first instance?</p> <p>20 A. Depends on the operation. You'd probably go to 21 a specialist press office within the Met, if it's 22 specialist crime or serious crime or ...</p> <p>23 Q. And if it's not serious crime?</p> <p>24 A. You'd go to the Press Bureau, or if you knew an officer 25 who was running an operation, you might ask him first,</p> <p style="text-align: center;">Page 46</p>	<p>1 and colour and texture and more of an insight, and 2 I don't think you really get that from just going along, 3 riding along like that.</p> <p>4 Q. The operations that you have witnessed, although you say 5 some time ago, what conditions were imposed on you or 6 limitations were imposed on you by the force concerned?</p> <p>7 A. From memory, and I haven't done it for a while, it's 8 very tightly controlled. You're absolutely controlled 9 about what you can and can't photograph and where you 10 can stand and what you can say, I suppose.</p> <p>11 Q. That's in the interests of the privacy of the people --</p> <p>12 A. Privacy, legal proceedings, yes, exactly.</p> <p>13 Q. And protecting your safety potentially as well, if 14 they've --</p> <p>15 A. I'm not -- I don't know, that's never happened, that's 16 never kind of been an area that's happened to me.</p> <p>17 Q. What do you have in mind when you're attending those 18 operations in terms of making sure that you don't cross 19 the privacy boundaries?</p> <p>20 A. Well, you're not allowed to across the privacy -- you're 21 not given that kind of access, in my mind, in my 22 experience, and obviously if we did, if a picture was 23 taken of somebody being arrested, I think editorially we 24 would decide to black out the face. I think that's 25 happened in the past.</p> <p style="text-align: center;">Page 48</p>

12 (Pages 45 to 48)

<p>1 Q. So generally do you consider that the media being 2 present at operations can be beneficial to the public 3 interest?</p> <p>4 A. Yes, I do, and I think different organisations -- you 5 know, if you're the Evening Standard, it probably is 6 very much part of your bread and butter to do those 7 operations because it's your -- it's a different kind of 8 newspaper, and yes, I think they can be beneficial, but 9 I think they need to be caveated by an insight that's 10 not just going to come from that operation and listening 11 to the official source on that operation.</p> <p>12 Q. Yes, so they have their place, but your concern is that 13 there needs to be more texture to it, to the --</p> <p>14 A. That's part of my broad concern that you can't just 15 trust the official sources of information, yes.</p> <p>16 Q. The question of tipping off, and what I mean by tipping 17 off is an officer or the police generally contacting 18 a media organisation and letting them know when a raid 19 or an arrest is going to take place so that the media 20 can be present, so it's not that you're formally 21 shadowing them, but you're just told about it. Have you 22 ever been tipped off in that way?</p> <p>23 A. What, in an authorised way or unauthorised way?</p> <p>24 Q. Well, either.</p> <p>25 A. I don't think I have, no.</p> <p style="text-align: center;">Page 49</p>	<p>1 somebody of note might have been arrested, I think lots 2 of organisations would send photographers to that police 3 station.</p> <p>4 LORD JUSTICE LEVESON: Of course, but you've just removed 5 the question I'm asking by saying it's not a police 6 source. A policeman has said to you, "We're going to 7 arrest X", or "Y is going to be at the police station 8 being interviewed about his or her conduct". It's not 9 public, but everybody turns up and takes photographs.</p> <p>10 A. I think if that's coming from a police officer, that's 11 wrong.</p> <p>12 MS BOON: Off-the-record briefings. What is your view of 13 those?</p> <p>14 A. Off-the-record briefings can be very helpful. I mean, 15 you have to clarify what you mean by "off-the-record".</p> <p>16 Q. Yes, I was going to ask you, because it seems to mean 17 something different to --</p> <p>18 A. I think most British journalists see "off the record" as 19 you can use the information but you can't quote me and 20 I wouldn't necessarily quote off-the-record information, 21 I would try and use it as a context.</p> <p>22 Q. Do misunderstandings occur?</p> <p>23 A. Yes, but I personally always clarify with the person I'm 24 talking to about what they mean by that phrase, so 25 I know where I am.</p> <p style="text-align: center;">Page 51</p>
<p>1 Q. So you haven't been in the sort of situation where 2 you've been for a drink or a meal with an officer, built 3 up a good rapport, a few weeks later had a telephone 4 call saying, "We're going to arrest someone of interest 5 next week, come along", nothing of that ilk has --</p> <p>6 A. No.</p> <p>7 Q. But are you aware of that happening?</p> <p>8 A. I'm not aware of it, no.</p> <p>9 LORD JUSTICE LEVESON: Well, you --</p> <p>10 A. I mean I'm not aware of it personally.</p> <p>11 LORD JUSTICE LEVESON: No.</p> <p>12 A. Obviously I've read, of course, but I'm not aware --</p> <p>13 LORD JUSTICE LEVESON: Well, you've seen the photographs 14 too, I mean these people being photographed as they're 15 taken away from their homes or photographed as they 16 emerge from police stations.</p> <p>17 A. Yes, but I'm not aware where that information is coming 18 from, and I'm not aware of my colleagues or other people 19 on other papers being told by police officers. I am not 20 aware of that.</p> <p>21 LORD JUSTICE LEVESON: No, but do you think that's the right 22 side of the line or the wrong side of the line?</p> <p>23 A. What are we talking about here? Because I think any 24 journalistic organisation, if it discovered through 25 a source, not a police source but another source, that</p> <p style="text-align: center;">Page 50</p>	<p>1 Q. So if someone says, "I want to tell you this off the 2 record", you say, "Hold on, what do you mean?"</p> <p>3 A. I think first of all I'd listen, and then I'd say, "For 4 clarity, what can I use and what do you want to be -- do 5 you want some of this to be unreportable?" You know, 6 I'd clarify.</p> <p>7 Q. So you don't leave it ambiguous?</p> <p>8 A. No. I have done in the past when I was younger and it 9 leads to big misunderstandings.</p> <p>10 Q. You appear keen to say in your witness statement that 11 giving information off the record is not about secrets 12 being passed down necessarily.</p> <p>13 A. No --</p> <p>14 Q. It's not necessarily something illegitimate?</p> <p>15 A. No, it's not at all. I don't think so, no.</p> <p>16 Q. You say it's about journalists and police officers being 17 able to have an open conversation about an issue?</p> <p>18 A. Yes.</p> <p>19 Q. And preventing mistakes in reporting, correcting 20 inaccuracies, that sort of thing?</p> <p>21 A. Yes.</p> <p>22 Q. Do you consider that there should be any kind of 23 limitations on police officers speaking off the record? 24 Do you consider that they should be regulated in any 25 way?</p> <p style="text-align: center;">Page 52</p>

1 **A. I think -- I keep repeating myself, but I think we**
 2 **already have laws and guidelines in place, and I think**
 3 **they should be reiterated. I'm sure they have been now.**
 4 **I think you have to trust police officers, who are,**
 5 **after all, trusted with investigating serious crimes in**
 6 **this country, and suddenly we don't trust them to have**
 7 **a conversation about something that they're involved in**
 8 **and not give away secrets. I think you can regulate as**
 9 **much as you like, but unless you instill people with**
 10 **integrity and trust them, I don't think that's going to**
 11 **work, so I wouldn't encourage more rules and**
 12 **regulations, no.**
 13 Q. When officers are speaking off the record to you, are
 14 there occasions where what they're saying to you
 15 distends in your view into what's just gossip or
 16 tittle-tattle, matters that they shouldn't really be
 17 sharing with you?
 18 **A. What, about an operation, you mean?**
 19 Q. Well, whether it's gossip about a colleague, gossip
 20 about the competence of their line manager --
 21 **A. Human beings do gossip. I can't say that I haven't had**
 22 **any conversations with a police contact who hasn't**
 23 **gossiped about a colleague, but whether I print that or**
 24 **not is another thing.**
 25 Q. But there might be occasions where you would print that?
 Page 53

1 **A. It depends. It depends whether it was in the public**
 2 **interest, who the police officer was, whether it was**
 3 **accurate, whether it talked to a serious issue or not.**
 4 Q. What about your experience of speaking to senior
 5 officers, so Deputy Assistant Commissioner and above?
 6 During those conversations, to what extent have you had
 7 experience of gossip and tittle-tattle?
 8 **A. Not really.**
 9 Q. Not really?
 10 **A. No.**
 11 Q. So nothing marked that you can remember now, nothing of
 12 any particular note?
 13 **A. I don't think so, no. I mean, having heard last week's**
 14 **evidence, there was certainly a lot of tension at**
 15 **Scotland Yard at the time of Bob Quick leaving and all**
 16 **of those issues and it was very marked, the tension, and**
 17 **the hostility at times was open if you were in a room**
 18 **with them, but I wouldn't say anyone gossiped to me**
 19 **about it, no.**
 20 Q. I might risk asking you to repeat yourself, but I do
 21 want to finish the questions by asking you about the
 22 future and how you see relationships between the police
 23 and the media can remain appropriate to ensure that the
 24 information flow is not unnecessarily curbed by any
 25 measures that are put into place. What are your views
 Page 54

1 on what, if anything, needs to be done to ensure that
 2 the relationships remain appropriate?
 3 **A. I think, as I've said, the way to stop corruption, to my**
 4 **mind, is to have openness and to have integrity and to**
 5 **perhaps give people more training in ethical issues and**
 6 **encourage personal responsibility, to reiterate the law,**
 7 **but I think closing down communications and only**
 8 **allowing information to come from one source is not**
 9 **necessarily going to reduce abuse or corruption. It**
 10 **could actually drive it underground, drive the flow of**
 11 **information underground and create a black market, if**
 12 **you like. So I think we need to use the laws we have**
 13 **and use them, you know.**
 14 Q. No one is suggesting, are they, that you ought to be
 15 confined to one source, the official source, only;
 16 that's not been a recommendation that anyone has
 17 published?
 18 **A. We don't know what they're suggesting yet, but certainly**
 19 **it feels like that at the moment, because information is**
 20 **being constantly channelled through the official sources**
 21 **and police officers are not willing to talk, and they're**
 22 **scared of talking. That's what's happening.**
 23 Q. And that's your experience as you described earlier --
 24 **A. Yes, it's more than one --**
 25 Q. -- of the current environment?
 Page 55

1 **A. Yes.**
 2 Q. You've said that the heart of the matter is personal and
 3 organisational integrity, or you would agree, would you,
 4 that that's at the heart of it, really, in enforcing
 5 integrity, using the laws that we already have, but
 6 ensuring that officers know where the boundaries are?
 7 Is that a fair way of summarising?
 8 **A. Yes. I think if you respect your organisation, you**
 9 **don't tend to brief against it, you don't tend to leak**
 10 **about it.**
 11 Q. Before you finish, is there anything else that you would
 12 wish to take the opportunity to say about that or any
 13 matter that you've considered today or matter that I've
 14 not brought to the Inquiry's attention today that's in
 15 your witness statement?
 16 **A. Just briefly on the issue of training for both parties,**
 17 **I feel certainly for reporters the traditional route was**
 18 **up through local newspapers, where if you made**
 19 **a mistake, you soon found out about it. That doesn't**
 20 **tend to happen any more. You would have to go and call**
 21 **on people who had lost children in accidents or criminal**
 22 **investigations. It teaches you humility, it teaches you**
 23 **to be sensitive and it teaches you that these people are**
 24 **human beings, and I think that kind of training needs to**
 25 **be -- somehow we need to teach journalists again what**
 Page 56

1 **that means. I don't quite know how we do that.**
 2 **On the same hand, I think police officers need --**
 3 **they need better media training. The media training**
 4 **they currently get, as far as I understand, is how to**
 5 **hold a press conference, where to stand when you're**
 6 **being filmed, but I think they need some kind of**
 7 **training about ethics, media training, their role in**
 8 **a democracy, the fact that you can't have unnecessary**
 9 **secrecy and the things you can say to the press**
 10 **legitimately, not necessarily the things you can't say,**
 11 **all the time.**
 12 Q. Yes.
 13 **A. On both sides we need to understand each other's worlds**
 14 **a little more, perhaps, as well.**
 15 Q. Do you have any proposals for how that might be
 16 achieved?
 17 **A. I think you could build training on both sides, couldn't**
 18 **you? I don't quite know how you do that.**
 19 MS BOON: Those are all the questions I have. There may be
 20 some further questions.
 21 LORD JUSTICE LEVESON: Thank you. You have one other --
 22 well it's not your suggestion, but it's the
 23 acknowledgment of the possibility that you wouldn't have
 24 a problem with my suggestion, that is having some sort
 25 of mechanism to audit contact merely so that if there

Page 57

1 are problems, it can be spotted.
 2 **A. Mm-hm.**
 3 LORD JUSTICE LEVESON: Thank you. Thank you very much.
 4 MS BOON: Sir, is that a convenient moment or shall I call
 5 Mr Peachey?
 6 LORD JUSTICE LEVESON: No, that's convenient. Yes.
 7 MR GARNHAM: Sir, before you rise, you asked me yesterday
 8 about the briefings that have been advanced to the Home
 9 Office. One was released to the Inquiry soon after that
 10 first arose, the other one has been released to you,
 11 your team, this morning.
 12 LORD JUSTICE LEVESON: Thank you very much indeed. Thank
 13 you.
 14 (11.28 am)
 15 (A short break)
 16 (11.39 am)
 17 MS BOON: Sir, the next witness is Mr Paul Peachey, please.
 18 LORD JUSTICE LEVESON: Thank you.
 19 MR PAUL PEACHEY (affirmed)
 20 Questions by MS BOON
 21 MS BOON: Please give your full name.
 22 **A. Paul Peachey.**
 23 Q. You provided the Inquiry with a witness statement dated
 24 31 January of this year. You've signed a statement of
 25 truth in the standard form. Is this your formal

Page 58

1 evidence to the Inquiry?
 2 **A. Yes, it is.**
 3 Q. Beginning with your career history, you say you've been
 4 a journalist since 1994.
 5 **A. Yes.**
 6 Q. You've worked at the Worcester Evening News as an editor
 7 for an international news agency, you've worked as
 8 a researcher/assistant producer for two television
 9 documentaries and as a producer for two radio
 10 documentaries. You are on your second stint at the
 11 Independent now, having previously worked there as
 12 a general reporter and as an assistant foreign editor;
 13 is that right?
 14 **A. I've worked in this current stint as the assistant**
 15 **foreign editor.**
 16 Q. In this current one, but you're now the Independent's
 17 crime correspondent?
 18 **A. That's correct.**
 19 Q. And you have been since November 2011?
 20 **A. Correct.**
 21 Q. You were also the crime correspondent for the
 22 Press Association between 1999 and 2000?
 23 **A. That's right.**
 24 Q. And are you a member of the Crime Reporters Association?
 25 **A. I am, yes.**

Page 59

1 Q. I've been asked by one of the core participants to ask
 2 you what you needed to do to join the Crime Reporters
 3 Association?
 4 **A. You just have to be a full-time crime reporter for one**
 5 **of the media outlets. It can be television, press,**
 6 **radio.**
 7 Q. For what reason did you want to become a member?
 8 **A. It's useful as a conduit between the police and --**
 9 **between the police, there are briefings that are**
 10 **organised perhaps to make it less unwieldy, just purely**
 11 **for the crime reporters.**
 12 LORD JUSTICE LEVESON: Full-time crime reporter? That means
 13 that if a journal can't afford a full-time crime
 14 reporter, they can't get in?
 15 **A. I thinking it used to be fairly strict. I think it's**
 16 **less strict now. There are freelancers, for example, as**
 17 **well on the association. It's a fairly broad church**
 18 **now, I think.**
 19 MS BOON: So your contact with police officers and press
 20 officers, you say, has generally been at formal events
 21 such as press conferences, briefings, conversations
 22 outside court, that sort of thing; is that right?
 23 **A. Certainly for the last four months it's been -- since I**
 24 **was taken back on the job, it's been largely the**
 25 **context, yes.**

Page 60

<p>1 Q. Please remember to keep your voice up. It just dropped 2 a little at the end there. 3 But it hasn't been, even in the few months that 4 you've been in this present role, your contact hasn't 5 been exclusively confined to formal contact? 6 A. No. 7 Q. What sort of informal contact have you had with police 8 officers or police staff? 9 A. Well, it could be meetings around events, it could be 10 meetings at court, it could be going out for drinks, 11 that sort of thing. 12 Q. What is discussed at these informal meetings? 13 A. Could be a range -- just a range of matters. It could 14 be about current cases that are ongoing, future events, 15 perhaps areas that might be of interest coming up in the 16 future. I'm obviously still working out where the best 17 avenues and directions of policing are going. So 18 a broad range of subjects. 19 Q. For what purpose are you attending these informal 20 meetings? Are you seeking to establish long-term 21 relationships or is it more an impromptu meeting and you 22 attend to see what information you can get on that 23 particular day? 24 A. Again, a range of things. It's about getting 25 information on current cases, getting information on Page 61</p>	<p>1 Obviously it's important for them to be able to get in 2 touch with us on particular stories on an hourly basis. 3 Q. Because the MPS's press department is open 24 hours 4 a day, isn't it? 5 A. It is, yes. 6 Q. But that's not sufficient for you to be able to do your 7 job? 8 A. No, it's not. 9 Q. Because you need to have that contact with officers who 10 are dealing with the operations, you say, themselves? 11 A. Correct. 12 Q. For what reason do you consider that police officers 13 have contact with you and other reporters? 14 A. What we're building here is a relationship, it's 15 a better relationship between press and police. I mean, 16 it would -- you know, as well as us being able to 17 contact them, they may wish to contact us to highlight 18 particular stories or take issue with something that's 19 been written, for example. 20 Q. At paragraph 7 of your statement, again on 00764, you 21 say: 22 "Speaking from my relatively limited experience 23 I think there is no doubt that the Met's intention in 24 its contacts with me -- as with other reporters -- has 25 been to seek to control the information available to the Page 63</p>
<p>1 particular stories that I'm trying to write. It will be 2 to make long-term contacts, you know, identifying people 3 who obviously are key to providing information that 4 I may require in the future. 5 Q. You say in your statement that you have in the past had 6 the home telephone numbers or mobile telephone numbers 7 of the director of public affairs, some deputy assistant 8 commissioners and some assistant commissioners, but you 9 say you've been provided those as standard contact 10 numbers on business cards? 11 A. Yes, home numbers I don't think so, but mobile telephone 12 numbers certainly, yes. 13 Q. Right. Page 00764, paragraph 5 of your witness 14 statement. This is where you refer to the phone and 15 home numbers. But you'd like to correct that, would 16 you? You don't believe you've had the home land line 17 numbers? 18 A. No, sorry, I don't think I've had the home numbers for 19 those. 20 Q. You say in the last sentence of paragraph 5: 21 "It would not be possible for either side to do 22 their jobs without having such contact details." 23 Why not? 24 A. Well, part of our job is through contact with police 25 officers that we are dealing with on a daily basis. Page 62</p>	<p>1 press." 2 One could read that with slightly sinister 3 connotations. Is that what you're meaning to convey, 4 that there's an attempt to control what you're 5 reporting? 6 A. I don't think it's an attempt to control what we're 7 actually writing, but there's certainly an attempt to 8 provide certain information that put their organisation 9 in the best light. 10 Q. Similarly in a later paragraph you say there's an 11 opportunity to attempt to mould coverage? 12 A. There are thousands of stories out there, I'm sure, 13 every day, through the Press Bureau, through their 14 releases and through their contacts with us. There are 15 limited numbers that are put through to us, mostly the 16 most significant ones of the day, but obviously there's 17 an element of selection that goes along with that. 18 Q. Is there anything else you wanted to say about why the 19 police have contact with you, things about them having 20 an opportunity to give you stories and to paint the 21 organisation in the best possible light? I don't want 22 to put words into your mouth. That's as I understand 23 your evidence to be. 24 A. No, it's broader than that. It's about a full range of 25 contacts between the press and the police. I mean, you Page 64</p>

<p>1 know, there's policing by consent in this country. We 2 are acting as a conduit between the -- to an extent in 3 sort of writing about what the police are doing and also 4 holding them to account, but, you know -- so in order to 5 get the biggest picture possible, you have to have as 6 many contacts as you can.</p> <p>7 Q. I see. At paragraphs 8 and 9 of your statement, you 8 describe the really very moderate hospitality that you 9 accept. You say that during briefings at New Scotland 10 Yard, you would accept tea and biscuits or drinks during 11 an informal meeting. Is there a reason why you don't 12 enjoy more generous hospitality than tea and biscuits 13 or --</p> <p>14 A. No, I think this is the nature of the -- this is just 15 referring to the nature of the meetings that do take 16 place in an official capacity at Scotland Yard. This is 17 within the building, sort of set piece events that are 18 made, whether it's a briefing with officials that's been 19 organised by the Press Bureau, by the DPA, or whether 20 it's a briefing with the Commissioner, that is the sort 21 of thing that they will provide. That is purely for how 22 it works.</p> <p>23 Q. I see. Page 00766, paragraph 24. The third sentence 24 that begins: 25 "While there are no formal mechanisms for monitoring</p> <p style="text-align: center;">Page 65</p>	<p>1 venue, that's fine.</p> <p>2 Q. Adopting Lord Justice Leveson's question, why does it 3 have to be over a meal? Couldn't there be a meeting 4 just over tea or coffee? Why does there have to be an 5 evening meal?</p> <p>6 A. It doesn't have to be an evening meal. It can be over 7 coffee. I've gone for coffee plenty of times with 8 officers. But if it's the end of the day, we've both 9 finished our work and we're meeting outside of work, 10 I think a perfectly reasonable thing for me to do is pay 11 for dinner.</p> <p>12 LORD JUSTICE LEVESON: I'm not ignoring the reality of human 13 relationships, and I'm not opposed to people meeting in 14 whatever circumstances they think is appropriate. But 15 the risk is that if it's always expense account dining, 16 somebody is expecting to get something out of this.</p> <p>17 A. Depends on the level of the expense account.</p> <p>18 LORD JUSTICE LEVESON: Does it?</p> <p>19 A. Well, I think absolutely, you know. For example, at the 20 Independent we have a £30 a head rule. I think the idea 21 of a meal at that level being a potentially corrupting 22 influence I think would be --</p> <p>23 LORD JUSTICE LEVESON: No, of course it isn't. I'm not even 24 suggesting that a meal rather more expensive would be 25 corrupting somebody of integrity. But if you're saying,</p> <p style="text-align: center;">Page 67</p>
<p>1 hospitality I may be offered, the Independent is a small 2 newsroom and I believe it would be fairly obvious if 3 I was regularly being wined and dined by police 4 officers. Moreover, I am obviously expected to explain 5 any absences from the newsroom. It is also made clear 6 in our internal code of conduct that I must uphold high 7 standards of integrity at all times -- I take that 8 obligation seriously."</p> <p>9 Is a fair reading of this paragraph that if you're 10 being wined and dined by police officers, you are not 11 upholding high standards of integrity?</p> <p>12 A. No, I'm -- that's very different. You know, the idea of 13 being -- of going out and having meals with officers is 14 a perfectly proper and essential part of what I would do 15 as a journalist, although if there are issues of me 16 being -- you know, police officers paying for large sums 17 of -- being paid for expensive meals, then obviously 18 that is an issue of concern, but that doesn't happen.</p> <p>19 Q. So you say that having meals with officers is an 20 essential part of your role?</p> <p>21 A. I would say it was potentially, yes. I mean, the -- if, 22 you know, meeting an officer on a regular basis is -- 23 you know, or officers on a regular basis is an essential 24 way to go ahead and depending upon the situation, time 25 of day, et cetera, then, you know, or their choice of</p> <p style="text-align: center;">Page 66</p>	<p>1 "We're meeting somebody regularly", and you've just said 2 a moment ago, talking about meeting officers on 3 a regular basis, and you're constantly providing 4 something, whether it's a drink or a meal or whatever, 5 then don't you think there is inherent within that 6 a risk of the perception of obligation?</p> <p>7 A. Obligation on them to supply me with something?</p> <p>8 LORD JUSTICE LEVESON: Well, something.</p> <p>9 A. Well, when I talk about meeting regularly with officers, 10 I'm not talking about a single officer, I'm talking 11 about regularly with other people, you know, the number 12 of range of --</p> <p>13 LORD JUSTICE LEVESON: It may be I misunderstood the answer 14 that you gave. But you understand the point I'm 15 making --</p> <p>16 A. I understand the point.</p> <p>17 LORD JUSTICE LEVESON: If you think there's nothing in it, 18 say so. But if there is something in it, then how does 19 one cope with that?</p> <p>20 A. I don't think there is anything in that, in that, no.</p> <p>21 MS BOON: Just to complete the picture, at paragraphs 10 and 22 11 you describe the hospitality that you provide as part 23 of meetings as very low level.</p> <p>24 A. Yes.</p> <p>25 Q. You said that at the Independent there's a limit of £30</p> <p style="text-align: center;">Page 68</p>

1 per head?

