

<p>1 Monday, 19 December 2011 2 (10.00 am) 3 LORD JUSTICE LEVESON: Good morning. 4 MS PATRY HOSKINS: Good morning, sir. The first witness 5 this morning is Mr Stuart Hoare. 6 LORD JUSTICE LEVESON: Right. I have made an order under 7 the Act restricting the publication of this evidence in 8 the sense that, as I understand it, it will not be 9 available visually but will be available orally. Is 10 that right? 11 MS PATRY HOSKINS: That's correct. 12 LORD JUSTICE LEVESON: Thank you. 13 MR STUART CALVIN JOHN HOARE (sworn) 14 Questions by MS PATRY HOSKINS 15 MS PATRY HOSKINS: Thank you very much, Mr Hoare. If you 16 just make yourself comfortable and open the bundle you 17 have there at tab 1, you should find your witness 18 statement. 19 First of all, could you provide your full name to 20 the Inquiry, please? 21 A. Yes, my full name is Stuart Calvin John Hoare. 22 Q. You provided us with a witness statement. It's 23 reference 53031. You signed it at the end, but could 24 you confirm to us, please, that the contents of the 25 statement are true to the best of your knowledge and Page 1</p>	<p>1 whilst the incident or the phone hacking was going on, 2 and we shared a lot of -- a lot of secrets, and I felt 3 very, very strongly that someone had to represent my 4 brother. I think that's the main driver why I'm here 5 today, to try and represent him and let his voice still 6 be heard. 7 Q. Before I ask you about Sean's time working for the 8 tabloids or the dark arts practices that he told you 9 about, can I ask you this: did you ever yourself witness 10 any of the dark arts practices that you're going on to 11 tell us about? 12 A. When you say "witnessed", no, I didn't witness them. 13 I wasn't there while they were going on but as I've 14 already said, in conversation and obviously through 15 emails, I was fortunate enough to retain certain 16 information that Sean had left with me. 17 Q. Right. So I'm right in saying that the evidence that 18 you give is what Sean told you in conversations and also 19 in the form of emails from Sean, and you refer to these 20 at paragraph 12 of your witness statement. Halfway down 21 that paragraph you say: 22 "Sean and I regularly discussed this and there are 23 emails in existence which support Sean's description of 24 a practice referred to as the dark side." 25 Now, can you tell us a little bit more about these Page 3</p>
<p>1 belief? 2 A. I can confirm that. 3 Q. I'm going to begin, if I can, by asking you to explain 4 to the Inquiry who you are. You set this out at 5 paragraphs 1 and 2 of your statement. You're the 6 brother of the late Sean Hoare, who sadly passed away 7 in July this year. Is that correct? 8 A. That's correct, yes. I'm the brother of Sean Hoare, the 9 older brother, 18 months older than Sean. Sean and 10 I had a very close relationship. I think a lot of that 11 was due to the fact that we were very, very different 12 people. I state later on in my statement that basically 13 I went down the tracks of sport and maths and Sean went 14 down the tracks of drama and the written word, and 15 I think that's probably why we were so close. We were 16 very, very different people, and we had a very, very 17 special relationship. We spoke probably most days on 18 the phone to each other, and we both lived and worked in 19 very, very different worlds. 20 Q. You tell us that Sean worked for many years at the 21 News of the World, and we'll come on to discuss that in 22 a bit more detail in a moment, but what I'd like you to 23 do first of all, please, is tell the Inquiry in your own 24 words why you've decided to come today to give evidence. 25 A. Sean and I spoke long and hard before his death, and Page 2</p>	<p>1 emails? First of all, what's happened to these emails? 2 A. The emails in their entirety, including personal emails, 3 are handed over to the police, and I believe that they 4 will be acting on those emails at some given point in 5 time. 6 Q. Are you willing to provide them to the Inquiry? 7 A. I am. 8 Q. Okay. I don't need to ask you any more about the 9 emails. 10 Can I move on to ask you about Sean's career, 11 please? You explain in paragraphs 3 to 6 Sean's early 12 career. After gaining a degree, it's clear that he did 13 a journalism course, then worked for two years at the 14 Watford Observer and during that time he was shifting at 15 weekends for the News of the World in order to gain some 16 experience; is that correct? 17 A. That's correct. 18 Q. Then he moved to the Sun, you tell us at paragraph 6. 19 In 1990, he started shifting at the Sun newspaper. Do 20 you see that? Eventually you say that he became deputy 21 editor of the Bizarre column on the Sun. Can we clarify 22 one thing: the Bizarre column is a showbiz column, if 23 I can put it like that? 24 A. That's correct, yes. 25 Q. Was Sean solely a showbiz reporter? Page 4</p>

<p>1 A. No, he wasn't. I mean, he'd spent a great deal of his 2 life covering showbiz people and events because I think 3 he was channelled in that direction, but Sean also was 4 a great writer and, you know, he covered many more 5 serious events than writing about showbiz people. 6 Q. From the Sun, you tell us that he moved to the People 7 when Neil Wallis was the editor? 8 A. That's correct. 9 Q. And then he moved to the News of the World. You don't 10 give us a date. The date I have found is June 2001. 11 Does that -- 12 A. I think that's about right, yes. 13 Q. All right. I want to understand for what period of time 14 he worked for the News of the World. Am I right in 15 saying that he worked there from 2001 until about 2005? 16 A. That is correct, yes? 17 Q. After he left, you say: 18 "Although it has been reported that he was sacked, 19 in fact he received a pay-out." 20 Can you tell us about bit more about the 21 circumstances in which he came to leave the 22 News of the World? 23 A. I think Sean, certainly in the last two years of his 24 career at the News of the World, was struggling. He 25 really was. There was an enormous amount of pressure</p> <p style="text-align: center;">Page 5</p>	<p>1 journalism. He really did and he certainly had a lot of 2 issues those last 12 months. 3 Q. After he left the News of the World, did he work in the 4 world of journalism again? 5 A. Probably what I would deem as working, no, not really. 6 I mean, he went on initially to work subbing himself out 7 to various papers, but not really what we would call -- 8 I know journalism isn't a 9 to 5 job, but a normal kind 9 of working environment, no. He