2 **A. Yes.**

3 LORD JUSTICE LEVESON: It's rather greater than the

4 Guardian, which was £40 to £45 for two. I mean I'm not

5 looking at the precise sum of money. I'm looking at the

6 underlying issue rather than anything else.

7 **A. I think it's also fair to say that what I'm talking**

8 **about here is the last four months in which I've been in**

9 **the crime reporter's role and, you know, the**

10 **Commissioner of Scotland Yard is talking about a period**

11 **of austerity and that is certainly the picture that we**

12 **are -- that is the scenario in which we're operating in.**

13 **The -- you know, the opportunities for dining with**

14 **officers are very limited.**

15 MS BOON: Are you able to comment on whether the position is

16 any different with forces other than the Metropolitan

17 Police Service in terms of the level of hospitality

18 that's offered and accepted?

19 **A. I can't give any great insight into that, into the**

20 **period of time that I've been working in this -- I've**

21 **largely been focused on the Metropolitan Police over the**

22 **last few months.**

23 Q. And you say you're beginning to build up your contacts

24 with --

25 **A. I am indeed.**

Page 69

1 Q. You say at paragraph 22, page 00766, that you have

2 occasionally been given prior warning of a raid,

3 although not in your current role. You say:

4 "I cannot recall the particular circumstances and

5 feel confident that I did not, in fact, attend raids

6 about which I was forewarned since they were not

7 regarded as sufficiently newsworthy, or another reporter

8 was sent."

9 Can you recall the particular circumstances in which

10 you were given that prior warning? Was this a secret

11 tip-off or was this more official?

12 **A. No, my -- it was -- no, it was an official tip-off. My**

13 **recollection was that it was something like Operation**

14 **Bumblebee, which was about stolen goods and the**

15 **recovering of stolen goods, there were a series of raids**

16 **across London. There would have been a -- this is while**

17 **I was at the Press Association, that we probably**

18 **wouldn't have covered it for news judgment reasons.**

19 Q. Do you know whether you were chosen exclusively or

20 whether other titles or journalists were offered the

21 same opportunity?

22 **A. It could possibly have been other organisations, but**

23 **most likely it was because I worked for the**

24 **Press Association, which supplies pictures and text to**

25 **everybody, really. So by -- if I went along on such an**

Page 70

1 **event, then the details of that operation would be**

2 **disseminated widely anyway.**

3 Q. Have you ever yourself been involved in a police

4 operation or witnessed a police operation on the

5 invitation of a police source?

6 **A. No.**

7 Q. Do you see a benefit to that involvement?

8 **A. Possibly. It depends on the operation, it depends on**

9 **the story, depends on the context.**

10 Q. You consider there could be benefits in the public

11 interest to members of the media shadowing police during

12 operations in order to write an article from their

13 perspective of what they've witnessed, it's not

14 something that you see as without any merit?

15 **A. Yes. I mean there's -- you know, it could be of**

16 **interest for some newspapers in certain circumstances.**

17 **I mentioned earlier the Evening Standard and, you know,**

18 **covering stories about, you know, local crime in London.**

19 Q. Can I ask you then, Mr Peachey, about off-the-record

20 conversations or briefings. First of all, the

21 preliminary question. What does "off the record" mean

22 to you?

23 **A. It's a term that needs clarifying. I work for an**

24 **American organisation and they have very different views**

25 **about what "off the record" means. "Off the record" can**

Page 71

1 **mean that that detail cannot be used for writing, so --**

2 **shall we say "off the record" means it's just for your**

3 **knowledge and you don't use it for an article or it's**

4 **often confused with background, which can be used in an**

5 **article. So most situations it has to be defined, so**

6 **often, you know, it can mean purely for my own**

7 **background use, it could mean for something to be**

8 **printed unattributably.**

9 Q. So it's not that you have a definition in your mind.

10 You will ask the person you're speaking to what they

11 mean by it?

12 **A. I have a definition in my mind, but I think it's a term**

13 **that is often confused by other people, particularly not**

14 **in the profession.**

15 Q. And are there dangers associated with officers providing

16 information on an off-the-record basis?

17 **A. Yes, I mean there are, yes. I mean, if something's been**

18 **given off the record, then it's not attributed to**

19 **anybody particular, so they are perhaps handing over**

20 **that information without the responsibility that it**

21 **entails, so, you know, so such information would always**

22 **have to be checked perhaps more thoroughly than**

23 **information that would be given by a named source and in**

24 **the name of a particular organisation.**

25 Q. Are there any other dangers or is that the main one?

Page 72

1 **A. Well, I mean off the record, you know, particularly in**
 2 **political spheres, we've seen off-the-record briefings**
 3 **being used as a sort of way of targeting an opponent, so**
 4 **you have to sift through why that information is being**
 5 **given to you and, you know, how you would use it.**
 6 Q. Do you consider there are advantages to off-the-record
 7 communications?
 8 **A. Yes, I mean it's part of that -- part of the**
 9 **relationship of trust that you have to build. I mean,**
 10 **that's part of the job that I do, is try to build trust**
 11 **between myself and officers in the organisations. To**
 12 **enable a free flow of information in the knowledge that**
 13 **some things will be told to you not for use, but so that**
 14 **they could effectively allow you to write your story.**
 15 Q. We've heard other witnesses describing them as a useful
 16 tool for providing context, preventing incorrect
 17 reporting or errors being made. Would you agree with
 18 that?
 19 **A. Yes, that's a fair way of saying it, yes.**
 20 Q. In terms of the future, what is your view on how
 21 relationships can -- or what needs to be done, if
 22 anything, to ensure that relationships between the media
 23 and the police remain appropriate or are or remain
 24 appropriate?
 25 **A. Well, we have -- you know, we are in a situation at the**
 Page 73

1 **moment where, certainly the situation I've inherited,**
 2 **where there are very tight restrictions on what officers**
 3 **are saying to members of the media. Obviously our great**
 4 **concern is that it will lead to lessened contact, which**
 5 **has knock-on effects with police being answerable to the**
 6 **public and being accountable for a full flow of**
 7 **information that will provide the full story for any**
 8 **particular issues that we're examining.**
 9 Q. What are the restrictions now that you're alluding to?
 10 **A. The fact that there is an eagerness for communications**
 11 **between press and police to go through official channels**
 12 **such as the press office, who obviously have -- as**
 13 **previously mentioned -- a vested interest in putting**
 14 **a gloss on those news events.**
 15 Q. Is this something of which you have direct experience,
 16 an eagerness to channel contact through official
 17 channels?
 18 **A. Yes, yes, I have, yes. You know, you speak to officers**
 19 **on an informal basis and they will say, "No, I can't**
 20 **speak to you, talk to the press office".**
 21 Q. Is that without exception at the moment?
 22 **A. It's not without exception, but it's certainly, as**
 23 **I understand it, more common than it has been over the**
 24 **last few years.**
 25 Q. One of the recommendations of Elizabeth Filkin is that
 Page 74

1 there is greater openness and transparency accompanied
 2 by a wider ranging permission to police officers to
 3 speak to the media. What is your reaction to that as
 4 a recommendation?
 5 **A. Well, I would certainly welcome any wider ranging**
 6 **contact between police and press. And, you know, for**
 7 **those links to be built up and that trust to be built**
 8 **up. Any restrictions that go with it is a matter of**
 9 **concern.**
 10 Q. Sorry?
 11 **A. Any restrictions that may go with that is a concern.**
 12 LORD JUSTICE LEVESON: Well, there has to be a balance,
 13 hasn't there? I mean in the same way you may have heard
 14 me before, that there's no doubt that the way the press
 15 are reporting matters is at the moment rather different
 16 to the way in which matters used to be reported, for
 17 entirely understandable reasons. There's a nervousness
 18 about what's happening and there's likely to be
 19 a similar nervousness in relation to police officers who
 20 are, after all, only human beings. But doesn't there
 21 have to be a system which allows for sensible,
 22 intelligent contact, but not a free-for-all? In other
 23 words, there has to be some mechanism whereby that
 24 contact is at least monitored. Not what you're saying,
 25 but if you are meeting a police officer three or four
 Page 75

1 times a week, that would legitimately, if I were
 2 a senior police officer, raise concerns. Or do you
 3 think that, well, that's quite unnecessary, we just have
 4 to be allowed to do our job irrespective?
 5 **A. No, I accept that is the case, but no, that would be**
 6 **understandably a cause for concern. But looking at the**
 7 **wider picture as well, if we're looking at the broader**
 8 **issues of contact between press and police in this**
 9 **country, there is no right to information in this**
 10 **country, you know, as a right we have, for example, no**
 11 **access to police disciplinary hearings. There are a lot**
 12 **of things about the police that we can't report. So in**
 13 **order to restrict that flow of information further**
 14 **I would suggest is a worrying trend for the way that we**
 15 **hold police forces in this country to account.**
 16 LORD JUSTICE LEVESON: Yes. Of course it also requires
 17 somebody to be guarding what the guardians are doing, if
 18 I use a phrase I've used before, because of course the
 19 police must be held to account as much as everybody
 20 else, but who is holding the press to account?
 21 **A. Well, the -- in the issues that we're talking about here**
 22 **in terms -- there are laws that exist, you know, there**
 23 **are laws that are enforceable. The question of whether**
 24 **or not they've been enforced or not is pertinent to this**
 25 **Inquiry.**
 Page 76

<p>1 LORD JUSTICE LEVESON: But the criminal law identifies 2 a minimum standard. It doesn't seek to identify what 3 may be an appropriate standard. 4 A. No, but we have a code of conduct. We are -- there are 5 acceptable norms of behaviour, and part of our contract 6 have to abide by that and there are sanctions that our 7 employers can take if that is not the case. 8 LORD JUSTICE LEVESON: So one goes to a press code of 9 conduct? 10 A. That is one part of it, but also internal rules of 11 conduct as well, yes. 12 LORD JUSTICE LEVESON: Yes, all right. 13 MS BOON: You say that the suggestion for note-filling and 14 monitoring would inevitably discourage already 15 hard-pressed officers from taking further steps. If 16 there is a culture of wide-ranging permission to speak 17 to the media, do you consider, if I can test it in that 18 way, if the officer is encouraged to be open to share 19 information with the media, would that officer be 20 discouraged from speaking to you on an informal basis by 21 the fact that he or she needs to make a pocket book 22 entry of what information briefly they've given to you? 23 A. I think you ask if you're adding to the -- it depends 24 what they're being asked to fill out and, you know, what 25 point will that have? A full note of the discussion Page 77</p>	<p>1 MS BOON: Thank you, I have no further questions. 2 LORD JUSTICE LEVESON: Thank you very much indeed. 3 MR JAY: Sir, the next witness is Mr Ungoe-Thomas, please. 4 MR MICHAEL FERGUS JONATHAN UNGOED-THOMAS (sworn) 5 Questions by MR JAY 6 MR JAY: Mr Ungoe-Thomas, make yourself comfortable. 7 A. Thank you. 8 Q. Your full name, please? 9 A. It's Michael Fergus Jonathan Ungoe-Thomas. 10 Q. Thank you very much. 11 LORD JUSTICE LEVESON: I'm sorry, I must ask a question 12 which I've wanted to ask for many, many years. There 13 was a chancery judge of that name. 14 A. Yes. 15 LORD JUSTICE LEVESON: Is he related? 16 A. He was my grandfather. 17 LORD JUSTICE LEVESON: Thank you. I thought it might be so. 18 Right. 19 MR JAY: You've kindly provided the Inquiry with a witness 20 statement, it was under compulsion of a section 21 21 notice, but it's dated 31 January. There's a standard 22 statement of truth. This is your formal evidence to the 23 Inquiry; is that right? 24 A. That's correct. 25 Q. If we can just pick up then who you are, Page 79</p>
<p>1 that takes place, obviously that's impractical -- 2 I would suggest that's impractical and adds some extra 3 burden on an officer who has agreed to meet you on that 4 particular occasion. 5 Q. You say in the final paragraph of your statement, 00768: 6 "Provided that media organisations and police forces 7 remain vigilant, I believe that situation will continue 8 [that's relationships remaining above board] especially 9 given the recent, renewed scrutiny of the 10 relationships." 11 If you're concerned about note-filling, 12 overbureaucracy, do you have any proposals or 13 suggestions for how the police can remain vigilant 14 without hampering the free flow of information? 15 A. It's previously been mentioned that, you know, senior 16 officers already do take -- make diary notes of who they 17 are meeting, and, you know, very briefly for -- you 18 know, potentially for what purpose as well. I don't see 19 why that should be any great, you know, problem to do. 20 Q. So a diary note of the fact of the meeting and the 21 purpose of the meeting? 22 A. Certainly a diary note of the meeting, yes. 23 Q. Thank you. Is there anything else that you would like 24 to add? 25 A. I think that's everything. Page 78</p>	<p>1 Mr Ungoe-Thomas. You are chief reporter at the 2 Sunday Times. You've worked there since 1998. Although 3 you are not a crime reporter as such, you write on 4 a number of themes, including major crime stories; is 5 that correct? 6 A. That's correct. 7 Q. Does it follow from what I have said that you're not 8 a member of this fabled group, the Crime Reporters 9 Association? 10 A. No, I'm not. 11 Q. Does that create any difficulties for you? 12 A. It doesn't in terms of the nature of the stories and 13 investigations that I work on, no. 14 Q. But you don't have access, self-evidently, to the 15 briefings which take place, whether on the record or off 16 the record. Does that create a problem? 17 A. No, it doesn't, as far as I'm concerned, no. 18 Q. Another aspect of your -- 19 LORD JUSTICE LEVESON: Is there any reason why you shouldn't 20 be? 21 A. I'm not a specialist crime reporter. I mean, the 22 reporters that we've heard from today are daily 23 newspaper reporters, and they are crime correspondents 24 with a specialised brief. At the Sunday Times, we don't 25 have a specialised crime correspondent. Page 80</p>

20 (Pages 77 to 80)

1 LORD JUSTICE LEVESON: But that's the point. I understand
 2 that, and I understand you're the Sunday Times, but
 3 there must be stories which the Sunday Times are
 4 interested in which are the subject of briefings from
 5 the Metropolitan Police, and I'd just like to understand
 6 why those briefings should in any way be closed, because
 7 presumably there isn't anybody from the Sunday Times who
 8 is a member of the Crime Reporters Association.
 9 **A. As I understand it, that's correct, but I don't think**
 10 **necessarily not attending those briefings would preclude**
 11 **you getting information from other sources and from**
 12 **indeed the Press Bureau.**
 13 LORD JUSTICE LEVESON: So you're not concerned about it?
 14 **A. It's never been -- I've never covered a major crime**
 15 **story, for instance in London, we're talking here about**
 16 **the Metropolitan Police, where it's been raised as an**
 17 **issue that we have missed a significant part of the**
 18 **story because we didn't attend a briefing and whether we**
 19 **should now consider becoming a member of that**
 20 **association. It's never been raised with me as an**
 21 **issue, and I've never, in terms of Sunday newspapers and**
 22 **the coverage that we cover, ever seen anything where**
 23 **we've significantly missed something which I later found**
 24 **out came out as a result of those briefings.**
 25 LORD JUSTICE LEVESON: That's quite important, because one

Page 81

1 of the issues that has been raised, as I'm sure you're
 2 aware, over the last few weeks is whether there's an
 3 inner group and --
 4 **A. I understand, but if there is an inner group and you**
 5 **weren't a member of it, I think you might find it would**
 6 **affect you more if you're on a daily newspaper, but**
 7 **a Sunday newspaper is a different thing, where often on**
 8 **a major, major crime story, for instance, like**
 9 **a bombing, we're doing a big piece at the end of the**
 10 **week that is going to draw in a lot of the material**
 11 **that's already been published and may have already been**
 12 **briefed out to some of the reporters.**
 13 LORD JUSTICE LEVESON: All right, so my concern is not
 14 necessarily misplaced, but it's misplaced insofar as the
 15 Sundays or may be misplaced insofar as the Sundays are
 16 concerned?
 17 **A. As far as I'm concerned, it's never been an issue for me**
 18 **in coverage of crime stories at the Sunday Times.**
 19 LORD JUSTICE LEVESON: I understand. I'm not suggesting
 20 you're speaking for any of the other Sunday newspapers.
 21 MR JAY: You tell us in paragraph 17 of your statement, our
 22 page 00697, that you haven't accepted any hospitality
 23 from the Metropolitan Police nor offered it, apart from
 24 coffees in meetings and at press conferences. Is that
 25 a deliberate policy on your part or the Sunday Times'?

Page 82

1 part?
 2 **A. I say to the best of my recollection I have never**
 3 **accepted it. No, it's not deliberate. Again, it comes**
 4 **back to the type of stories that I do and the newspaper**
 5 **I work on. Often when I'm seeking a police briefing, it**
 6 **may be a part of the investigation that I'm working on,**
 7 **and I have a very good idea of the information I'm**
 8 **after. And the best environment for getting that**
 9 **information is sitting opposite someone at a desk with**
 10 **a notebook or a tape recorder and interviewing them**
 11 **about it. So it's less of a discursive kind of**
 12 **exchange, which would be more of an issue where I was**
 13 **kind of looking for stories.**
 14 **But usually I'm either on a major crime story which**
 15 **has broken, I need specific information and I need it**
 16 **pretty quickly, and the police, on an incident like**
 17 **that, do not have much time themselves, or I have an**
 18 **idea for an investigation and I want a specific**
 19 **briefing. So it doesn't really lend itself to the**
 20 **culture of, well, shall we go for a drink or a coffee or**
 21 **a meal? But I wouldn't have any issue at all with doing**
 22 **that in the right environment. You know, if I was**
 23 **looking for particular stories in an area and it was**
 24 **suggested, I would be absolutely fine with it. It just**
 25 **hasn't happened because of the brief I have.**

Page 83

1 Q. And so other domains, other types of story, you might
 2 have a social interaction over lunch or dinner; is that
 3 right?
 4 **A. Yes. It's not a conscious decision not to either accept**
 5 **hospitality or provide it to police officers.**
 6 Q. Is it part and parcel of the same idea, if we look at
 7 paragraph 11 of your statement at page 00695, you say
 8 you haven't had any individual direct contact with the
 9 Commissioner, the Deputy Commissioner, assistant
 10 commissioners, deputy assistant commissioners or the
 11 head of public affairs. Is that because you haven't
 12 needed to as part of the sort of stories you've been
 13 writing?
 14 **A. That's correct. I mean, typically the type of story**
 15 **I would be working on, if I'd asked for a briefing,**
 16 **I would expect would be inspector rank and above for**
 17 **a specialist area in an area where they would be**
 18 **investigating.**
 19 Q. Thank you. Go back, please, to paragraph 4 of your
 20 statement, page 00693, where you set out your view of
 21 the Metropolitan Police Press Bureau, carefully
 22 restricting access to officers and senior officers.
 23 First of all, presumably implicit in this is that you
 24 have a preference to speak to the officers investigating
 25 a case rather than be given the press line; is that

Page 84

<p>1 right?</p> <p>2 A. Well, I don't think there's anything wrong with the</p> <p>3 press line and knowing what it is and whether you need</p> <p>4 more information, but if it's a story that we want to</p> <p>5 publish, I would rather speak to an officer directly.</p> <p>6 Q. Not because you'd been given anything misleading by the</p> <p>7 press office, but rather you would be given something</p> <p>8 more detailed, more textured, from the individual</p> <p>9 officers?</p> <p>10 A. I think Sandra put it well, texture and colour. And</p> <p>11 information. By the nature of what press officers and</p> <p>12 press bureaux do, they give quite limited information.</p> <p>13 It's come through another person. You're not actually</p> <p>14 speaking directly -- it's second-hand by its nature.</p> <p>15 Q. So it's mediated, as you say, and is it also seeking to</p> <p>16 put the best possible gloss on events in your view, or</p> <p>17 would that be an unfair observation?</p> <p>18 A. I think that would be unfair. I think it deals with the</p> <p>19 facts of the issue.</p> <p>20 Q. In recent months, have you detected a chilling effect as</p> <p>21 a result of the events of last summer and of this</p> <p>22 Inquiry? In other words, you've been given less access</p> <p>23 to police officers?</p> <p>24 A. I don't have the same day-to-day interaction that Sandra</p> <p>25 and Paul have spoken about. I will be brought in when</p> <p style="text-align: center;">Page 85</p>	<p>1 Q. Thank you. Paragraph 15, please, where "the press</p> <p>2 office sometimes make senior officers available for</p> <p>3 interview to highlight particular issues of concern for</p> <p>4 the force on which they believe there ought to be</p> <p>5 increased public awareness". Is that the sort of thing</p> <p>6 that you're interested in or is it more the particular</p> <p>7 stories you've been telling us?</p> <p>8 A. Sorry, I don't understand the point you're making there.</p> <p>9 Q. Well, the generalised briefing on a matter which the</p> <p>10 Metropolitan Police might wish to give out, have you</p> <p>11 attended many of those?</p> <p>12 A. No, what I will seek is a one-to-one briefing on an area</p> <p>13 where I might be looking at a story. So, for instance,</p> <p>14 I give an example of computer crime or child</p> <p>15 trafficking.</p> <p>16 LORD JUSTICE LEVESON: Is that because you've had the</p> <p>17 idea -- and facts -- "I think there's a very interesting</p> <p>18 story on child trafficking, I'm writing this", and then</p> <p>19 you've said, "I'd like access to somebody to talk about</p> <p>20 it", or could it also work the other way around, that</p> <p>21 the police have done something which then sparks your</p> <p>22 interest off and then you want to follow up what they've</p> <p>23 previously done?</p> <p>24 A. A bit of both, but it might be that a contact, for</p> <p>25 instance an MP says to me, "I've had a dialogue with</p> <p style="text-align: center;">Page 87</p>
<p>1 there is a very major crime story or where I have an</p> <p>2 idea or an idea has been suggested to me for an</p> <p>3 investigation. So I haven't noticed the change in the</p> <p>4 culture of relations that they've spoken about.</p> <p>5 Q. In your dealings with investigating officers directly,</p> <p>6 which you touch on in paragraph 13 and elsewhere in your</p> <p>7 statement, what is your general experience? That they</p> <p>8 are forthcoming? They are guarded? How would you</p> <p>9 characterise those dealings?</p> <p>10 A. Well, it obviously varies from officer to officer, but</p> <p>11 the best possible officer you could find yourself in</p> <p>12 front of is someone who's got quite significant</p> <p>13 experience of dealing with the media and feels that</p> <p>14 they're able to trust you.</p> <p>15 Q. It's a question of building up a relationship of trust,</p> <p>16 or maybe they already have that because you come from</p> <p>17 the Sunday Times. I don't know.</p> <p>18 A. They -- I expect where it's been arranged through</p> <p>19 a press office, the press office will have looked at</p> <p>20 your previous articles. You will have provided a kind</p> <p>21 of parameter of information that you're after and how</p> <p>22 you would use that information. It wouldn't be trust</p> <p>23 based on a relationship going back years, because it</p> <p>24 will be -- I've taken a particular area that I'm</p> <p>25 interested in and asked to talk to a senior officer.</p> <p style="text-align: center;">Page 86</p>	<p>1 some constituents or even the police and I know they're</p> <p>2 looking at this area, it's very interesting, perhaps you</p> <p>3 should have a look at it and see if you could get</p> <p>4 a briefing", or they may even say, "I know a particular</p> <p>5 officer, it would be worth your while sitting down with</p> <p>6 him", but what's absolutely vital for a Sunday newspaper</p> <p>7 is you're not sitting there with seven other</p> <p>8 journalists, because you'll pick it up in the newspaper</p> <p>9 the next day and you'll read it, so you want to be on</p> <p>10 your own and you want to have one-to-one briefings.</p> <p>11 LORD JUSTICE LEVESON: Yes, I can see it's very different.</p> <p>12 A. Yes, it is different.</p> <p>13 MR JAY: In your interactions with officers on a one-to-one</p> <p>14 basis, is this the position, that you will always have</p> <p>15 a tape recorder or a dictaphone or whatever going, and</p> <p>16 you'll always be taking a note; is that right?</p> <p>17 A. No, I would always ask if I could record an interview.</p> <p>18 Even if it was -- even if it was actually off the</p> <p>19 record, I would -- I might ask if I could record it to</p> <p>20 refer back, and they may say, "Well, no", or -- because</p> <p>21 often -- I know this term "off the record" has been</p> <p>22 discussed, but it may be that an interview is conducted</p> <p>23 in which it's agreed some of it may be on the record at</p> <p>24 a later stage and I go back and say "It would be good to</p> <p>25 use this specific quote". So I might ask if I could</p> <p style="text-align: center;">Page 88</p>

1 **record an interview, but it wouldn't always be automatic**
 2 **I would take a note.**
 3 LORD JUSTICE LEVESON: What proportion are you able to
 4 record? I would have thought it was a wonderful
 5 protection, but I've grown up in an environment where
 6 every single word that I utter is written down.
 7 **A. I would always record where people give me permission.**
 8 **If possible, I will record, because there's no doubt**
 9 **then about what's being said. It's not that it's an**
 10 **issue, because no one's going to row back from what**
 11 **they've said because the terms of the briefing are**
 12 **agreed, but it's useful to have the record.**
 13 LORD JUSTICE LEVESON: What proportion?
 14 **A. I would say most. Almost always. Whenever I go for**
 15 **a meeting -- this is with police officers. Because it's**
 16 **a fairly formal setting usually, with a desk and**
 17 **a notebook and a cup of coffee, I'll ask if I could use**
 18 **a tape recorder. Meeting with contacts who I meet for**
 19 **meals and cups of coffee I would never tape. It's not**
 20 **that environment, because it's not an interview for**
 21 **publication. That's more of a discursive meeting.**
 22 LORD JUSTICE LEVESON: I see.
 23 MR JAY: Presumably the main ground rules which have to be
 24 established, you're an experienced journalist, the
 25 police officer will often have experience of dealing

Page 89

1 with journalists, is which parts are on the record,
 2 which are off the record and which parts are
 3 non-reportable at all; is that basically it?
 4 **A. Yes, you have to -- it's not too difficult, because you**
 5 **can agree terms and you can always go back and you have**
 6 **that luxury on a Sunday newspaper of phoning them or**
 7 **a press officer and saying, "It's great, this story's**
 8 **gone down very well, I would like to use this**
 9 **information and this comment", and they may say, "I'm**
 10 **not sure about that comment, but you could use this".**
 11 **So there's a process there.**
 12 **I mean the terms of -- if you meet someone for an**
 13 **interview or a briefing, if you say, "This is on the**
 14 **record", then as far as I am concerned that means it's**
 15 **on the record, and if they say something, then it will**
 16 **be to our discretion, which if they later want to recall**
 17 **it, that will be at our discretion. I agree that if**
 18 **it's agreed that it's off the record or under certain**
 19 **conditions, then I will abide -- comply with those**
 20 **conditions. I might seek advice first of all from the**
 21 **news editor or the managing editor news.**
 22 Q. Is this right, Mr Ungoe-Thomas, that in the nature of
 23 the journalism you're conducting, or perhaps the nature
 24 of your practice, you don't often speak to officers on
 25 the mobile phone, hoping to pick up tips and information

Page 90

1 more informally?
 2 **A. No. No, I don't.**
 3 Q. You say in paragraph 44 of your statement, page 00702:
 4 "It is fair enough that the head of public affairs
 5 acts as a gatekeeper."
 6 Mr Fedorcio told us he didn't think he acted as
 7 a gatekeeper. In what way were you using that phrase
 8 "acts as a gatekeeper"?
 9 **A. Of course a head of public affairs and a press office is**
 10 **a gatekeeper. That's what they do. They restrict**
 11 **access to officers. For good reasons. You can't have**
 12 **officers who are on operational duties being phoned up**
 13 **the whole time by journalists who would like to speak to**
 14 **them. There needs to be some kind of mediation point.**
 15 **So if you want to speak to an officer, you may approach**
 16 **directly, but it can often make very good sense to go to**
 17 **the press office and ask if you can speak to them.**
 18 **That's what I call a gatekeeper. That's what he does.**
 19 Q. Do you use the term "police source" in your stories?
 20 **A. I do, and I have done, yes.**
 21 Q. And when you use that term, what do you mean by that
 22 term?
 23 **A. It may mean people who provided information that's off**
 24 **the record but can be used unattributed.**
 25 Q. That's the first and most obvious category. What else

Page 91

1 might it mean in terms of your practice?
 2 **A. It wouldn't -- that's what it means, generally. It**
 3 **doesn't mean in my -- in the articles that I have**
 4 **published unauthorised disclosures. I know it could**
 5 **mean that in other newspapers and other reporters, but**
 6 **it doesn't --**
 7 LORD JUSTICE LEVESON: Or somebody linked with the police,
 8 as we've just been hearing.
 9 **A. I heard that. I would -- I would tend to just use it**
 10 **for police officers. I can see the issue, if it's**
 11 **a police authority source, you might be a bit reluctant**
 12 **to identify so narrowly the organisation it's coming**
 13 **from, ie by putting "a Metropolitan Police Authority**
 14 **source", but I would tend just to use -- I have just**
 15 **used it for officers.**
 16 LORD JUSTICE LEVESON: It's rather interesting, because it
 17 creates the problem of a confusion. I mean, because you
 18 may have heard that some witnesses have complained that
 19 "police source" may mean little more than, "Well, this
 20 is what I've decided to put in as a quote".
 21 **A. What would you mean? That someone's invented it?**
 22 LORD JUSTICE LEVESON: Yes.
 23 **A. That wouldn't happen.**
 24 LORD JUSTICE LEVESON: That's what's been said. I'm not for
 25 the world suggesting that's what you mean at all, and

Page 92

<p>1 I'm not asking you, but the lack of clarity about the 2 meaning of these phrases may itself cause confusion, 3 which is unhelpful. 4 A. It may cause confusion, and it may be unhelpful, but 5 there's a good reason why there's quite a lot of 6 latitude in the use of the term "source". It's so that 7 you do not identify the source. 8 LORD JUSTICE LEVESON: Yes. 9 A. If you become too specific in narrowing down what 10 a source is, then you can risk the source being 11 identified. 12 LORD JUSTICE LEVESON: Yes, and that's a breach of the holy 13 grail. 14 A. These things have to be balanced, don't they? I agree, 15 you might confuse the reader, but on the other hand 16 you're always going to want to protect the sources and 17 even maybe the nature of the sources. 18 LORD JUSTICE LEVESON: Yes. 19 MR JAY: I'm going to ask you about the future in a moment, 20 Mr Ungoes-Thomas. I know you were observing the 21 evidence of the previous two witnesses. I don't want to 22 cover the same ground they've given, but I do want to 23 give you the opportunity of saying whether you either 24 agree strongly with anything they said or disagree with 25 anything they said. Could you help us with that?</p> <p style="text-align: center;">Page 93</p>	<p>1 LORD JUSTICE LEVESON: You don't agree with that either? 2 A. No. 3 MR JAY: I think you should explain why, Mr Ungoes-Thomas. 4 A. Because I think as is set out in the HMIC report, some 5 officers are already wary of dealing with journalists, 6 and I think that the key is the training of officers, 7 and they understand the parameters in which they have 8 exchanges with journalists. I think the difficulty is 9 whenever you put in an audit trail, for whatever it is, 10 you have to have a very, very good understanding of the 11 possible impact and the amount of work that it 12 generates, and what I'm concerned at is that it will be 13 easier for police officers just to say no, and not 14 bother with the monitoring procedures, rather than just 15 have a quick conversation with a journalist. 16 For an organisation which is -- ie the police, which 17 is so reliant on an inflow of public information, 18 I think that would be a mistake to unnecessarily 19 restrict exchanges between journalists and police 20 officers, and I think that the consequence of that kind 21 of mechanism would be a restriction of exchanges. 22 Q. Even the bare fact that an exchange has taken place, 23 rather than anything about its nature, its content, the 24 record by itself would have a chilling effect, that's 25 your view?</p> <p style="text-align: center;">Page 95</p>
<p>1 A. Well, there seems to be slight bit of consensus in the 2 evidence that exchanges between journalists and police 3 officers should be recorded, and I think that was one of 4 the recommendations of the HMIC report, and I don't 5 agree with that. 6 Q. You don't? 7 A. I don't, no. 8 Q. We'll come to that in a moment. You make that clear in 9 your statement. But aside from -- 10 LORD JUSTICE LEVESON: Do you mean should be recorded or the 11 fact of the meeting should be recorded? 12 A. I don't -- 13 LORD JUSTICE LEVESON: Which are you disagreeing with? 14 A. If what is being suggested is that all exchanges between 15 police officers and journalists should be recorded and 16 then kept somewhere in a document which can be audited, 17 that is not something that I agree with. 18 LORD JUSTICE LEVESON: You've still not answered my 19 question. My point is I'm not talking about content, 20 I'm talking about fact. In other words, that there 21 should be an ability to audit the number of times 22 individual police officers are talking to individual 23 journalists. I'm not talking about what they're talking 24 about. 25 A. I understand that, and I don't agree with that.</p> <p style="text-align: center;">Page 94</p>	<p>1 A. You say a record. We've already heard that it's often 2 recorded in diaries or recorded in notebooks. I think 3 the mechanism which would evolve would be a central 4 store of some information of the exchanges, so people 5 could check it, otherwise there would be little point in 6 having it. 7 LORD JUSTICE LEVESON: It's really to alert -- it's as an 8 alert if it's getting out of hand, and I think that's 9 the only value. It would not necessarily be to check up 10 on what's being said. That could be followed up if 11 there is some problem, but it's so that officers know 12 that although it's a good idea and it could be 13 encouraged, for all the reasons you've said, it's the 14 flipside of encouraging more and more dialogue, that 15 that has to be exercised responsibly and it's not just 16 open season. That's the aim of it. 17 A. I can understand what the motivation is. I'm just -- 18 I just -- I'm saying that I think the consequence of it 19 will be less exchanges between journalists and police 20 officers. For the simple reason, if a police officer is 21 to record every exchange he has with a reporter and he 22 knows that is later going to be audited, the natural 23 thing for him always to do may be to check with the 24 press office before he speaks to the reporter. 25 Well, then he can't get hold -- this happens to us</p> <p style="text-align: center;">Page 96</p>

<p>1 all the time. They can't get hold of the particular 2 press officer they need to get hold -- it's not just the 3 police, but all organisations, they can't get hold of 4 the press office, there's no authorisation to talk to 5 you, you don't get the information you need for your 6 story, you're having to rely on a very narrow band of 7 information from the press office. 8 So I can see what the motivation is for doing it, 9 I just think it -- 10 LORD JUSTICE LEVESON: It's actually to avoid the need to 11 get prior authorisation. It's trusting officers to 12 authorise themselves, but then simply not making it 13 a free-for-all. I'm not trying to persuade you, I'm 14 merely trying to test the concern. I understand what 15 you're saying. 16 A. But if we're to trust the police officers, can't we 17 trust them to understand that it's not appropriate or 18 may not be appropriate to see the same reporter every 19 day for two weeks or to meet the same reporter, you 20 know, seven or eight times over two weeks and have lots 21 of hospitality? I mean senior police officers have this 22 kind of discretion. I mean, that's what they're trained 23 in. You have to give them a certain amount of credit. 24 LORD JUSTICE LEVESON: Well, you've read the last two weeks' 25 worth of evidence, or maybe not.</p> <p style="text-align: center;">Page 97</p>	<p>1 MR JEFFREY ALAN EDWARDS (sworn) 2 Questions by MR JAY 3 MR JAY: Your full name, please, Mr Edwards. 4 A. Yes, my name is Jeffrey Alan Edwards. 5 Q. You obviously don't have to hand the two statements you 6 provided to the Inquiry, but -- 7 A. I don't have them to hand, no. 8 Q. -- you will be provided with them as we speak. 9 A. Thank you. 10 Q. The first and your main statement is dated 21 February 11 2012. You've signed it and it has a statement of truth 12 in the standard form. 13 A. Yes. 14 Q. Is this your formal evidence to the Inquiry? 15 A. Yes, it is. 16 Q. You provided us with a supplementary statement, which 17 deals with two main issues. First of all, the evidence 18 which the Inquiry heard from Jacqui Hames on 19 28 February -- 20 A. Yes. 21 Q. -- and secondly your experiences some time ago now at 22 the News of the World. 23 A. Yes. 24 Q. The version I have is not signed and dated by you, but 25 are you, as it were, formally prepared to absorb this</p> <p style="text-align: center;">Page 99</p>
<p>1 A. Look, you will have to balance these issues. All I'm 2 saying as a reporter is I think it will hamper access to 3 officers. 4 LORD JUSTICE LEVESON: Well, that's fair enough. 5 MR JAY: We've heard a lot about unauthorised disclosures, 6 leaks, whatever you might choose to call them. It's not 7 part of your practice, you've made that clear. Do you 8 have any views about why those originate? 9 A. I don't, really, and it's not -- I don't have specific 10 examples within my own stories of unauthorised 11 disclosures. 12 Q. The last point, Mr Ungoed-Thomas, whether you're 13 prepared to comment on the piece you wrote in the 14 Sunday Times last week. Was that information obtained 15 wholly from material in the public domain? I'm 16 referring to Mr Quick's statement, paragraph 14. 17 A. It was from information in the public domain. 18 MR JAY: Okay. I'm not going to go further into that issue. 19 Those are all the questions I have for you. Thank you 20 very much. 21 LORD JUSTICE LEVESON: Thank you very much indeed, 22 Mr Ungoed-Thomas. 23 A. Thank you. 24 MR JAY: Mr Edwards, please. 25</p> <p style="text-align: center;">Page 98</p>	<p>1 within your testimony to the Inquiry? 2 A. Yes, I am. If the court is happy for that to happen, 3 yes. 4 Q. Certainly. Can I deal first of all with your career, 5 Mr Edwards? Did it start with the News of the World in 6 1981? 7 A. Oh no, it didn't. I started my career, I think, in 1969 8 on local papers in East London. Later on an evening 9 paper in Hertfordshire and then the London Evening News, 10 I think I joined them -- it's now defunct, of course -- 11 but in 1974 or 75. 12 Q. It disappeared in 1981, and it may be for that reason 13 that you moved across to the News of the World? 14 A. That's right, they had an opening at the time for 15 a crime specialist, and I'd already had -- worked a lot 16 in that field at the Evening News, and so I was absorbed 17 by them for that purpose. 18 Q. You left them in 1985, and we're going to go back to 19 that issue. I think you then went to the Daily Mirror 20 or was there an intervening -- 21 A. There was an intervening. I left them to join an 22 embryonic paper which failed, which was called the 23 London Daily News, which some of you might recall was 24 Robert Maxwell's attempt to launch a 24-hour daily and 25 evening issue for London, but unfortunately it was</p> <p style="text-align: center;">Page 100</p>

25 (Pages 97 to 100)

<p>1 stillborn, really. After that I went to work in 2 television for a while with London Weekend Television. 3 I was the head of research for a television programme 4 called "Crime Monthly", which was a regional version of 5 Crimewatch. It had crime appeals by the police, but 6 also had some content where we were allowed to work 7 alongside various police units to look at their methods 8 and what they did. 9 I then came to the -- via a short spell at the 10 Sunday Times, I went to the Sunday People, I think for 11 about two years, and then in essence I was an in-house 12 transfer to the -- on request -- the Daily Mirror had 13 a vacancy then for a crime specialist and they asked me 14 if I would come across and I was very pleased to do so. 15 Q. And you were therefore their chief crime correspondent. 16 You started there in 1992? 17 A. I think that's right, yes. 18 Q. Is this right; if it isn't you'll tell me: you spent the 19 rest of your career there? 20 A. That's right. 21 Q. Can I deal by way of background with the Crime Reporters 22 Association, which you touch on in your first statement? 23 You say that from 1993 to 2009 you were Chairman of the 24 Crime Reporters Association and you remain as their 25 President?</p> <p style="text-align: center;">Page 101</p>	<p>1 the college in 2009. What were the essential findings 2 you made? 3 A. Well, that was because, again, a new tranche of courses 4 was about to be introduced, and all of those had a media 5 input into them, so I gave advice, if you like. 6 I reviewed the structure of the courses and gave advice 7 as to how they might be made more realistic, more 8 representative, to make them -- yes, to make the 9 experience of those officers undergoing training more 10 authentic. 11 Q. I'm going to go back to 1981 and the News of the World, 12 which is your supplementary statement. 13 LORD JUSTICE LEVESON: Just before you do. So that's not 14 really been touching the sort of issues that I've been 15 hearing about or talking about for the last few weeks; 16 this is to provide officers with a view of what it's 17 really like to face a press -- 18 A. There's a large element of that, my Lord, but also it 19 would be to talk about -- to talk about all aspects of 20 contact with the media and perhaps -- you know, it's not 21 all necessarily formal, but it would be to give broad 22 advice on perhaps strategies and tactics or -- 23 LORD JUSTICE LEVESON: You've probably heard this morning 24 that one of your colleagues said actually a great deal 25 of this could be done with rather more training. Is</p> <p style="text-align: center;">Page 103</p>
<p>1 A. That's right. 2 Q. A couple of other background matters. You have been for 3 about 13 years now an associate lecturer at the Police 4 National Leadership Academy at Bramshill? 5 A. Yes. 6 Q. And you cover matters such as media awareness. Is there 7 anything that you could share with this Inquiry which is 8 relevant to what we're considering, as part of what you 9 lecture about? 10 A. Well, my role has been -- has transmogrified, I suppose, 11 over the years, into sitting into what has been called 12 an overseeing group, what they call the diamond 13 syndicate, which is to oversee officers of certain ranks 14 in critical incident training, but then I have -- with 15 a particular view to how they would deal with media 16 issues in the context of a critical incident. 17 So, yes, I mean it dovetails in with I can bring -- 18 you know, I engaged them in debate about what they think 19 about the media coverage, what kind of media coverage 20 might they expect in this set of circumstances and then 21 I might input the real -- a form of media coverage and 22 then get their reaction to that and say, "This is how 23 the Daily Mirror would report it, this is how the 24 Guardian might report the affair". It's a forum. 25 Q. You carried out a review of media training programmes at</p> <p style="text-align: center;">Page 102</p>	<p>1 there such training? Do you agree with that? Do you 2 think the training ought to be adjusted in the light of 3 that which you've been hearing? 4 A. Yes, I would endorse the need for more training. And 5 what I thought was interesting about the -- at the 6 Bramshill college, there was -- in fact, I helped to 7 orchestrate one in 2009, which I think was the last 8 one -- there was a media training week as part of their 9 syllabus down there, but it was only -- the candidates 10 who were put forward, it was of a voluntary basis, 11 that's to say that not all forces were represented, and 12 it was really a case of whether individual chief 13 constables thought it was a good idea or not. 14 Sadly, with cutbacks in the public sector, this -- 15 all these training programmes came under the auspice of 16 the National Policing Improvement Agency, and of course 17 that has been -- it's got into a sort of suspended 18 animation at the moment and no one knows what the future 19 of it is going to be, and I suspect that in fact, rather 20 than there be an expansion of this kind of training, 21 we'll probably see a reduction of it. 22 LORD JUSTICE LEVESON: Well, without in any sense trying 23 necessarily to drum up business, if you have ideas of 24 what might be included within training of police 25 officers -- not now, but I'd be grateful to hear.</p> <p style="text-align: center;">Page 104</p>

26 (Pages 101 to 104)

1 **A. I would certainly be happy to oblige.**
 2 LORD JUSTICE LEVESON: Thank you.
 3 MR JAY: Mr Edwards, shortly after your arrival at the News
 4 of the World in 1981, you were appointed crime
 5 correspondent; is that right?
 6 **A. Yes, I was.**
 7 Q. Can you in your own words tell us the circumstances in
 8 which it was suggested to you that you might do
 9 something inappropriate?
 10 **A. Yes, I'm glad to do that. As Mr Ungoed-Thomas has**
 11 **observed to you, the world of working in a Sunday paper**
 12 **environment is quite different from that, I discovered,**
 13 **working for, say, a London evening paper, as I had been**
 14 **previously, and I found the adjustment quite difficult.**
 15 **And it became apparent, I suppose, that I wasn't doing**
 16 **the job to the satisfaction of my then boss, my news**
 17 **editor, and he became quite animated about this issue**
 18 **and we had a discussion one day, and I was -- it's one**
 19 **of these things that you never forget, frankly, and he**
 20 **said to me, "Look, you have to up your game, you have to**
 21 **up your performance", and I said, "Well, it's really**
 22 **really difficult. You know, I'm struggling to make the**
 23 **adjustment to this different world" and so forth, and he**
 24 **said to me, "Look, there's money available; you should**
 25 **be out there spending it on your contacts", and I --**
 Page 105

1 I can't remember exactly how the dialogue flowed now,
 2 but I said, "I'm sorry, but what are you suggesting?"
 3 and he said, "Well, you know, you need to sort of put
 4 some inducements out there", and I said, "Right, okay",
 5 and I sort of recoiled from this, but he was my boss so
 6 I dealt with it in a measured way and I went away and
 7 I thought: did I hear this correctly?
 8 Anyway, about three or four weeks later, clearly my
 9 performance was still not satisfactory, and he took me
 10 to one side and he was quite cross with me, I suppose
 11 it's fair to say, and he said to me, "Look, have you
 12 taken up my suggestion? I don't see anything here.
 13 You're not invoicing me for money to be splashed about.
 14 You should be essentially bribing more police officers."
 15 At the time, and I realised it was probably an
 16 unwise thing to do, but I said, "I don't think I came
 17 into journalism to do that sort of thing, and also,
 18 isn't there a contradiction here? Part of what we're
 19 about is exposing wrongdoing in public life, and here
 20 you are suggesting ..." you know, anyway clearly the
 21 debate was over at that point, and a couple of weeks
 22 later I was removed from the post and replaced.
 23 I wasn't removed from the company, I was simply
 24 moved to other work away from crime reporting. It was
 25 30 years ago, I can't talk about how things proceeded
 Page 106

1 **after that, but I thought it was indicative of the**
 2 **culture in that particular organisation at the time.**
 3 Q. Mr Edwards, did you observe any of your colleagues
 4 providing inducements to police officers or taking
 5 preparatory steps to doing so?
 6 **A. I cannot honestly say that I did observe anything like**
 7 **that.**
 8 Q. When you refer to the culture of the organisation, you
 9 make it clear in your statement, and therefore it should
 10 be made explicit, you say that at your time at the
 11 News of the World you met and worked with many excellent
 12 and enterprising journalists who upheld the best
 13 traditions of the profession. So are you intending,
 14 therefore, to be referring just to a minority?
 15 **A. Yes. I think what I might have said -- and certainly**
 16 **what I know I thought at the time, and again it's a sort**
 17 **of a phrase that's always remained in my mind -- that**
 18 **there was an element in there that had a tendency**
 19 **towards questionable, unethical behaviour. And that**
 20 **manifested itself in a variety of ways. You know,**
 21 **I think that there were some reporters there then who**
 22 **played very fast and loose with the truth, and I think**
 23 **there were probably reporters there who had -- it wasn't**
 24 **just in the world of policing, they probably had**
 25 **informants who were being paid in other areas of private**
 Page 107

1 **life. But it was only sort of anecdotal evidence.**
 2 **I could not say that I actually witnessed anything that**
 3 **I could actually identify as being a direct piece of**
 4 **evidence.**
 5 Q. You of course left the News of the World in 1985, so you
 6 don't have any direct knowledge of untoward behaviour
 7 since then; is that right?
 8 **A. That's right.**
 9 Q. But what about the Mirror, which you joined in 1992? In
 10 your own words, please, what was the culture there?
 11 **A. I thought the culture was very -- you know, was much**
 12 **more -- it was a different type of journalism**
 13 **altogether. Obviously it was a daily paper. It was**
 14 **much more immediate. It was quite -- it was very**
 15 **professional, quite earnest. I don't mean to say it**
 16 **wasn't on occasions fun and the people weren't a joy to**
 17 **work with and good company, but there was a very high**
 18 **ethical standard there, and I think that remained all**
 19 **the way through, although the focus of the paper changed**
 20 **over many years, I think that there was always**
 21 **a baseline, a core running through, part of the**
 22 **identity, possibly, of the company, that it was -- it**
 23 **always tried to behave properly.**
 24 Q. You presumably, as the chief crime correspondent there,
 25 had your own contacts, your own sources; is that right?
 Page 108

1 **A. Yes.**
 2 **Q.** From what you've said, you didn't cultivate those
 3 sources by corrupting them or bribing them, but in your
 4 own words, how did you keep them onside, as it were?
 5 **A. I think it was a combination of an open countenance --**
 6 **I think that one of the reasons I got invited to work at**
 7 **the police academy late in my career was probably I'd**
 8 **built up a reputation of integrity through my work over**
 9 **the years. I like to think that a lot of police**
 10 **officers I encountered over the years, you know, that**
 11 **I was not what they might have expected me to be, if you**
 12 **see what I mean. There's a certain -- there's some**
 13 **mythology out there about the newspaper business and so**
 14 **forth, and I think that I had a genuine enthusiasm for**
 15 **the business.**
 16 **And as I said, I think that I was -- and also**
 17 **I think a readiness to find common ground, to find**
 18 **accommodations, to find compromises in some situations,**
 19 **to build accords and to try and find ways of taking**
 20 **things through which left everybody satisfied.**
 21 **Q.** May it also have been your ability to empathise with the
 22 police point of view?
 23 **A. Sometimes. I mean, some reference I've heard made to**
 24 **that sort of thing this morning, and I think that it**
 25 **would be -- it's important to note that in all my**

Page 109

1 **dealings with police officers over the years -- and**
 2 **I would unhesitatingly say many of those developed into**
 3 **personal friendships at all levels -- I have on**
 4 **occasions had to say to people, "Look, we get along very**
 5 **well, but if you were to ever transgress, if I ever**
 6 **discovered that you were guilty of corruption or huge**
 7 **incompetence or whatever, you have to understand that**
 8 **I will be writing about it, in the same way as if you**
 9 **were to discover that I was a criminal, I would expect**
 10 **you to arrest me, to do your job", and I think there was**
 11 **an acceptance that that would be the case, and I would**
 12 **emphasise that although I had a good relationship with**
 13 **them, I certainly was no lap dog, and there were times**
 14 **when we would have to have -- frankly, agree to disagree**
 15 **about issues concerning the media, and that would even**
 16 **come down to matters that were published sometimes.**
 17 **Q.** We're going to come back to the issue of socialising in
 18 a moment, but can I ask you, please, to clarify one
 19 piece of your evidence on the final page of your
 20 supplemental statement, when you say just above the
 21 upper hole punch:
 22 "I think it's fair to say that it's well-known in
 23 the newspaper business that there have been former
 24 police officers who have been very active as informants
 25 for certain companies supplying with them with tip-offs

Page 110

1 about stories which have been passed to them by former
 2 colleagues still serving in the police."
 3 It's a little bit cryptic that, Mr Edwards. I'm not
 4 asking to you name anybody, but could you just explain
 5 that a little bit?
 6 **A. I think actually that Sir Ian Blair made a reference to**
 7 **this in his evidence last week. I think a fairly**
 8 **pernicious influence on some journalists where a small**
 9 **number of former police officers -- some of whom I would**
 10 **have to say had an excellent sense of what was news and**
 11 **what wasn't, better than some journalists, I think -- in**
 12 **some cases, who realised that there were exploitable**
 13 **scenes there. As ex-journalists, they -- sorry, as**
 14 **ex-police officers, they could legitimately be paid for**
 15 **information, and there was always a suspicion -- I don't**
 16 **think anything's ever been proven -- that of course they**
 17 **were receiving information from serving police officers,**
 18 **brokering that information in to certain journalists and**
 19 **certain organisations, and then sharing the profits.**
 20 **This has been well-known to the police for a long**
 21 **period of time. I've had discussions with officers,**
 22 **even in the anti-corruption command, on occasions, where**
 23 **I've said to them -- the dialogue has been, "What are we**
 24 **going to do about this?" and I've said, "It's a matter**
 25 **for you to do something about it. If you want to do**

Page 111

1 **something about it, you need to apply yourself to the**
 2 **task."**
 3 **There were one or two half-hearted attempts to deal**
 4 **with it, and eventually, I think 2006 or 2007, one of**
 5 **these people was arrested, along with a serving police**
 6 **officer, and the serving police officer, I think, got**
 7 **a custodial sentence, but I can't remember now what the**
 8 **offence was, but it involved the passing on of some**
 9 **restricted documents, but there was never really**
 10 **a satisfactory outcome to all that.**
 11 **I don't know, I suspect that that kind of thing has**
 12 **gradually sort of withered on the vine, because I think,**
 13 **you know, the people who were carrying out those kind of**
 14 **activities have got old, their contacts have died off,**
 15 **and I have no knowledge of anybody who's replaced them**
 16 **in that world.**
 17 **Q.** Thank you. Now, Mr Edwards, we've had a look at the
 18 hospitality records for a number of police officers and
 19 the head of the DPA. You don't feature very often,
 20 but -- and of course a lot of this is a long time ago --
 21 there's a record, for example, on 29 June 1999 that you
 22 met with Dick Fedorcio, you had lunch with him in July
 23 2003, another lunch with him 1 February 2004, with him
 24 and John Twomey. Obviously you can't remember the
 25 individual occasions, but in general terms, what sort of

Page 112

<p>1 things would have been discussed?</p> <p>2 A. Whatever were the issues, the current issues, the issues</p> <p>3 of the day in policing, particularly as they pertained</p> <p>4 to the Metropolitan Police at that time. They would be</p> <p>5 matters of actual events, of policy, procedure, really</p> <p>6 all matters that might affect the way that the police</p> <p>7 operated, the way that they might -- talking with</p> <p>8 Mr Fedorcio, obviously a lot of it would relate to the</p> <p>9 interreaction between the police and the media.</p> <p>10 I seem to recall, if I remember rightly, I've only</p> <p>11 ever once had a -- I think I had a lunch with</p> <p>12 Mr Fedorcio once on his own, on a one-to-one basis.</p> <p>13 I think all the other occasions, of which that would</p> <p>14 probably number less than five or six, were with other</p> <p>15 reporters present.</p> <p>16 Q. Were these occasions for gossip or inappropriate</p> <p>17 disclosures or not, to the best of your recollection?</p> <p>18 A. No, I don't think they were about inappropriate</p> <p>19 disclosures. I think that there was a certain amount of</p> <p>20 the -- certain amount of what was discussed would be</p> <p>21 politics of policing, but I don't mean, you know, in the</p> <p>22 tittle-tattle sense. I think, you know, it might be if</p> <p>23 there was a -- if they were going to appoint a new</p> <p>24 Commissioner, you might be talking about who the front</p> <p>25 runners might be and what their strengths and weaknesses</p> <p style="text-align: center;">Page 113</p>	
<p>1 were and why this candidate might be in a better</p> <p>2 position than that candidate, for instance, things like</p> <p>3 that.</p> <p>4 Q. And if there were difficulties, ripples in the</p> <p>5 management board, were those things that you got to</p> <p>6 learn about, particularly in about 2006, 2008?</p> <p>7 A. I can't recall Mr Fedorcio ever disclosing that kind of</p> <p>8 information to me. However, I was aware that many --</p> <p>9 I think -- and I can't remember exactly who coined this</p> <p>10 remark, but somebody said to me one day that there was</p> <p>11 a level of toxicity in management board meetings at that</p> <p>12 time, which may have been 2006 or 2007, which, you know,</p> <p>13 nobody had ever experienced before. There was</p> <p>14 undoubtedly -- you could not escape the fact that there</p> <p>15 was clearly a lot of infighting going on, and my view</p> <p>16 was this must be distracting from the right and proper</p> <p>17 purpose of why they were there.</p> <p>18 MR JAY: We may come back to Mr Fedorcio, but probably after</p> <p>19 our break.</p> <p>20 LORD JUSTICE LEVESON: Yes, that's convenient, thank you</p> <p>21 very much. 2 o'clock.</p> <p>22 (1.01 pm)</p> <p>23 (The luncheon adjournment)</p> <p>24</p> <p>25</p> <p style="text-align: center;">Page 114</p>	

A	<p>acts 25:18 91:5,8 actual 113:5 add 14:14 29:17 30:14 40:15 78:24 adding 77:23 addition 6:24 39:3 address 14:16 33:14 addressed 22:11 adds 78:2 adjective 16:12 adjournment 114:23 adjusted 104:2 adjustment 105:14,23 admit 17:17 adopt 44:3 adopted 3:7 5:25 Adopting 67:2 adults 20:9 advance 4:7 advanced 8:2 58:8 advantages 73:6 advice 90:20 103:5,6,22 affair 102:24 affairs 25:6,17 25:20 62:7 84:11 91:4,9 affect 23:8 82:6 113:6 affirmed 9:7 58:19 afford 15:20 60:13 afternoon 6:18 8:4,15 19:14 age 18:8 agencies 15:8 agency 59:7 104:16 agenda 31:23 39:4,6 ago 10:12 48:5 68:2 99:21 106:25 112:20 agree 34:13 35:4 37:1,5,15 56:3 73:17 90:5,17 93:14,24 94:5 94:17,25 95:1 104:1 110:14 agreed 19:18 78:3 88:23 89:12 90:18 Ah 25:11 ahead 66:24 aim 96:16 aired 3:4 Alan 99:1,4 alert 15:9 96:7,8 allegations 1:9 1:19,21,24 2:2 2:25 5:9 allow 7:23 20:9 24:1,2 73:14 allowed 12:21 17:8 48:20 76:4 101:6 allowing 20:17 55:8 allows 75:21 alluding 74:9 alongside 101:7 alternatively 7:11 altogether 108:13 ambiguous 52:7 amends 17:17 American 71:24 amount 38:11 95:11 97:23 113:19,20 anecdotal 108:1 animated 105:17 animation 104:18 answer 68:13 answerable 74:5 answered 94:18 answers 16:17 19:8 anticipated 3:1 5:12 anti-corruption 111:22 anti-gang 47:21 anybody 42:19 42:20,22 72:19 81:7 111:4 112:15 anything's 111:16 anyway 71:2 106:8,20 apart 82:23 apparent 105:15 appeals 101:5 appear 32:18 52:10 applied 16:13 29:3 apply 2:16 112:1 appoint 113:23 appointed 105:4 appreciate 29:16 appreciates 8:11 appreciation 4:5 apprehend 6:6 approach 7:16 40:17 44:4 46:18 91:15 approaches 18:16 19:16 appropriate 3:11 54:23 55:2 67:14 73:23,24 77:3 97:17,18 area 48:16 83:23 84:17,17 86:24 87:12 88:2 areas 61:15 107:25 argue 23:25 arguments 8:2 arose 58:10 arranged 86:18 arrangements 7:12 arrest 49:19 50:4 51:7 110:10 arrested 39:22 47:14 48:23 51:1 112:5 arresting 39:19 arrival 105:3 arrive 13:6 arriving 8:14 article 18:17 36:14 71:12 72:3,5 articles 18:18 86:20 92:3 articulated 1:10 aside 94:9 asked 19:21 20:3 24:15,19 25:24 28:18 32:2 42:14 43:20 46:15 58:7 60:1 77:24 84:15 86:25 101:13 asking 16:20,20 43:6 45:5 51:5 54:20,21 93:1 111:4 aspect 2:16 80:18 aspects 2:19 103:19 assistant 54:5 59:12,14 62:7 62:8 84:9,10 associate 102:3 associated 72:15 association 59:22,24 60:3 60:17 70:17,24 80:9 81:8,20 101:22,24 attempt 64:4,6,7 64:11 100:24 attempts 2:4 112:3 attend 61:22 70:5 81:18 attended 87:11 attending 48:17 61:19 81:10 attention 16:6 45:7 56:14 attributed 72:18</p>	<p>audit 57:25 94:21 95:9 auditable 35:21 audited 94:16 96:22 auspice 104:15 austerity 69:11 authentic 103:10 authorisation 28:12 97:4,11 authorise 97:12 authorised 28:6 49:23 authorities 44:9 authority 7:5 12:22 42:21 43:10 92:11,13 automatic 89:1 available 63:25 87:2 105:24 avenues 61:17 avoid 39:10 97:10 aware 16:2 28:3 31:25 36:10 39:6 41:17 50:7,8,10,12 50:17,18,20 82:2 114:8 awareness 87:5 102:6</p>	<p>44:23,23,23 45:4,5 becoming 1:7 40:11 81:19 beers 37:14 beginning 59:3 69:23 begins 1:6 3:22 65:24 behalf 10:21 behave 108:23 behaviour 2:18 37:4 77:5 107:19 108:6 beings 23:8 42:8 42:10 53:21 56:24 75:20 believe 7:15 62:16 66:2 78:7 87:4 beneficial 20:22 21:18 49:2,8 benefit 71:7 benefits 25:3 71:10 best 3:12 6:6 17:15 21:21 31:14 61:16 64:9,21 83:2,8 85:16 86:11 107:12 113:17 better 20:1 36:9 57:3 63:15 111:11 114:1 beyond 47:14 biased 40:11 big 52:9 82:9 biggest 65:5 biscuits 65:10,12 bit 6:4 87:24 92:11 94:1 111:3,5 bits 34:3 black 30:18 48:24 55:11 Blair 5:9 111:6 blown 22:8,12 board 78:8 114:5 114:11 Bob 54:15 body 7:6 bombarded 47:24 bombing 82:9 book 77:21 Boon 9:4,8,9 14:6 16:7 19:21 24:11 25:9,11 27:25 29:10 36:4 41:19 45:18 46:14 51:12 57:19 58:4,17 58:20,21 60:19 68:21 69:15 77:13 79:1</p>	<p>boot 23:12 boss 105:16 106:5 bosses 34:3 bother 95:14 bottom 25:15 boundaries 13:25 14:2,3,3 14:5 20:11 21:22 33:1,7,9 33:20 35:8 48:19 56:6 Bramshill 102:4 104:6 breach 93:12 bread 49:6 break 35:7,8 58:15 114:19 breaking 32:20 Bribery 37:20 bribing 106:14 109:3 brief 56:9 80:24 83:25 briefed 36:22 82:12 briefing 17:2,5 26:10,11,13,19 26:22 65:18,20 81:18 83:5,19 84:15 87:9,12 88:4 89:11 90:13 briefings 17:2,20 17:21,25 42:3 51:12,14 58:8 60:9,21 65:9 71:20 73:2 80:15 81:4,6 81:10,24 88:10 briefly 56:16 77:22 78:17 bring 102:17 British 51:18 broad 8:5 43:25 43:25 49:14 60:17 61:18 103:21 broadbrush 28:12 broader 64:24 76:7 broadly 42:22 43:24 broken 47:15 83:15 brokering 111:18 brought 16:6 56:14 85:25 build 57:17 69:23 73:9,10 109:19 building 63:14 65:17 86:15 built 26:6 50:2</p>
B				

75:7,7 109:8 Bumblebee 70:14 burden 78:3 Bureau 18:25 46:24 64:13 65:19 81:12 84:21 bureaux 85:12 business 62:10 104:23 109:13 109:15 110:23 busy 19:4,5,7 butter 49:6 buying 29:2 37:13	113:19,20 certainly 1:18 3:2 6:17,25 26:9 54:14 55:18 56:17 60:23 62:12 64:7 69:11 74:1,22 75:5 78:22 100:4 105:1 107:15 110:13 cetera 66:25 Chairman 101:23 champagne 37:18 chance 2:6 chancery 79:13 change 8:13 13:9 86:3 changed 13:11 108:19 changes 4:6 8:18 8:19,21 channel 74:16 channelled 55:20 channels 12:19 14:7,19 18:6 18:14,24 29:22 30:12,23 74:11 74:17 characterise 86:9 check 31:12 34:18 35:18 39:18 96:5,9 96:23 checked 40:5 72:22 checks 33:18 34:5 39:9 40:14 chief 45:23 80:1 101:15 104:12 108:24 child 44:20 87:14 87:18 children 56:21 chilling 85:20 95:24 choice 66:25 choose 98:6 chosen 70:19 church 60:17 circle 26:3 27:7 27:10 circumstances 24:11 36:4 67:14 70:4,9 71:16 102:20 105:7 civilian 43:7 claim 38:4 clampdown 12:10 clarify 51:15,23	52:6 110:18 clarifying 71:23 clarity 52:4 93:1 clear 6:1,16,19 7:2 27:23 28:5 33:7,9 66:5 94:8 98:7 107:9 clearly 28:3 106:8,20 114:15 clients 6:14 Clive 1:12,15 close 39:8 40:1,9 40:11 closed 22:18 81:6 closing 55:7 club 37:22 code 66:6 77:4,8 83:20 89:17,19 coffee 67:4,7,7 coffees 82:24 coin 39:21 coined 114:9 colleague 53:19 53:23 colleagues 15:7 22:19 50:18 103:24 107:3 111:2 college 103:1 104:6 colour 14:14 30:15 48:1 85:10 combination 109:5 come 5:11 12:19 14:5 22:22 29:1 36:19 49:10 50:5 55:8 85:13 86:16 94:8 101:14 110:16 110:17 114:18 comes 3:20 12:14 14:15 83:3 comfortable 38:12,15 79:6 coming 12:15 16:2 30:12 50:17 51:10 61:15 92:12 command 111:22 comment 18:5 44:3,5 69:15 90:9,10 98:13 commercial 15:21 Commissioner 12:14,24 13:17 45:22 46:5 54:5 65:20 69:10 84:9,9 113:24	commissioners 62:8,8 84:10 84:10 committing 32:21 common 29:3 37:9,23 74:23 109:17 communication 13:11 22:17 32:19 communications 14:10,12 55:7 73:7 74:10 community 30:18 companies 29:8 110:25 company 106:23 108:17,22 compare 40:22 competence 53:20 complained 92:18 complete 6:17 68:21 comply 90:19 compromises 109:18 compulsion 79:20 computer 87:14 conceive 36:4 concern 34:9 35:25 44:19 49:12,14 66:18 74:4 75:9,11 76:6 82:13 87:3 97:14 concerned 1:7 3:6 7:13 11:23 16:4,8 48:6 78:11 80:17 81:13 82:16,17 90:14 95:12 concerning 110:15 concerns 1:12 4:20 76:2 concluded 24:17 conditions 48:5 90:19,20 Condon's 12:24 37:2 conduct 51:8 66:6 77:4,9,11 conducted 88:22 conducting 90:23 conduit 60:8 65:2 conference 57:5 conferences 60:21 82:24 confident 32:18	32:22 70:5 confined 55:15 61:5 conflicts 10:7 confuse 93:15 confused 72:4,13 confusion 92:17 93:2,4 connotations 64:3 conscious 4:19 45:4 84:4 consensus 94:1 consent 3:13 65:1 consequence 95:20 96:18 consider 6:9 19:22 30:9 49:1 52:22,24 63:12 71:10 73:6 77:17 81:19 consideration 13:14 considerations 14:1 considered 7:19 56:13 considering 7:6 102:8 Constable 45:23 constables 104:13 constant 39:9 constantly 31:25 55:20 68:3 constituents 88:1 construct 3:13 contact 11:20,25 13:18 15:13 26:18 28:6,10 28:11 29:15 30:3,8,10 31:7 31:20,21 33:18 34:21 35:12,13 53:22 57:25 60:19 61:4,5,7 62:9,22,24 63:9,13,17,17 64:19 74:4,16 75:6,22,24 76:8 84:8 87:24 103:20 contacted 19:18 contacting 18:21 49:17 contacts 11:17 14:23,25 15:9 18:16 25:3 28:4,14 30:21 31:3,14,18,19 38:2 62:2 63:24 64:14,25 65:6 69:23 89:18 105:25	108:25 112:14 contemplate 7:23 content 94:19 95:23 101:6 contents 5:20 context 12:4 44:11 47:25 51:21 60:25 71:9 73:16 102:16 continue 16:18 16:19 26:22 78:7 contract 77:5 contradiction 106:18 contrary 3:15 6:6 7:15 control 13:8 23:24 35:24 63:25 64:4,6 controlled 48:8,8 convenient 5:5 58:4,6 114:20 conversation 16:21 26:22 32:14 36:24 52:17 53:7 95:15 conversations 53:22 54:6 60:21 71:20 convey 64:3 cope 20:15 68:19 core 4:20 5:3 19:21 25:24 43:20 60:1 108:21 corner 25:15 Cornwall 40:25 corporate 16:8 20:5,17 corporation 23:16 correct 59:18,20 62:15 63:11 79:24 80:5,6 81:9 84:14 corrected 19:24 20:6,8 correcting 52:19 correctly 8:25 20:14 21:9 106:7 correspondent 10:13,14 59:17 59:21 80:25 101:15 105:5 108:24 correspondents 80:23 corrupting 67:21 67:25 109:3 corruption 55:3 55:9 110:6	countenance 109:5 country 16:1 21:12 29:20 41:10,13 53:6 65:1 76:9,10 76:15 couple 6:13 19:14 37:14 102:2 106:21 course 3:8 4:6 6:13 19:11 21:5 32:9 35:5 35:10,10 50:12 51:4 67:23 76:16,18 91:9 100:10 104:16 108:5 111:16 112:20 courses 103:3,6 court 13:3 14:21 15:4,5,15 60:22 61:10 100:2 courts 15:6,8,10 15:16,17,20 16:1 cover 15:8,20 16:1 30:18 81:22 93:22 102:6 coverage 64:11 81:22 82:18 102:19,19,21 covered 10:2 18:13 70:18 81:14 covering 9:21 10:6 26:5 71:18 covers 30:17 create 34:14 55:11 80:11,16 created 22:7 26:4 44:21 creates 92:17 credit 97:23 crime 10:14 17:18 25:19 26:6 30:14,18 37:12 42:2 46:22,22,23 59:17,21,24 60:2,4,11,12 60:13 69:9 71:18 80:3,4,8 80:21,23,25 81:8,14 82:8 82:18 83:14 86:1 87:14 100:15 101:4,5 101:13,15,21 101:24 105:4 106:24 108:24 crimes 53:5 Crimewatch
---	--	--	--	---	---	--

101:5 criminal 32:4,6 37:3 56:21 77:1 110:9 criminality 32:23 37:7,25 critical 102:14 102:16 criticised 2:5 criticisms 4:25 cross 33:4,19 48:18 106:10 crossed 33:2,2,3 crosses 33:4 cross-examina... 3:14 cross-examine 3:9 cryptic 111:3 cultivate 109:2 culture 12:4 34:15 40:20 41:4 77:16 83:20 86:4 107:2,8 108:10 108:11 cup 89:17 cups 89:19 curbed 54:24 current 55:25 59:14,16 61:14 61:25 70:3 113:2 currently 12:21 47:12,21 57:4 custodial 112:7 cut 32:3 36:20 cutbacks 104:14	day-to-day 85:24 deal 2:6 5:2 37:12 41:12 44:13 45:2,18 46:5 100:4 101:21 102:15 103:24 112:3 dealing 10:24 14:7 39:10 62:25 63:10 86:13 89:25 95:5 dealings 86:5,9 110:1 deals 85:18 99:17 dealt 4:8 5:13 6:21 106:6 death 37:11 debate 102:18 106:21 decide 8:5 48:24 decided 92:20 decision 84:4 decisions 18:3 21:14 23:18 24:9 37:11 deeper 15:1 deeply 41:22 defensive 16:10 16:12,15 define 42:20 43:19 defined 43:24 72:5 definition 72:9 72:12 defunct 100:10 degree 29:16 deliberate 82:25 83:3 demand 42:7 44:13 demands 20:15 45:9 democracy 29:14 57:8 demonstrated 4:4 department 63:3 depend 44:15 depending 66:24 depends 31:7 43:4 44:17 46:20 54:1,1 67:17 71:8,8,9 77:23 deputy 54:5 62:7 84:9,10 derive 25:3 describe 17:1 24:11 29:12 41:20 43:3,7 65:8 68:22 described 12:7 19:23,23 20:4	55:23 describing 27:19 73:15 description 11:2 desk 10:11 42:6 83:9 89:16 desks 42:7 detail 2:18 20:14 25:2 72:1 detailed 85:8 details 42:3 62:22 71:1 detected 85:20 detective 30:5 developed 110:2 devise 5:22 Devon 40:25 dialogue 16:22 29:12 87:25 96:14 106:1 111:23 diamond 102:12 diaries 96:2 diary 35:22 78:16,20,22 Dick 112:22 dictaphone 88:15 died 112:14 difference 4:23 23:16 different 7:11 22:4 26:21 41:9 43:3 45:6 49:4,7 51:17 66:12 69:16 71:24 75:15 82:7 88:11,12 105:12,23 108:12 differently 4:8 difficult 90:4 105:14,22 difficulties 19:23 21:3,5 80:11 114:4 difficulty 18:2 95:8 digital 18:8 dilute 31:22 diminishing 8:7 dined 38:16 66:3 66:10 dining 67:15 69:13 dinner 67:11 84:2 dinners 37:17 direct 74:15 84:8 108:3,6 directions 61:17 directly 85:5,14 86:5 91:16 director 62:7 dirt 15:24 disagree 93:24	110:14 disagreeing 94:13 disappeared 100:12 disappears 4:15 disciplinary 32:21 76:11 disclosed 1:10 disclosing 114:7 disclosures 92:4 98:5,11 113:17 113:19 discourage 77:14 discouraged 77:20 discover 110:9 discovered 50:24 105:12 110:6 discretion 90:16 90:17 97:22 discursive 83:11 89:21 discussed 4:2 5:16,19 35:12 61:12 88:22 113:1,20 discussion 1:3 77:25 105:18 discussions 111:21 disregard 32:17 disrupt 8:6 disseminated 71:2 distends 53:15 distracting 114:16 doctors 29:6 document 94:16 documentaries 59:9,10 documents 112:9 dodgy 26:16 dog 110:13 doing 7:23 22:16 23:5,23 28:19 33:17 46:2 65:3 76:17 82:9 83:21 97:8 105:15 107:5 domain 98:15,17 domains 84:1 door 47:14 doorstep 42:1 doubt 4:6,9 31:2 31:3,6,17 63:23 75:14 89:8 Doubtless 14:5 dovetails 102:17 DPA 65:19 112:19 drafted 1:18 draw 38:13	43:22 82:10 drawn 33:11 drink 28:23 29:2 50:2 68:4 83:20 drinks 61:10 65:10 Driscoll 1:13,15 8:17 drive 55:10,10 dropped 61:1 drug 47:12 drum 104:23 duties 91:12 dynamic 4:6	20:20 enable 73:12 encapsulating 42:18 encountered 109:10 encourage 21:21 53:11 55:6 encouraged 13:17 77:18 96:13 encouraging 96:14 endeavours 6:6 endorse 104:4 enforceable 76:23 enforced 76:24 enforcing 56:4 engaged 102:18 enjoy 65:12 enormous 20:12 enquiries 16:13 ensure 11:6 34:18 54:23 55:1 73:22 ensuring 33:19 56:6 entails 72:21 enterprising 107:12 entertainment 37:1 enthusiasm 109:14 entirely 19:9 34:13 35:4 75:17 entitled 45:11 entry 77:22 environment 55:25 83:8,22 89:5,20 105:12 equally 7:5 errors 73:17 escape 114:14 especially 78:8 essence 101:11 essential 66:14 66:20,23 103:1 essentially 106:14 establish 61:20 established 89:24 et 66:25 ethical 13:25 35:1 55:5 108:18 ethics 57:7 evening 10:1 49:5 59:6 67:5 67:6 71:17 100:8,9,16,25 105:13 evening's 19:16	event 71:1 events 60:20 61:9,14 65:17 74:14 85:16,21 113:5 eventually 112:4 everybody 7:13 7:14 8:9,10 21:19 34:19 51:9 70:25 76:19 109:20 everybody's 7:17 evidence 1:6,12 1:20 2:3,7,12 3:2,21,25 4:11 4:15,23 5:1,4 6:1,12 7:17,22 9:1,16 10:20 11:2 16:10 27:25 44:10 54:14 59:1 64:23 79:22 93:21 94:2 97:25 99:14,17 108:1,4 110:19 111:7 evolve 96:3 exactly 22:20 48:12 106:1 114:9 examine 23:6 examined 40:3 examining 74:8 example 17:15 17:19 18:11 25:18 30:16 44:20 60:16 63:19 67:19 76:10 87:14 112:21 examples 16:25 34:24,25 40:24 47:3,7 98:10 excellent 17:1,14 107:11 111:10 exception 74:21 74:22 exchange 36:7 36:15 83:12 95:22 96:21 exchanges 94:2 94:14 95:8,19 95:21 96:4,19 exclusive 36:9,16 exclusively 14:9 61:5 70:19 exercised 96:15 exist 76:22 expand 16:18 expansion 104:20 expect 84:16 86:18 102:20 110:9 expected 10:19 66:4 109:11
<hr/> D <hr/>				<hr/> E <hr/>		
daily 10:2 62:25 80:22 82:6 100:19,23,24 101:12 102:23 108:13 damage 3:5 21:19 damaging 21:19 34:15 dancing 37:22 danger 39:7 dangerous 39:18 dangers 39:13 72:15,25 date 8:9 dated 9:12 58:23 79:21 99:10,24 day 8:23 13:6 17:10 19:15 28:25 41:12 61:23 63:4 64:13,16 66:25 67:8 88:9 97:19 105:18 113:3 114:10 days 6:8						

expecting 67:16	110:22	31:5 39:13	freelancers	20:13 34:9	goods 70:14,15	75:18
expense 67:15,17	fairly 16:12	46:19,25 52:3	60:16	36:16,16 47:3	gossip 53:15,19	happens 23:11
expensive 37:18	60:15,17 66:2	58:10 71:20	freely 12:11,22	47:7 53:8 55:5	53:19,21 54:7	96:25
66:17 67:24	89:16 111:7	84:23 90:20	17:8 20:10,18	58:21 64:20	113:16	happy 24:17
experience 9:21	fairness 1:7 7:14	91:25 99:10,17	24:1	69:19 85:12	gossipped 53:23	100:2 105:1
10:23 13:1	8:8	100:4 101:22	free-for-all	87:10,14 89:7	54:18	hard-pressed
31:2 36:18,23	fall 42:17	Firstly 17:6	34:20 75:22	93:23 97:23	government	77:15
48:22 54:4,7	family 29:1	five 113:14	97:13	103:21	43:14,14	head 9:2 25:5,17
55:23 63:22	42:23 43:1,3,7	flavour 2:4	friendship 40:10	given 1:20,23 5:1	gradually 112:12	25:20 27:20
74:15 86:7,13	far 31:19 57:4	flesh 47:19	friendships	47:4 48:21	grail 93:13	31:8 39:9
89:25 103:9	80:17 82:17	flip 39:20	110:3	70:2,10 72:18	grandfather	40:14 67:20
experienced	90:14	flipside 96:14	front 42:2 86:12	72:23 73:5	79:16	69:1 84:11
20:10 89:24	fast 17:24 18:9	flow 12:10 23:24	113:24	77:22 78:9	grateful 104:25	91:4,9 101:3
114:13	107:22	54:24 55:10	full 9:9 11:12	84:25 85:6,7	great 69:19 74:3	112:19
experiences	fast-moving	73:12 74:6	58:21 64:24	85:22 93:22	78:19 90:7	headlines 5:13
99:21	17:22	76:13 78:14	74:6,7 77:25	giving 4:3,11,14	103:24	hear 3:16 6:12
explain 10:18	favour 25:20	flowed 106:1	79:8 99:3	26:21 45:11	greater 1:21	104:25 106:7
66:4 95:3	favoured 26:1	focus 108:19	full-time 60:4,12	52:11	23:13 69:3	heard 54:13
111:4	favouring 28:1	focused 69:21	60:13	glad 105:10	75:1	73:15 75:13
explained 30:7	favouritism	follow 41:2,7	fun 108:16	gloss 74:14 85:16	grooming 37:3	80:22 92:9,18
explicit 107:10	25:10	80:7 87:22	further 8:16 36:8	go 6:1 13:14	37:10,14	96:1 98:5
exploitable	fear 44:20 45:2	followed 96:10	36:16 57:20	17:17 18:16	ground 89:23	99:18 103:23
111:12	feature 10:8	following 11:3	76:13 77:15	19:11 24:21	93:22 109:17	109:23
explore 11:12	112:19	food 28:23	79:1 98:18	26:11,14,20,20	group 26:11 80:8	hearing 21:3
25:2,4 42:14	February 9:12	foot 23:12	furthermore 5:2	26:23 39:21	82:3,4 102:12	92:8 103:15
exposing 106:19	99:10,19	force 29:19	future 24:2,3	44:8 45:12	grown 89:5	104:3
expression 5:11	112:23	41:12 48:6	32:11 36:8,9	46:20,24 47:1	grown-ups 37:11	hearings 76:11
extent 37:1,9	fed 42:6	87:4	36:15 54:22	56:20 66:24	guarded 86:8	heart 29:13 56:2
54:6 65:2	Fedorov 25:25	forces 40:21 41:3	61:14,16 62:4	74:11 75:8,11	Guardian 10:12	56:4
extra 78:2	26:25 91:6	41:4,6,16	73:20 93:19	83:20 84:19	10:18,19 27:9	held 29:20 76:19
extremely 11:23	112:22 113:8	45:19 69:16	104:18	88:24 89:14	38:3,7 69:4	help 16:22 33:18
ex-journalists	113:12 114:7	76:15 78:6		90:5 91:16	102:24	45:1,1 93:25
111:13	114:18	104:11	G	98:18 100:18	guardians 76:17	helped 104:6
ex-police 111:14	feeding 27:21	force's 16:8	game 105:20	103:11	guarding 76:17	helpful 41:16
eyes 11:4 42:2	44:11,23 45:4	foreign 9:21 10:3	gangs 30:17	goes 38:9 40:8	guideline 38:6,7	45:21 46:12
F	feel 30:11 31:24	59:12,15	47:12,13	64:17 77:8	guidelines 53:2	51:14
fabled 80:8	38:12 47:8	forewarned 70:6	Garnham 1:4,5	going 5:18 6:23	guilty 110:6	Hertfordshire
face 2:8 18:12	56:17 70:5	forget 105:19	1:15 2:22 3:22	6:25 7:4,24	gun 30:18	100:9
48:24 103:17	feels 55:19 86:13	form 9:13 36:5	4:9,19,23 5:8	14:5,17,20	H	hide 28:17
facing 18:2	felt 40:1	58:25 99:12	5:18,22 6:11	15:11 18:13,19	half-hearted	high 66:6,11
fact 2:23 4:19	fence 7:4	102:21	6:17,25 8:2,15	19:25 20:13	112:3	108:17
16:24 20:4	Fergus 79:4,9	formal 9:16	58:7	29:13 31:10	Hames 99:18	higher 37:17
22:4 23:7 26:7	field 5:11 100:16	26:19 33:18	gatekeeper	32:7,24 34:2	hamper 98:2	highlight 12:3
38:24 57:8	figures 18:1	58:25 60:20	25:17 91:5,7,8	35:9 36:11	hampering	24:2,3 63:17
70:5 74:10	47:24	61:5 65:25	91:10,18	39:8,9,24	78:14	87:3
77:21 78:20	file 19:15	79:22 89:16	gather 8:15	40:15 47:21	hand 12:5 14:25	highlighted 16:5
94:11,20 95:22	Filkin 74:25	99:14 103:21	general 3:20	48:2 49:10,19	41:5,5 57:2	16:5 40:2
104:6,19	fill 77:24	formally 49:20	43:21 59:12	50:4 51:6,7,16	93:15 96:8	historical 12:4
114:14	filmed 57:6	99:25	86:7 112:25	53:10 55:9	99:5,7	history 9:19 59:3
facts 17:25 23:6	final 78:5 110:19	former 7:7	generalised 87:9	61:10,17 66:13	hanging 23:23	HMIC 94:4 95:4
31:23 47:24	finally 11:23	110:23 111:1,9	generally 18:5,7	82:10 86:23	72:19	Hogan-Howe
85:19 87:17	17:14	forth 105:23	22:21 46:7,12	88:15 89:10	handled 41:20	46:4
fact-finding 2:13	find 7:7 8:4 15:2	109:14	49:1,17 60:20	93:16,19 96:22	happen 56:20	hold 10:16 11:5
2:24	19:20 26:15	forthcoming	92:2	98:18 100:18	66:18 92:23	29:21,25 42:3
fail 21:15	34:4 82:5	86:8	generates 95:12	103:11 104:19	100:2	52:2 57:5
failed 14:22	86:11 109:17	forum 102:24	generous 65:12	110:17 111:24	happened 22:20	76:15 96:25
100:22	109:17,18,19	forward 104:10	genuine 109:14	113:23 114:15	24:4,4,24	97:1,2,3
failing 21:14	findings 103:1	found 14:22 32:4	getting 12:22	good 1:5 8:22,22	33:12,15 36:18	holding 65:4
failure 21:17	fine 67:1 83:24	56:19 81:23	19:1 39:7 40:9	14:18 23:1,4,9	48:15,16,25	76:20
faintly 37:15	finish 54:21	105:14	40:10 61:24,25	26:17,18 30:24	83:25	hole 110:21
fair 4:1,5 7:13	56:11	four 10:1 60:23	81:11 83:8	36:2 40:25	happening 15:10	holy 93:12
8:12 11:1 56:7	finished 4:14	69:8 75:25	96:8	45:3 50:3 83:7	22:16 24:7,10	home 9:21 10:3,9
66:9 69:7	67:9	106:8	give 3:2,9 9:9	88:24 91:11,16	27:22 36:10	58:8 62:6,11
73:19 91:4	first 2:18 3:9,19	frankly 105:19	10:20 11:12	93:5 95:10	38:22 42:9	62:15,16,18
98:4 106:11	8:1,4 9:4 11:3	110:14	16:17,24,25	96:12 104:13	50:7 55:22	homes 50:15
	11:9 14:7 28:5	free 73:12 78:14	17:19 18:11	108:17 110:12		honest 17:10

18:4 37:15	63:1 81:25	29:12,15 30:8	13:21 28:13	36:22 42:5	76:4 105:16	68:13,17 69:3
42:11 43:5	109:25	30:21 31:18,20	30:5 35:19	44:19 83:6,18	110:10	75:12 76:16
45:16 47:6	importantly 18:4	61:7,12,19	84:16	86:3	jobs 26:17 62:22	77:1,8,12 79:2
honestly 107:6	imposed 48:5,6	65:11 74:19	instance 36:6	investigations	John 112:24	79:11,15,17
honourable 21:8	impractical 78:1	77:20	46:19 81:15	15:11 45:14	join 60:2 100:21	80:19 81:1,13
hope 4:4 6:16,20	78:2	informally 24:12	82:8 87:13,25	56:22 80:13	joined 10:2	81:25 82:13,19
8:21	impressed 17:5	91:1	114:2	investigative	100:10 108:9	87:16 88:11
hoping 90:25	impressive 41:22	informants	instill 34:24 53:9	10:7	Jonathan 79:4,9	89:3,13,22
horrified 33:15	42:12	107:25 110:24	institution 19:25	invitation 71:5	journal 60:13	92:7,16,22,24
hospitality 36:25	impromptu	information	integrity 23:7	invite 5:22	journalism	93:8,12,18
37:2,17 38:1,7	61:21	11:10,13 12:10	34:25 53:10	invited 109:6	90:23 106:17	94:10,13,18
38:12 65:8,12	improved 20:6,8	12:19 14:8,24	55:4 56:3,5	invoicing 106:13	108:12	95:1 96:7
66:1 68:22	Improvement	17:9,24 18:6	66:7,11 67:25	involve 32:20	journalist 9:20	97:10,24 98:4
69:17 82:22	104:16	18:21 20:14	109:8	involved 8:10	11:4 21:10	98:21 103:13
84:5 97:21	improving 20:16	23:24 26:15	intelligent 75:22	30:16 46:16,17	23:4 32:24	103:23 104:22
112:18	inaccuracies	28:2 29:21	intend 45:25	53:7 71:3	33:24 34:7	105:2 114:20
hostility 54:17	52:20	31:4,12,12,16	intending 1:22	112:8	36:5,13 39:4	
hourly 63:2	inappropriate	32:10,12 33:8	107:13	involvement	59:4 66:15	K
hours 19:14 63:3	36:17 105:9	36:8,16 39:5	intention 63:23	44:6 46:14	89:24 95:15	keen 4:5 52:10
huge 13:14 20:15	113:16,18	39:22 40:17	interaction 84:2	71:7	journalistic 37:8	keep 42:4,5 44:2
110:6	incident 12:14	44:22 45:11	85:24	in-house 101:11	50:24	53:1 61:1
human 18:12,22	83:16 102:14	47:20,25 49:15	interactions	IPCC 42:21	journalists 10:19	109:4
21:12 23:8	102:16	50:17 51:19,20	88:13	43:10	14:2 17:23	kept 94:16
28:24 29:4	include 32:12	52:11 54:24	intercept 14:22	Ipswich 41:21	20:15,22 21:8	key 11:3,3 62:3
42:8,10 53:21	included 10:6	55:8,11,19	interest 11:21	irrespective 76:4	25:19,21 26:2	95:6
56:24 67:12	104:24	61:22,25,25	16:3 20:24	issue 6:25 46:10	26:14,20,24	kind 12:17 13:12
75:20	including 80:4	62:3 63:25	43:20,21 47:16	52:17 54:3	27:6 28:14	18:2 28:15
humility 56:22	incompetence	64:8 72:16,20	47:19,19 49:3	56:16 63:18	29:5,24 30:13	30:6 35:6
hundreds 15:5	110:7	72:21,23 73:4	50:4 54:2	66:18 69:6	30:25 41:25	36:23 48:16,21
41:25	incorrect 73:16	73:12 74:7	61:15 71:11,16	81:17,21 82:17	44:3 51:18	49:7 52:22
hunt 45:2	increased 87:5	76:9,13 77:19	74:13 87:22	83:12,21 85:19	52:16 56:25	56:24 57:6
hunting 44:16	increasingly 1:7	77:22 78:14	interested 30:13	89:10 92:10	70:20 88:8	83:11,13 86:20
	incredible 42:6	81:11 83:7,9	30:14 81:4	98:18 100:19	90:1 91:13	91:14 95:20
I	incredibly 42:9	83:15 85:4,11	86:25 87:6	100:25 105:17	94:2,15,23	97:22 102:19
Ian 111:6	independent 2:3	85:12 86:21,22	interesting 15:11	110:17	95:5,8,19	104:20 112:11
idea 36:2 37:13	40:16,17 59:11	90:9,25 91:23	87:17 88:2	issues 2:6,20	96:19 107:12	112:13 114:7
66:12 67:20	66:1 67:20	95:17 96:4	92:16 104:5	6:22 8:8 14:12	111:8,11,18	kindly 79:19
83:7,18 84:6	68:25	97:5,7 98:14	interests 44:25	14:16 54:16	joy 108:16	Kirk 14:20 15:3
86:2,2 87:17	Independent's	98:17 111:15	48:11	55:5 66:15	judge 79:13	knew 17:7 24:16
96:12 104:13	59:16	111:17,18	internal 66:6	74:8 76:8,21	judgment 70:18	26:7 46:24
ideas 104:23	indicate 2:11	114:8	77:10	82:1 87:3 98:1	July 112:22	knife-edge 18:3
identified 44:25	indicating 1:16	informed 42:4	international	99:17 102:16	June 112:21	knock-on 74:5
93:11	indicative 107:1	inherent 68:5	42:1 59:7	103:14 110:15	justice 1:4,14	know 4:2 5:13
identifies 77:1	individual 2:18	inherently 11:19	Internet 18:9	113:2,2,2	2:15 3:18,24	7:8 8:16 13:24
identify 44:1	12:11 14:15	inherited 74:1	interreaction		4:17,22 5:7,16	14:1,2,18 15:6
77:2 92:12	36:6 41:17	inner 26:3 82:3,4	113:9	J	5:21 6:3,15 7:3	15:10 16:3,19
93:7 108:3	44:17 84:8	input 33:20,22	intervening	Jacqui 99:18	7:21 8:3,19,21	16:20 19:19
identifying 62:2	85:8 94:22,22	102:21 103:5	100:20,21	January 58:24	8:25 9:3,6	26:7,12,17
identity 108:22	104:12 112:25	inquiries 44:15	interview 87:3	79:21	13:23 14:4	27:1,8,22 28:9
ignore 3:25	individuals 26:5	inquiry 1:17,22	88:17,22 89:1	Jay 3:9 4:2,10	15:14,19,23	29:8,24 30:6
ignoring 67:12	40:9	2:4,11,13,17	89:20 90:13	5:17,18,22 6:9	19:8,11 21:2	30:16 32:5,25
ilk 50:5	inducements	3:20 8:10 9:11	interviewed 51:8	8:25 9:2 79:3,5	21:11,25 22:4	33:1,3,3,6,10
illegal 37:24	106:4 107:4	9:16 32:6	interviewing	79:6,19 82:21	22:19,24 23:2	33:23,24 34:24
illegitimate	inevitably 77:14	36:20,21 43:22	83:10	88:13 89:23	23:11 25:8,10	35:2 37:13
52:14	infighting	44:11,12,15,17	introduced	93:19 95:3	27:14,17,24	38:10 40:5
image 16:9	114:15	58:9,23 59:1	103:4	98:5,18,24	28:21 29:24	41:11 42:11,21
immediate	inflow 95:17	76:25 79:19,23	invested 92:21	99:2,3 105:3	34:6,12 35:4	44:22 45:9
108:14	influence 67:22	85:22 99:6,14	investigate 37:13	114:18	35:10,16,18,23	46:1 47:20
impact 95:11	111:8	99:18 100:1	investigated 7:19	Jeffrey 99:1,4	36:3 41:8,14	48:15 49:5,18
implications	inform 14:19	102:7	investigating	jeopardise 32:7	44:8,24 45:17	51:25 52:5
7:18	informal 11:17	Inquiry's 1:8	24:16 33:23	32:10	46:1,13 50:9	55:13,18 56:6
implicit 84:23	11:20,25 13:17	56:14	53:5 84:18,24	job 11:5,14	50:11,13,21	57:1,18 62:2
important 2:25	13:20 14:23	insight 18:1 48:1	86:5	17:14 21:9	51:4 57:21	63:16 65:1,4
3:25,25 7:16	15:9,12 18:15	49:9 69:19	investigation	26:14 27:5	58:3,6,12,18	66:12,16,22,23
21:16 29:15,18	25:2 28:4,6,6,7	inssofar 82:14,15	2:20 17:7	60:24 62:24	60:12 67:2,12	66:25 67:19
39:3 44:13	28:10,11,14,16	inspector 12:21	30:15 32:4	63:7 73:10	67:18,23 68:8	68:11 69:9,13

70:19 71:15,17 71:18 72:6,21 73:1,5,25 74:18 75:6 76:10,22 77:24 78:15,17,18,19 83:22 86:17 88:1,4,21 92:4 93:20 96:11 97:20 102:18 103:20 105:22 106:3,20 107:16,20 108:11 109:10 112:11,13 113:21,22 114:12	108:5 109:20 legal 20:11 21:22 48:12 legislate 21:13 21:13,20 legitimacy 31:3 legitimate 32:24 35:16 36:19 37:8 legitimately 57:10 76:1 111:14 lend 83:19 length 26:5 lessened 74:4 letting 49:18 level 30:3 37:17 37:19 38:12 40:10 46:5 67:17,21 68:23 69:17 114:11 levels 38:1,3 110:3 LEVESON 1:4 1:14 2:15 3:18 3:24 4:17,22 5:7,16,21 6:3 6:15 7:3,21 8:3 8:19,21,25 9:3 9:6 13:23 14:4 15:14,19,23 19:8,11 21:2 21:11,25 22:4 22:19,24 23:2 23:11 25:8,10 27:14,17,24 28:21 34:6,12 35:4,10,16,18 35:23 36:3 41:8,14 44:8 44:24 45:17 46:1,13 50:9 50:11,13,21 51:4 57:21 58:3,6,12,18 60:12 67:12,18 67:23 68:8,13 68:17 69:3 75:12 76:16 77:1,8,12 79:2 79:11,15,17 80:19 81:1,13 81:25 82:13,19 87:16 88:11 89:3,13,22 92:7,16,22,24 93:8,12,18 94:10,13,18 95:1 96:7 97:10,24 98:4 98:21 103:13 103:18,23 104:22 105:2 114:20	lies 4:16 life 23:8 37:11 106:19 108:1 light 1:9 14:18 17:10 30:24 32:13,13 36:7 64:9,21 104:2 limit 68:25 limitations 14:9 19:22 20:3 48:6 52:23 limited 10:18 11:11 16:17 63:22 64:15 69:14 85:12 line 7:11 28:9,18 28:18 33:11 35:19 38:14 43:23 50:22,22 53:20 62:16 84:25 85:3 lines 3:11 13:23 13:24 22:6,17 32:19 47:9 link 45:22,25 linked 28:22 42:19,20,22 43:15,17,19,23 92:7 links 75:7 listen 32:8 46:4 52:3 listened 45:16 listening 49:10 little 23:5 57:14 61:2 92:19 96:5 111:3,5 live 38:10 local 9:23 56:18 71:18 100:8 lock 29:22 London 9:24 14:21 38:10 70:16 71:18 81:15 100:8,9 100:23,25 101:2 105:13 long 20:25 27:4 29:2,3,23 47:5 111:20 112:20 long-term 61:20 62:2 look 32:6 33:13 41:1 84:6 88:3 98:1 101:7 105:20,24 106:11 110:4 112:17 looked 86:19 looking 69:5,5 76:6,7 83:13 83:23 87:13 88:2 loose 107:22 Lord 1:4,14 2:15 3:18,24 4:17	4:22 5:7,9,16 5:21 6:3,15 7:3 7:21 8:3,19,21 8:25 9:3,6 12:24 13:10,16 13:23 14:4 15:14,19,23 19:8,11 21:2 21:11,25 22:4 22:19,24 23:2 23:11 25:8,10 27:14,17,24 28:21 34:6,12 35:4,10,16,18 35:23 36:3 37:2 41:8,14 44:8,24 45:17 46:1,13 50:9 50:11,13,21 51:4 57:21 58:3,6,12,18 60:12 67:2,12 67:18,23 68:8 68:13,17 69:3 75:12 76:16 77:1,8,12 79:2 79:11,15,17 80:19 81:1,13 81:25 82:13,19 87:16 88:11 89:3,13,22 92:7,16,22,24 93:8,12,18 94:10,13,18 95:1 96:7 97:10,24 98:4 98:21 103:13 103:18,23 104:22 105:2 114:20 lost 56:21 lot 17:23 44:19 44:20 54:14 76:11 82:10 93:5 98:5 100:15 109:9 112:20 113:8 114:15 lots 44:12 51:1 97:20 low 68:23 ludicrous 37:15 lunch 84:2 112:22,23 113:11 luncheon 114:23 luxury 90:6	major 10:3,6 44:11,12,18 45:14 80:4 81:14 82:8,8 83:14 86:1 making 12:18 18:3 45:9 48:18 68:15 87:8 97:12 managed 26:18 27:9 42:3 management 16:7 114:5,11 manager 28:9,18 28:18 53:20 managing 90:21 manifest 16:16 manifested 107:20 manipulated 31:24 32:1 March 1:1 Mark 24:5 marked 54:11,16 market 55:11 material 7:8 82:10 98:15 matter 1:5 5:19 56:2,13,13 75:8 87:9 111:24 matters 2:14,24 53:16 61:13 75:15,16 102:2 102:6 110:16 113:5,6 Maxwell's 100:24 meal 29:2 37:14 37:19 38:9,21 50:2 67:3,5,6 67:21,24 68:4 83:21 meals 66:13,17 66:19 89:19 mean 18:7 19:6,8 19:15 21:13 22:5,23 26:13 27:2 28:5,9 31:14 33:24,25 34:2,22 38:9 39:24 41:11 49:16 50:10,14 51:14,15,16,24 52:2 53:18 54:13 63:15 64:25 66:21 69:4 71:15,21 72:1,6,7,11,17 72:17 73:1,8,9 75:13 80:21 84:14 90:12 91:21,23 92:1 92:3,5,17,19 92:21,25 94:10 97:21,22	102:17 108:15 109:12,23 113:21 meaning 64:3 93:2 meaningless 47:25 means 15:17 19:20 35:18 57:1 60:12 71:25 72:2 90:14 92:2 measured 106:6 measures 54:25 mechanism 5:23 5:25 34:18 35:24 57:25 75:23 95:21 96:3 mechanisms 65:25 media 10:18 12:5 13:21 16:13 19:17 20:18 30:19 40:20,25 41:20,22 44:13 46:14 49:1,18 49:19 54:23 57:3,3,7 60:5 71:11 73:22 74:3 75:3 77:17,19 78:6 86:13 102:6,15 102:19,19,21 102:25 103:4 103:20 104:8 110:15 113:9 mediated 85:15 mediation 91:14 meet 3:3 29:1 78:3 89:18 90:12 97:19 meeting 34:8 61:21 65:11 66:22 67:3,9 67:13 68:1,2,9 75:25 78:17,20 78:21,22 89:15 89:18,21 94:11 meetings 61:9,10 61:12,20 65:15 68:23 82:24 114:11 meets 33:13 member 31:21 42:23,24 43:1 43:1,3,4,7,7,11 59:24 60:7 80:8 81:8,19 82:5 members 13:21 71:11 74:3 memory 48:7 mentioned 40:24 45:20 71:17 74:13 78:15	merely 3:3 57:25 97:14 merit 71:14 Merseyside 45:20,21,23,24 46:1,6 message 20:17 met 4:11 11:9 13:3 17:15,25 30:4 46:21 107:11 112:22 methods 101:7 Metropolitan 12:5 14:10,13 14:17,19 18:15 22:2 40:21,23 41:1 47:10,22 69:16,21 81:5 81:16 82:23 84:21 87:10 92:13 113:4 Met's 63:23 Met-wide 13:10 Michael 79:4,9 middle-ranking 23:20 mightn't 34:10 mind 40:15 48:17,21 55:4 72:9,12 107:17 mine 27:17 36:13 minimum 77:2 minority 21:6,7 21:24 107:14 Mirror 100:19 101:12 102:23 108:9 miscarriages 29:23 mislead 44:2 misleading 43:18 85:6 misplaced 82:14 82:14,15 missed 81:17,23 mistake 56:19 95:18 mistakes 17:9,17 52:19 misunderstand... 51:22 52:9 misunderstood 68:13 Mm 22:24 39:25 Mm-hm 58:2 mobile 62:6,11 90:25 MOD 25:14 29:11 moderate 65:8 module 2:18,19 4:21 moment 13:13 22:3,5 47:21 47:23,24 55:19 58:4 68:2 74:1
<hr/> L <hr/>						
lack 93:1 land 62:16 lap 37:22 110:13 large 66:16 103:18 largely 60:24 69:21 larger 8:2 lasted 20:25 late 109:7 latitude 93:6 launch 100:24 Laville 9:4,7,10 lavish 38:15 law 13:25 21:10 32:20,25 33:1 35:3,8 37:20 55:6 77:1 lawfully 11:20 33:8 laws 53:2 55:12 56:5 76:22,23 lawyers 29:7 lead 16:9 40:23 41:2 74:4 leaders 29:6 Leadership 102:4 leads 37:3 52:9 leak 56:9 leaks 98:6 learn 114:6 leave 3:8 52:7 leaving 54:15 lecture 102:9 lecturer 102:3 left 3:12,14 5:11 100:18,21	lie 17:11 liaise 47:2 Leveson's 67:2		<hr/> M <hr/>			
		magazine 19:18 main 72:25 89:23 99:10,17 maintain 30:10 35:19 maintaining 32:19				

74:21 75:15 93:19 94:8 104:18 110:18 money 69:5 105:24 106:13 monitored 75:24 monitoring 34:13 65:25 77:14 95:14 Monthly 101:4 months 60:23 61:3 69:8,22 85:20 morning 1:5 58:11 103:23 109:24 motivation 96:17 97:8 motives 31:3,5,6 mould 64:11 mouth 64:22 move 25:2 moved 10:12 100:13 106:24 moving 9:24 28:4 36:25 40:20 MP 87:25 MPA/MOPC's 6:19 MPS 5:3 11:6 13:17 16:13 17:2 19:24 20:4 32:13 40:22 41:5,7 MPS's 63:3 murder 17:4,12 murders 41:21 mustn't 31:25 mutually 20:21 mythology 109:13	43:11,12,25 51:20 52:12,14 55:9 57:10 81:10 82:14 96:9 103:21 104:23 necessary 7:21 30:8 need 11:13 15:12 16:19,21 22:10 29:20 33:20 34:22 39:18,20 40:5 44:21 49:9 55:12 56:25 57:2,3,6 57:13 63:9 83:15,15 85:3 97:2,5,10 104:4 106:3 112:1 needed 60:2 84:12 needs 45:8,8,8 49:13 55:1 56:24 71:23 73:21 77:21 91:14 negative 36:7 negotiate 26:12 negotiated 27:1 nervousness 75:17,19 never 1:22 17:9 17:10 20:13 26:15 30:22 33:12,15 40:6 48:15,16 81:14 81:14,20,21 82:17 83:2 89:19 105:19 112:9 new 22:6 45:18 65:9 103:3 113:23 news 9:21 10:3,9 10:11,13,18 15:7 25:21 26:1 28:1 42:6 42:7 59:6,7 70:18 74:14 90:21,21 99:22 100:5,9,13,16 100:23 103:11 105:3,16 107:11 108:5 111:10 newspaper 27:13 49:8 80:23 82:6,7 83:4 88:6,8 90:6 109:13 110:23 newspapers 56:18 71:16 81:21 82:20 92:5 newsroom 66:2,5	newsworthy 70:7 Nickell 17:4 night 28:19 Nine 46:8 noble 31:1 Nods 9:2 non-reportable 90:3 normal 29:4 norms 77:5 Northampton 9:23 notable 40:24 notably 27:6 note 51:1 54:12 77:25 78:20,22 88:16 89:2 109:25 notebook 35:9 83:10 89:17 notebooks 96:2 notes 78:16 note-filling 77:13 78:11 notice 3:10,23 79:21 noticed 86:3 notices 6:20,22 November 59:19 nowadays 18:8 number 1:9 25:14 33:14 68:11 80:4 94:21 111:9 112:18 113:14 numbers 62:6,6 62:10,11,12,15 62:17,18 64:15	64:16 66:4,17 74:3,12 78:1 86:10 99:5 108:13 112:24 113:8 occasion 78:4 occasionally 70:2 occasions 53:14 53:25 108:16 110:4 111:22 112:25 113:13 113:16 occur 51:22 offence 112:8 offences 32:21 offer 38:1 offered 66:1 69:18 70:20 82:23 office 13:5,6 24:8 46:6,21 47:1 58:9 74:12,20 85:7 86:19,19 87:2 91:9,17 96:24 97:4,7 officer 13:2,2,3,7 14:15 16:22 24:13,14,17,18 24:19,20,21,22 28:8,25 31:21 32:5,8,9 33:10 33:12,13,16,19 33:24 34:1,8 35:7,8 36:15 37:22 42:21,23 43:1,12 46:7,9 46:10,11,24 49:17 50:2 51:10 54:2 66:22 68:10 75:25 76:2 77:18,19 78:3 85:5 86:10,10 86:11,25 88:5 89:25 90:7 91:15 96:20 97:2 112:6,6 officers 1:10 10:24 11:17 12:11,20 13:20 14:1 15:9 16:2 16:4 17:6,6 18:12,17,19,23 19:12,17,19,20 20:9,12,17,23 23:19,21,24 24:1,3,8 25:18 28:12 29:13 30:9,11,21,25 32:20 34:23 37:10 39:16 42:10 46:17 50:19 52:16,23 53:4,13 54:5 55:21 56:6	57:2 60:19,20 61:8 62:25 63:9,12 66:4 66:10,13,16,19 66:23 67:8 68:2,9 69:14 72:15 73:11 74:2,18 75:2 75:19 77:15 78:16 84:5,22 84:22,24 85:9 85:11,23 86:5 87:2 88:13 89:15 90:24 91:11,12 92:10 92:15 94:3,15 94:22 95:5,6 95:13,20 96:11 96:20 97:11,16 97:21 98:3 102:13 103:9 103:16 104:25 106:14 107:4 109:10 110:1 110:24 111:9 111:14,17,21 112:18 officer's 36:14 official 11:9 12:19 14:7,10 14:12,18,24,25 17:1 18:6,14 18:24 29:22 30:1,12,23 31:19 47:9 49:11,15 55:15 55:20 65:16 70:11,12 74:11 74:16 officials 65:18 off-the-record 51:12,14,15,20 71:19 72:16 73:2,6 Oh 6:3 8:19 100:7 okay 98:18 106:4 old 2:5 112:14 once 113:11,12 ones 23:21 64:16 one's 89:10 one-to-one 87:12 88:10,13 113:12 ongoing 2:20 32:6 61:14 onside 109:4 open 16:22 17:11 22:17 23:25 52:17 54:17 63:3 77:18 96:16 109:5 opening 100:14 openly 32:15 openness 12:9,12 12:15,20 13:12	20:24 55:4 75:1 operate 11:20 14:3 21:12 27:12 operated 113:7 operating 69:12 operation 40:25 41:22,23 46:18 46:20,25 47:21 49:10,11 53:18 70:13 71:1,4,4 71:8 operational 91:12 operations 44:6 46:15,16 47:3 48:4,18 49:2,7 63:10 71:12 opinion 20:8 opponent 73:3 opportunities 69:13 opportunity 3:13 4:4,15 46:3 56:12 64:11,20 70:21 93:23 opposed 37:19 67:13 opposite 83:9 orchestrate 104:7 order 16:20 23:22 39:10 65:4 71:12 76:13 orderly 7:23 organ 5:5 organisation 20:13 21:7 23:17 27:22 29:19 36:7 49:18 50:24 56:8 64:8,21 71:24 72:24 92:12 95:16 107:2,8 organisational 33:18 56:3 organisations 25:21 26:1 28:1 42:17 49:4 51:2 70:22 73:11 78:6 97:3 111:19 organised 37:12 60:10 65:19 organs 11:5 originate 98:8 other's 57:13 ought 7:6,8 35:20 55:14 87:4 104:2 outcome 112:10 outlets 11:10	60:5 outside 13:3 14:21 22:22 60:22 67:9 overbureaucra... 78:12 overreact 21:23 overreacting 21:25 overreaction 22:1,6,15 24:6 oversee 102:13 overseeing 102:12 oversubtle 4:18 o'clock 114:21
N		O			P	
name 9:9 58:21 72:24 79:8,13 99:3,4 111:4 named 72:23 Napper 17:3 narrow 14:14 97:6 narrowing 93:9 narrowly 92:12 national 41:25 102:4 104:16 native 39:8,24 natural 96:22 nature 1:23 65:14,15 80:12 85:11,14 90:22 90:23 93:17 95:23 necessarily 15:25 20:16 28:17 32:20 34:2 35:13		obligation 66:8 68:6,7 oblige 105:1 obliged 3:9 observation 85:17 observe 21:17,18 107:3,6 observed 105:11 Observer 10:20 10:21 observing 93:20 obstruct 46:8 obtain 18:6 obtained 98:14 obvious 8:1 38:17 66:2 91:25 obviously 8:1 13:13,24 17:22 31:7 32:8 37:23 38:10 41:11 48:22 50:12 61:16 62:3 63:1			page 25:5,14 29:10,10,12 38:23,25 41:19 62:13 65:23 70:1 82:22 84:7,20 91:3 110:19 paid 66:17 107:25 111:14 paint 64:20 paper 100:9,22 105:11,13 108:13,19 papers 9:23 50:19 100:8 paragraph 9:19 25:5,7,8,15 29:11 38:23 39:13 41:19 62:13,20 63:20 64:10 65:23 66:9 70:1 78:5 82:21 84:7,19 86:6 87:1 91:3 98:16 paragraphs 65:7 68:21 parameter 86:21 parameters 95:7 parcel 84:6 part 1:21 6:19 15:22 28:24 29:4 34:22 35:1 37:2 49:6 49:14 62:24 66:14,20 68:22 73:8,8,10 77:5 77:10 81:17 82:25 83:1,6 84:6,12 98:7 102:8 104:8 106:18 108:21 participant 25:24 43:20 participants 4:20 5:3 19:21 60:1 particular 17:4	

27:13,21 30:3 34:7,8 36:14 47:17 54:12 61:23 62:1 63:2,18 70:4,9 72:19,24 74:8 78:4 83:23 86:24 87:3,6 88:4 97:1 102:15 107:2 particularly 1:11 72:13 73:1 113:3 114:6 parties 56:16 parts 1:8 90:1,2 party 33:2 pass 45:17 passed 52:12 111:1 passing 5:24 112:8 Paul 5:10 58:17 58:19,22 85:25 pay 45:7 67:10 paying 66:16 Peachey 58:5,17 58:19,22 71:19 pendulum 12:7,8 12:9,16 people 4:25 5:9 12:18 20:10 21:7,8,9,22,24 23:5,7 26:11 26:17 27:4 29:23 30:2 37:10 38:8 39:20,21 48:11 50:14,18 53:9 55:5 56:21,23 62:2 67:13 68:11 72:13 89:7 91:23 96:4 101:10 108:16 110:4 112:5,13 people's 11:4 16:6 perceive 12:15 22:15 24:6 27:3 28:11 37:5 perceived 13:12 14:18 27:3,11 perception 7:17 12:25 13:8 26:4,9 27:20 68:6 perfectly 45:10 66:14 67:10 performance 105:21 106:9 period 10:7 69:10,20 111:21 permission 75:2 77:16 89:7	permitting 3:3 pernicious 111:8 person 51:23 72:10 85:13 personal 23:6 55:6 56:2 110:3 personally 50:10 51:23 perspective 18:22 39:17,17 71:13 persuade 97:13 pertained 113:3 pertinent 76:24 pharmaceutical 29:7 Phillips 6:12,16 7:18,25 8:3,12 8:20,24 phone 19:17 24:19 46:6 62:14 90:25 phoned 91:12 phoning 90:6 photograph 48:9 photographed 50:14,15 photographers 51:2 photographs 50:13 51:9 phrase 42:13,15 44:22 51:24 76:18 91:7 107:17 phrases 93:2 pick 45:21 46:2 79:25 88:8 90:25 picture 11:13 16:24 17:12 47:14 48:22 65:5 68:21 69:11 76:7 pictures 70:24 piece 46:16 65:17 82:9 98:13 108:3 110:19 place 15:4 25:23 34:16 49:12,19 53:2 54:25 65:16 78:1 80:15 95:22 played 107:22 please 9:5,9 58:17,21 61:1 79:3,8 84:19 87:1 98:24 99:3 108:10 110:18 pleased 101:14 plenty 67:7 Plymouth 9:24 pm 114:22	pocket 77:21 point 4:12,18 5:7 5:8,16 8:14 34:17 68:14,16 77:25 81:1 87:8 91:14 94:19 96:5 98:12 106:21 109:22 pointer 15:12,12 points 4:12 6:13 6:24 polarity 12:17 police 1:10 10:24 11:10,17 12:6 12:15 13:2 14:1,10,13,17 14:19 15:9 16:2,3 18:12 18:15,19,22,23 19:18 20:9,22 21:10 22:2,14 28:8 29:12,19 29:25 30:9,11 30:24 31:21,21 32:25 34:8,23 36:13 37:9 38:13 39:5,10 39:16 40:4,12 40:21,24 41:1 41:6,12,20 42:10,13,15,21 42:21,23,24 43:1,2,4,7,8,10 43:10,11,12,16 43:16 44:6,9 44:18 45:1,7 46:7,14 47:10 47:16,22 49:17 50:16,19,25 51:2,5,7,10 52:16,23 53:4 53:22 54:2,22 55:21 57:2 60:8,9,19 61:7 61:8 62:24 63:12,15 64:19 64:25 65:3 66:3,10,16 69:17,21 71:3 71:4,5,11 73:23 74:5,11 75:2,6,19,25 76:2,8,11,12 76:15,19 78:6 78:13 81:5,16 82:23 83:5,16 84:5,21 85:23 87:10,21 88:1 89:15,25 91:19 92:7,10,11,13 92:19 94:2,15 94:22 95:13,16 95:19 96:19,20 97:3,16,21 101:5,7 102:3	104:24 106:14 107:4 109:7,9 109:22 110:1 110:24 111:2,9 111:17,20 112:5,6,18 113:4,6,9 policeman 51:6 police-orientat... 45:3 policies 41:9,18 policing 30:14 42:19,20,22 43:15,17,19,23 61:17 65:1 104:16 107:24 113:3,21 policy 13:10,11 38:3 44:1 82:25 113:5 political 73:2 politics 113:21 popular 5:11 portray 18:12 portrayed 23:3 posed 19:2 position 5:3 8:5 10:16 12:17,20 12:25 21:16 34:13 69:15 88:14 114:2 positive 17:21 possibility 2:9 57:23 possible 44:21 62:21 64:21 65:5 85:16 86:11 89:8 95:11 possibly 13:6 70:22 71:8 108:22 post 47:11 106:22 potential 7:18 potentially 14:17 32:3 37:24 42:18 48:13 66:21 67:21 78:18 power 23:23 29:22 powerful 11:5 29:19 41:22 42:9 powers 11:7 practice 16:16 21:21 90:24 92:1 98:7 precise 69:5 preclude 81:10 predominantly 12:16 prefaced 5:12 preference 84:24 prejudice 8:1	preliminary 71:21 preparatory 107:5 prepared 7:22 98:13 99:25 present 13:2 45:22 49:2,20 61:4 113:15 presently 1:18 preserve 40:16 President 101:25 press 2:9 5:4,6 12:22 13:2,5,5 18:25 20:10,12 22:21,23 23:3 24:8,13,18,19 26:25 27:21 41:25 42:1 46:6,11,21,24 47:1 57:5,9 59:22 60:5,19 60:21 63:3,15 64:1,13,25 65:19 70:17,24 74:11,12,20 75:6,14 76:8 76:20 77:8 81:12 82:24 84:21,25 85:3 85:7,11,12 86:19,19 87:1 90:7 91:9,17 96:24 97:2,4,7 103:17 pressure 12:10 17:23 31:22 42:7 presumably 19:12 81:7 84:23 89:23 108:24 pretty 47:25 83:16 preventing 52:19 73:16 previous 2:8 86:20 93:21 previously 59:11 74:13 78:15 87:23 105:14 principles 2:16 print 40:7 53:23 53:25 printed 72:8 prior 70:2,10 97:11 priority 44:10 prism 40:3 privacy 48:11,12 48:19,20 private 107:25 pro 36:12 probably 3:11,24 6:3 19:4,9 30:5 32:16 46:20	47:1 49:5 70:17 103:23 104:21 106:15 107:23,24 109:7 113:14 114:18 probe 15:1 probing 16:19,19 problem 36:1 47:18 57:24 78:19 80:16 92:17 96:11 problems 14:9 58:1 procedure 1:3 2:2 3:6 113:5 procedures 1:8 95:14 proceeded 106:25 proceedings 48:12 process 31:8 37:3,10 40:8 90:11 producer 59:8,9 profession 29:5 72:14 107:13 professional 108:15 profits 111:19 programme 101:3 programmes 102:25 104:15 prohibition 12:18 promise 36:8 promising 36:15 proper 66:14 114:16 properly 108:23 proportion 89:3 89:13 proposals 57:15 78:12 prostitutes 41:21 protect 20:5 21:16 93:16 protection 16:8 48:13 protection 89:5 proven 111:16 provide 34:4 38:1 44:21 46:3,9 64:8 65:21 68:22 74:7 84:5 103:16 provided 6:21 9:11 17:25 33:8 58:23 62:9 78:6 79:19 86:20 91:23 99:6,8 99:16	providing 31:4 62:3 68:3 72:15 73:16 107:4 provision 28:2 pub 26:23 28:15 28:21 public 3:5,16 11:21 15:4,5,6 20:23 25:6,17 25:20 44:19 49:2 51:9 54:1 62:7 71:10 74:6 84:11 87:5 91:4,9 95:17 98:15,17 104:14 106:19 publication 89:21 publicised 14:13 publicity 1:25 44:16 46:3 publish 5:4 31:23 32:10 36:14 85:5 published 3:21 55:17 82:11 92:4 110:16 punch 110:21 purely 60:10 65:21 72:6 purpose 61:19 78:18,21 100:17 114:17 pursue 31:23 put 1:22 3:1,15 4:12 7:22 31:22 34:16 39:8 40:7 54:25 64:8,15 64:22 85:10,16 92:20 95:9 104:10 106:3 puts 32:12,13 36:6 putting 74:13 92:13	
						Q	
						question 3:18 4:1 5:24 14:4 19:2 20:2 32:2 36:25 38:18 40:18 43:21 44:6 45:6,17 49:16 51:5 67:2 71:21 76:23 79:11 86:15 94:19 questionable 107:19 questioning 33:16 questions 3:10 9:8 16:17,23 25:22 35:14	

39:12 54:21 57:19,20 58:20 79:1,5 98:19 99:2 quick 54:15 95:15 quickly 17:24 18:1,10 20:14 83:16 Quick's 98:16 quid 36:12 quite 2:15,21 3:25 7:4 14:14 17:1 24:14,17 29:14 32:18 33:9 43:23,25 44:2 57:1,18 76:3 81:25 85:12 86:12 93:5 105:12,14 105:17 106:10 108:14,15 quo 36:12 quote 51:19,20 88:25 92:20	111:12 realistic 103:7 reality 67:12 really 19:5 22:8 27:12 48:2 53:16 54:8,9 56:4 65:8 70:25 83:19 96:7 98:9 101:1 103:14 103:17 104:12 105:21,22 112:9 113:5 reason 2:17 8:22 8:22 11:16 31:5 60:7 63:12 65:11 80:19 93:5 96:20 100:12 reasonable 29:3 37:9,21,23 38:3,5,10,21 67:10 reasons 11:11 15:21 31:1 44:25 45:3 70:18 75:17 91:11 96:13 109:6 rebuttal 2:10 5:4 recall 70:4,9 90:16 100:23 113:10 114:7 receive 1:24 2:12 received 3:23 receiving 111:17 recoiled 106:5 recollection 70:13 83:2 113:17 recommendati... 55:16 75:4 recommendati... 74:25 94:4 record 51:18 52:2,11,23 53:13 71:21,25 71:25 72:2,18 73:1 80:15,16 88:17,19,19,21 88:23 89:1,4,7 89:8,12 90:1,2 90:14,15,18 91:24 95:24 96:1,21 112:21 recorded 35:11 35:13 94:3,10 94:11,15 96:2 96:2 recorder 83:10 88:15 89:18 records 112:18 recovering 70:15 redress 2:9 reduce 55:9 reduction 104:21	refer 12:24 14:16 62:14 88:20 107:8 reference 25:12 29:11 109:23 111:6 referring 39:14 65:15 98:16 107:14 reflecting 23:10 refused 24:20 regard 7:5 regarded 70:7 regional 41:3 101:4 regular 66:22,23 68:3 regularly 66:3 68:1,9,11 regulate 21:21 53:8 regulated 52:24 regulations 53:12 Reid 14:20 15:3 reinforces 2:22 reiterate 21:22 55:6 reiterated 53:3 reiterating 35:2 relate 113:8 related 79:15 relation 2:16 17:3 22:20 75:19 relations 12:4 40:20 86:4 relationship 20:22,23 36:5 36:17 63:14,15 73:9 86:15,23 110:12 relationships 24:7 26:6 28:24 29:4 54:22 55:2 61:21 67:13 73:21,22 78:8 78:10 relationship-b... 13:20 relatively 63:22 release 42:3,4 released 58:9,10 releases 64:14 relevance 5:24 relevant 102:8 reliant 95:17 reluctant 92:11 rely 11:16 15:8 15:23 16:18 97:6 relying 14:9 remain 7:14 40:16 54:23 55:2 73:23,23	78:7,13 101:24 remained 107:17 108:18 remaining 78:8 remark 114:10 remember 39:3 54:11 61:1 106:1 112:7,24 113:10 114:9 remove 34:14 removed 51:4 106:22,23 renewed 78:9 repeat 20:2 36:11 54:20 repeatedly 37:21 37:23 repeating 53:1 replaced 106:22 112:15 report 22:21 76:12 94:4 95:4 102:23,24 reported 75:16 reporter 10:8 35:20 59:12 60:4,12,14 70:7 80:1,3,21 96:21,24 97:18 97:19 98:2 reporters 15:14 15:16,17,20 16:1 29:8 56:17 59:24 60:2,11 63:13 63:24 80:8,22 80:23 81:8 82:12 92:5 101:21,24 107:21,23 113:15 reporter's 69:9 reporting 10:7 52:19 64:5 73:17 75:15 106:24 reports 41:15 represent 1:6 representative 103:8 represented 104:11 reputation 3:5 20:6 109:8 request 3:21 36:14 101:12 require 44:16 62:4 required 34:15 requires 76:16 research 101:3 researcher/assi... 59:8 residue 3:14 resolved 8:8 respect 2:11,13	5:8 56:8 respond 4:4 18:9 responding 16:13 22:15 response 2:12 3:3 6:20 19:1,3 19:6 responsibility 55:6 72:20 responsible 23:4 responsibly 96:15 rest 101:19 restaurant 28:15 28:22 restaurants 37:18 38:16 restrict 76:13 91:10 95:19 restricted 112:9 restricting 84:22 restriction 95:21 restrictions 74:2 74:9 75:8,11 result 3:6 5:14 81:24 85:21 resulted 18:17 retrogressive 34:16 return 6:8 review 19:18 102:25 reviewed 103:6 revisit 8:23 ride-alongs 44:7 riding 48:3 right 3:19,22 5:21 9:3,13 10:4,17,21,22 11:15 16:23 17:13 22:7 25:11,11 36:3 50:21 59:13,23 60:22 62:13 76:9,10 77:12 79:18,23 82:13 83:22 84:3 85:1 88:16 90:22 100:14 101:17,18,20 102:1 105:5 106:4 108:7,8 108:25 114:16 rightly 113:10 right-hand 25:15 riots 17:20 18:11 18:22 39:20 47:11 ripples 114:4 rise 34:9 58:7 risk 40:2 54:20 67:15 68:6 93:10 Robert 17:3 24:5 100:24 robustly 47:17	role 29:13 30:8 57:7 61:4 66:20 69:9 70:3 102:10 room 26:21 54:17 route 56:17 row 89:10 rule 67:20 rules 21:17,18 53:11 77:10 89:23 run 17:6 32:2,11 36:22 runners 113:25 running 46:25 108:21	secret 57:9 secret 28:7 70:10 secretive 16:9 secrets 52:11 53:8 section 3:23 6:20 79:20 sector 104:14 see 12:3 19:19 26:24 27:12,24 29:1,4 30:7 34:7 39:16 51:18 54:22 61:22 65:7,23 71:7,14 78:18 88:3,11 89:22 92:10 97:8,18 104:21 106:12 109:12 seek 63:25 77:2 87:12 90:20 seeking 3:8 20:5 39:4 61:20 83:5 85:15 seen 4:7 17:10 25:20 50:13 73:2 81:22 selection 64:17 self-evidently 80:14 send 51:2 senior 1:9 4:11 10:8,13 16:7 17:6 23:23 24:14,16 25:18 33:23 54:4 76:2 78:15 84:22 86:25 87:2 97:21 seniority 30:4 sense 28:7,7 29:3 37:9,24 91:16 104:22 111:10 113:22 sensed 31:20 sensible 75:21 sensitive 56:23 sent 70:8 sentence 62:20 65:23 112:7 sentencing 17:3 serial 14:20 series 70:15 serious 2:25 5:10 22:9,10,13,13 46:22,23 53:5 54:3 seriously 66:8 served 6:19 Service 12:6 14:11 40:21 69:17 servicing 111:2,17 112:5,6 set 11:3 31:1 65:17 84:20
R					S	
Rachel 17:4 radio 59:9 60:6 raid 49:18 70:2 raids 70:5,15 raise 1:5 5:18 76:2 raised 4:20 6:22 6:24 8:8 81:16 81:20 82:1 raises 25:22 35:14,25 range 61:13,13 61:18,24 64:24 68:12 ranging 75:2,5 rank 12:21 13:21 24:14 28:13 30:6 35:19 44:14 84:16 ranks 30:2 102:13 rape 37:13 rapid 8:13 rapidly 8:7 rapist 14:20 rapport 50:3 reacting 23:17 23:18 47:17 reaction 12:12 22:14 75:3 102:22 read 41:8,14 50:12 64:2 88:9 97:24 reader 93:15 readiness 109:17 reading 66:9 real 2:1 102:21 realised 106:15						

95:4 102:20 setting 9:18 89:16 settle 2:5 seven 10:12 26:7 88:7 97:20 shadow 46:17 shadowing 49:21 71:11 share 77:18 102:7 sharing 53:17 111:19 short 58:15 101:9 shorter 6:7 shortly 105:3 shoulder 13:7 show 30:23 47:11,17 showed 18:19 42:10 showing 47:10 side 3:16 18:22 21:10,10,18 40:6 50:22,22 62:21 106:10 sides 57:13,17 sift 73:4 sight 4:10 signed 1:18 9:12 58:24 99:11,24 significant 1:24 45:6 64:16 81:17 86:12 significantly 81:23 similar 75:19 Similarly 64:10 simple 96:20 simply 97:12 106:23 single 41:12 68:10 89:6 sinister 64:2 sir 1:5,7 2:1,10 2:22 3:3,8,22 4:9,19 5:10,14 5:22,24 6:11 6:12 7:1,25 8:12,17 9:4 58:4,7,17 79:3 111:6 sit 7:4 sites 19:17 sitting 83:9 88:5 88:7 102:11 situation 17:22 50:1 66:24 73:25 74:1 78:7 situations 72:5 109:18 six 10:3 113:14 slight 94:1 slightly 4:18 45:5	64:2 slow 18:7 small 66:1 111:8 smaller 26:11,13 social 19:16 84:2 socialising 37:8 110:17 solve 17:18 solved 17:14 somebody 15:23 24:12 33:4 34:7 43:17 48:23 51:1 67:16,25 68:1 76:17 87:19 92:7 114:10 someone's 31:9 92:21 something's 72:17 soon 56:19 58:9 sorry 18:24 24:22 25:6,13 27:23 36:11 42:25 43:6 62:18 75:10 79:11 87:8 106:2 111:13 sort 19:1 30:2 31:8 32:14 36:12,17 37:18 50:1 52:20 57:24 60:22 61:7,11 65:3 65:17,20 73:3 84:12 87:5 103:14 104:17 106:3,5,17 107:16 108:1 109:24 112:12 112:25 sorts 7:12 source 26:14 39:23 42:13,15 43:8,14,16,16 44:1 49:11 50:25,25,25 51:6 55:8,15 55:15 71:5 72:23 91:19 92:11,14,19 93:6,7,10,10 sources 30:1 49:15 55:20 81:11 93:16,17 108:25 109:3 spaces 8:7 sparks 87:21 speak 7:20 12:21 19:12 20:17 24:1,12 32:5 39:21 43:13 46:7 74:18,20 75:3 77:16 84:24 85:5 90:24 91:13,15	91:17 99:8 speaking 28:8 31:1 33:10 35:20 52:23 53:13 54:4 63:22 72:10 77:20 82:20 85:14 speaks 3:19 96:24 specialised 80:24 80:25 specialist 39:7,15 46:21,22 80:21 84:17 100:15 101:13 specific 6:24 83:15,18 88:25 93:9 98:9 speed 18:5 20:4 spell 101:9 spend 39:15 spending 105:25 spent 101:18 spheres 73:2 splashed 106:13 spoke 19:17 spoken 85:25 86:4 spotted 58:1 staff 31:21 42:24 43:2,4,8,11 61:8 stage 6:5 45:12 88:24 stand 13:7,13 48:10 57:5 standard 9:13 10:1 27:9 49:5 58:25 62:9 71:17 77:2,3 79:21 99:12 108:18 standards 66:7 66:11 start 39:16 100:5 started 9:23 100:7 101:16 starts 38:23 state 11:6 statement 1:17 4:7,10,13 6:16 6:23 7:19 8:14 9:11,13,19 11:1 12:6 13:16 14:16 16:7,25 17:19 32:18 38:23 41:19 45:19 52:10 56:15 58:23,24 62:5 62:14 63:20 65:7 78:5 79:20,22 82:21 84:7,20 86:7 91:3 94:9	98:16 99:10,11 99:16 101:22 103:12 107:9 110:20 statements 1:11 6:21 99:5 station 51:3,7 stations 50:16 step 8:1,3,4 Stephenson 5:10 steps 77:15 107:5 Stevens 13:10,16 stillborn 101:1 stint 59:10,14 stolen 70:14,15 stop 12:11 24:7,8 55:3 stopped 24:13 stopping 12:18 store 96:4 stories 10:3 17:24 22:21 27:21 30:20,22 30:23 42:7 62:1 63:2,18 64:12,20 71:18 80:4,12 81:3 82:18 83:4,13 83:23 84:12 87:7 91:19 98:10 111:1 story 3:17 19:15 21:19 31:22 32:3,11 36:6 36:23 71:9 73:14 74:7 81:15,18 82:8 83:14 84:1,14 85:4 86:1 87:13,18 97:6 story's 90:7 strategies 103:22 street 47:13 strengths 113:25 strict 60:15,16 strong 29:14 37:6 strongest 3:12 strongly 93:24 struck 26:16,16 structure 103:6 struggling 105:22 stultify 34:14 subject 8:13 24:15 81:4 subjects 61:18 submission 2:22 4:13 7:25 submit 2:1,10 substantive 29:11 success 41:23 successor 7:6 suddenly 53:6 sufficient 63:6	sufficiently 70:7 Suffolk 41:20 45:14 suggest 76:14 78:2 suggested 83:24 86:2 94:14 105:8 suggesting 34:5 55:14,18 67:24 82:19 92:25 106:2,20 suggestion 57:22 57:24 77:13 106:12 suggestions 78:13 sum 69:5 summarising 56:7 summer 17:20 85:21 suns 66:16 Sunday 80:2,24 81:2,3,7,21 82:7,18,20,25 86:17 88:6 90:6 98:14 101:10,10 105:11 Sundays 82:15 82:15 superintendent 30:6 supervised 38:4 supervision 35:6 supplemental 110:20 supplementary 99:16 103:12 supplies 70:24 supply 68:7 supplying 110:25 suppose 15:2 16:23 43:19 48:10 102:10 105:15 106:10 suppress 36:6 suppressing 11:24 sure 2:15,20 3:22 4:9 7:3,13 26:12 33:25 34:22 35:6 40:16 47:13 48:18 53:3 64:12 82:1 90:10 surprise 6:17 surprised 41:8 suspect 45:2 104:19 112:11 suspects 44:17 suspended 104:17	suspicion 111:15 suspicious 31:13 32:16 swing 12:7,9 swinging 12:8 swings 12:16 sworn 79:4 99:1 syllabus 104:9 symptom 19:25 syndicate 102:13 system 75:21 systems 21:12 <hr/> T <hr/> tackle 23:22 tactics 103:22 take 3:10 4:1,18 5:16 6:25 7:10 12:2 14:24 32:1 38:24 39:22 40:23 49:19 56:12 63:18 65:15 66:7 77:7 78:16 80:15 89:2 taken 7:11 13:14 38:15 48:23 50:15 60:24 86:24 95:22 106:12 takes 28:25 51:9 78:1 talk 13:1,4 15:1 17:8 20:10 22:22 24:15,18 28:13 30:25 46:10,11 55:21 68:9 74:20 86:25 87:19 97:4 103:19,19 106:25 talked 54:3 talking 12:11,18 14:15 17:7 21:6,23,24 24:9 30:2,13 33:23,24 35:7 35:12 39:16 40:10 50:23 51:24 55:22 68:2,10,10 69:7,10 76:21 81:15 94:19,20 94:22,23,23 103:15 113:7 113:24 talks 20:24,24 tape 83:10 88:15 89:18,19 targeting 73:3 task 112:2 tea 65:10,12 67:4 teach 21:22 56:25 teaches 56:22,22	56:23 team 10:9 17:13 58:11 Telegraph 10:2 27:9 telephone 33:14 50:3 62:6,6,11 television 59:8 60:5 101:2,2,3 tell 15:24 34:1 52:1 82:21 101:18 105:7 telling 31:9,9,15 33:5 39:19 87:7 ten 46:9 tend 14:12,13 16:15 40:23 41:1 56:9,9,20 92:9,14 tendency 107:18 tends 12:9 18:7 tension 54:14,16 tenure 12:24 term 71:23 72:12 88:21 91:19,21 91:22 93:6 terms 28:2 40:11 48:18 69:17 73:20 76:22 80:12 81:21 89:11 90:5,12 92:1 112:25 test 77:17 97:14 tested 3:4 6:2 testimony 100:1 text 70:24 texture 14:14 30:15 48:1 49:13 85:10 textured 85:8 thank 6:11 7:3 7:21 9:3,6 46:13 57:21 58:3,3,12,12 58:18 78:23 79:1,2,7,10,17 84:19 87:1 98:19,21,23 99:9 105:2 112:17 114:20 theme 11:4,16 themes 11:3 12:2 80:4 they'd 26:17 28:17 thing 4:7 22:25 23:1,5,9 25:19 32:9 37:6 42:9 52:20 53:24 60:22 61:11 65:21 67:10 82:7 87:5 96:23 106:16 106:17 109:24 112:11
--	---	---	---	--	--	--

things 13:9 15:10 18:8 39:16 40:3 44:12 57:9,10 61:24 64:19 73:13 76:12 93:14 105:19 106:25 109:20 113:1 114:2,5 think 3:19 6:3,5 15:25,25 17:16 20:2,7,12 21:6 21:25 22:1,8 22:10,23 23:4 23:5,9,16 25:6 25:16,17 26:3 26:23 27:8,16 27:18 28:24 31:7,14,25 32:15,23,25 33:9,22,22 34:21 36:2 37:6,6,20 38:6 38:19 39:15,19 40:3,5,18 41:7 43:17 44:18 45:7,9 47:6 48:2,23,24 49:4,8,9,25 50:21,23 51:1 51:10,18 52:3 52:15 53:1,1,2 53:4,8,10 54:13 55:3,7 55:12 56:8,24 57:2,6,17 60:15,18 62:11 62:18 63:23 64:6 65:14 67:10,14,19,20 67:22 68:5,17 68:20 69:7 72:12 76:3 77:23 78:25 81:9 82:5 85:2 85:10,18,18 87:17 91:6 94:3 95:3,4,6,8 95:18,20 96:2 96:8,18 97:9 98:2 100:7,10 100:19 101:10 101:17 102:18 104:2,7 106:16 107:15,21,22 108:18,20 109:5,6,9,14 109:16,17,24 110:10,22 111:6,7,11,16 112:4,6,12 113:11,13,18 113:19,22 114:9 thinking 40:4 60:15	thinks 3:11,11 34:22 third 65:23 thoroughly 72:22 thought 31:8 40:5 79:17 89:4 104:5,13 106:7 107:1,16 108:11 thousands 64:12 three 6:20 34:8 75:25 106:8 throwing 37:22 Thursday 8:17 Tickner 1:11,19 1:23 3:1,20 4:24 6:13 Tickner's 3:16 8:14 tick-box 34:15 tight 44:2 74:2 tightly 48:8 time 4:11 6:8 8:19 10:11,11 13:1 18:13,18 19:12,13 20:25 26:5 27:4 28:25 29:23 36:18 39:16 40:19 45:13 46:6 47:5 48:5 54:15 57:11 66:24 69:20 83:17 91:13 97:1 99:21 100:14 106:15 107:2,10,16 111:21 112:20 113:4 114:12 times 14:22 26:9 34:8 46:8 72:12 76:7 67:7 76:1 80:2 80:24 81:2,3,7 82:18,25 86:17 94:21 97:20 98:14 101:10 110:13 timetable 8:6,13 time-limited 3:13 timing 4:13 tipped 49:22 tipping 49:16,16 108:18,20 tips 90:25 tip-off 70:11,12 tip-offs 110:25 titles 27:6 70:20 tittle-tattle 53:16 54:7 113:22 today 1:6 6:7,9 9:4 10:20 19:4 56:13,14 80:22 told 31:17 36:20 40:19 49:21	50:19 73:13 91:6 tomorrow 1:15 1:23 5:5,14 19:5 tool 73:16 top 23:17,19 topic 44:9 45:18 46:14 totally 36:19 touch 63:2 86:6 101:22 touched 29:16 touching 103:14 touchstone 7:14 tough 47:11,12 47:12 toxicity 114:11 trade 21:8 29:6 traditional 56:17 traditions 107:13 traduce 4:3 traded 2:8 trafficking 87:15 87:18 trail 95:9 train 21:22 trained 97:22 training 35:1 55:5 56:16,24 57:3,3,7,7,17 95:6 102:14,25 103:9,25 104:1 104:2,4,8,15 104:20,24 tranche 103:3 transfer 101:12 transgress 110:5 transmogrified 102:10 transparency 20:25 75:1 trend 76:14 trial 14:20 15:3,5 32:11 tribunal 2:13,24 Trident 30:16,17 30:20,21 tried 108:23 trivial 5:8 trust 34:23 49:15 53:4,6,10 73:9 73:10 75:7 86:14,15,22 97:16,17 trusted 45:15 53:5 trusting 20:18,20 97:11 truth 9:13 15:2 31:17 58:25 79:22 99:11 107:22 try 18:24 31:12 39:10 44:2	46:7 51:21 73:10 109:19 trying 19:6 24:8 24:12 31:22 38:20 62:1 97:13,14 104:22 turns 51:9 two 16:25 38:8 44:25 59:8,9 69:4 93:21 97:19,20,24 99:5,17 101:11 112:3 Twomey 112:24 type 34:15 83:4 84:14 108:12 types 84:1 typically 84:14 <hr/> U <hr/> umbrella 42:18 unattributably 72:8 unattributed 91:24 unauthorised 49:23 92:4 98:5,10 unchallenged 6:2 unconditional 34:21 unconsciously 40:11 undergoing 103:9 underground 55:10,11 underlying 69:6 undermine 7:9 undermining 23:13 understand 1:16 1:22 4:17 5:7 19:3,5 20:11 21:9,11,20 34:17 44:18,24 57:4,13 64:22 68:14,16 74:23 81:1,2,5,9 82:4 82:19 87:8 94:25 95:7 96:17 97:14,17 110:7 understandable 75:17 understandably 76:6 understanding 7:24 20:21 95:10 understands 33:11 34:19 understood 8:25 45:15	undoubtedly 114:14 unethical 37:3 107:19 unfair 5:15 85:17,18 unfairness 2:1 4:16 unfolding 42:2 unfortunately 21:11 100:25 Ungoed-Thomas 79:3,4,6,9 80:1 90:22 93:20 95:3 98:12,22 105:10 unhappy 1:17 unhealthy 25:22 26:2 27:15,16 27:18,19,23 unhelpful 93:3,4 unhesitatingly 110:2 union 29:6 unit 30:17 units 101:7 unlimited 8:9 unnecessarily 54:24 95:18 unnecessary 57:8 76:3 unproven 2:2 unreportable 52:5 unsolved 17:12 unsupported 2:3 untoward 108:6 unwieldy 60:10 unwise 106:16 upheld 107:12 uphold 66:6 upholding 66:11 upper 110:21 upsetting 42:9 use 2:4 5:11 18:15 33:6 42:13,14 51:19 51:21 52:4 55:12,13 72:3 72:7 73:5,13 76:18 86:22 88:25 89:17 90:8,10 91:19 91:21 92:9,14 93:6 useful 60:8 73:15 89:12 usually 83:14 89:16 utter 89:6 utterly 7:9 <hr/> V <hr/> vacancy 101:13 valid 19:9 value 11:10,11	96:9 variations 41:3 varies 86:10 variety 11:11 107:20 various 101:7 vehicle 2:5 venue 67:1 version 99:24 101:4 vested 74:13 victim 33:13 view 7:10 26:1 37:2 41:24 44:10,14 46:3 51:12 53:15 73:20 84:20 85:16 95:25 102:15 103:16 109:22 114:15 views 7:15 54:25 71:24 98:8 vigilant 78:7,13 vine 112:12 vital 29:13 88:6 voice 61:1 voluntary 104:10 volunteer 6:23 volunteered 4:24 <hr/> W <hr/> wait 36:21 walk 20:11 want 4:3 6:5 8:5 13:4 19:3 25:4 28:8,17 29:17 30:14 34:3 38:24 40:15 44:1 45:1,10 46:4,10,17,17 47:11,16 52:1 52:4,5 54:21 60:7 64:21 83:18 85:4 87:22 88:9,10 90:16 91:15 93:16,21,22 111:25 wanted 7:1 45:21 46:1 64:18 79:12 wanting 18:11 wants 14:13 35:7 35:8 45:18 warned 5:18 warning 70:2,10 wary 95:5 wasn't 16:5 18:14 26:25 27:2 30:19 43:17 105:15 106:23 107:23 108:16 111:11 way 10:24 21:12 22:14,20 23:18	24:1,23 25:19 26:2 31:13 34:6,12 37:15 40:1,8 41:20 42:11,12 43:3 46:12 49:22,23 49:23 52:25 55:3 56:7 66:24 73:3,19 75:13,14,16 76:14 77:18 81:6 87:20 91:7 101:21 106:6 108:19 110:8 113:6,7 ways 22:25 107:20 109:19 weaknesses 113:25 web 18:9 19:16 website 3:21 Wednesday 1:1 week 13:7 34:9,9 50:5 76:1 82:10 98:14 104:8 111:7 Weekend 101:2 weeks 21:4 50:3 82:2 97:19,20 97:24 103:15 106:8,21 week's 54:13 welcome 75:5 well-known 110:22 111:20 went 24:22 70:25 100:19 101:1 101:10 106:6 weren't 82:5 108:16 we'll 6:8 8:23 11:11 94:8 104:21 we're 14:5 19:4,5 21:23,24,25 45:11 50:4 51:6 63:14 64:6 67:9 68:1 69:12 74:8 76:7,21 81:15 82:9 97:16 100:18 102:8 106:18 110:17 we've 6:21 20:21 21:3 29:23 67:8 73:2,15 80:22 81:23 92:8 96:1 98:5 112:17 wholly 98:15 wide 9:20 widely 71:2 wider 75:2,5 76:7 wide-ranging 77:16
--	--	---	---	--	---	--

<p>willing 17:17 55:21</p> <p>willingness 2:11</p> <p>wined 38:16 66:3 66:10</p> <p>wish 30:9 56:12 63:17 87:10</p> <p>withered 112:12</p> <p>witness 1:11,15 3:15 4:13,25 5:23 8:16 9:4 9:11 11:1 12:6 16:24 52:10 56:15 58:17,23 62:13 79:3,19</p> <p>witnessed 36:10 48:4 71:4,13 108:2</p> <p>witnesses 1:20 2:8 3:2,6 4:11 4:14 45:2 73:15 92:18 93:21</p> <p>wonderful 89:4</p> <p>wondering 38:19</p> <p>Worcester 59:6</p> <p>word 27:17 89:6</p> <p>words 14:8 21:15 29:14 40:22 44:12 64:22 75:23 85:22 94:20 105:7 108:10 109:4</p> <p>work 2:17 10:6 18:7 22:5 23:14 28:14 30:11,20 37:19 53:11 67:9,9 71:23 80:13 83:5 87:20 95:11 101:1,6 106:24 108:17 109:6,8</p> <p>worked 10:1,11 10:13 27:8 28:25 59:6,7 59:11,14 70:23 80:2 100:15 107:11</p> <p>working 10:8 61:16 69:20 83:6 84:15 105:11,13</p> <p>works 21:1 65:22</p> <p>world 92:25 99:22 100:5,13 103:11 105:4 105:11,23 107:11,24 108:5 112:16</p> <p>worlds 57:13</p> <p>worrying 76:14</p> <p>worth 88:5 97:25</p> <p>wouldn't 28:8 32:17 36:1 38:15,16,17,18</p>	<p>43:12,16 51:20 53:11 54:18 57:23 70:18 83:21 86:22 89:1 92:2,23</p> <p>write 10:19 17:24 23:9 30:22 32:7 34:1,3 35:9,24 46:16 62:1 71:12 73:14 80:3</p> <p>writing 10:8 23:7 64:7 65:3 72:1 84:13 87:18 110:8</p> <p>written 2:12 3:3 30:19 63:19 89:6</p> <p>wrong 11:19 17:13 23:20 27:3 29:1 50:22 51:11 85:2</p> <p>wrongdoing 106:19</p> <p>wrote 30:19 98:13</p> <hr/> <p style="text-align: center;">X</p> <hr/> <p>X 51:7</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>Y 51:7</p> <p>Yard 18:25 54:15 65:10,16 69:10</p> <p>year 9:12 58:24</p> <p>years 9:20 10:1,3 10:12 17:18 20:21 22:18 24:15 26:6,7 26:18 74:24 79:12 86:23 101:11 102:3 102:11 106:25 108:20 109:9 109:10 110:1</p> <p>yesterday 6:18 8:14 58:7</p> <p>younger 52:8</p> <hr/> <p style="text-align: center;">0</p> <hr/> <p>00693 84:20 00695 84:7 00697 82:22 00702 91:3 00764 62:13 63:20 00766 65:23 70:1 00768 78:5 09431 29:10 09437 41:19 09440 38:23 09441 38:24 09442 25:5,12</p>	<hr/> <p style="text-align: center;">1</p> <hr/> <p>1 4:21 112:23 1.01 114:22 10 68:21 10.06 1:2 11 68:22 84:7 11.28 58:14 11.39 58:16 13 38:23 86:6 102:3 14 1:1 98:16 15 25:14 87:1 17 41:19 82:21 1969 100:7 1974 100:11 1981 100:6,12 103:11 105:4 1985 100:18 108:5 1992 101:16 108:9 1993 101:23 1994 59:4 1998 80:2 1999 59:22 112:21</p> <hr/> <p style="text-align: center;">2</p> <hr/> <p>2 114:21 2000 59:22 2003 112:23 2004 112:23 2006 112:4 114:6 114:12 2007 112:4 114:12 2008 114:6 2009 101:23 103:1 104:7 2011 59:19 2012 1:1 99:11 21 3:23 6:20 79:20 99:10 22 70:1 23 9:20 24 63:3 65:23 24-hour 100:24 28 99:19 29 112:21</p> <hr/> <p style="text-align: center;">3</p> <hr/> <p>30 67:20 68:25 106:25 31 38:23 58:24 79:21 36 25:5,7,8,15</p> <hr/> <p style="text-align: center;">4</p> <hr/> <p>4 29:10 84:19 40 38:8 69:4 44 91:3 45 38:8 69:4</p> <hr/> <p style="text-align: center;">5</p> <hr/> <p>5 9:19 62:13,20</p>	<p>52,000 21:7</p> <hr/> <p style="text-align: center;">7</p> <hr/> <p>7 63:20 70 20:12 75 100:11</p> <hr/> <p style="text-align: center;">8</p> <hr/> <p>8 9:12 65:7</p> <hr/> <p style="text-align: center;">9</p> <hr/> <p>9 65:7</p>			
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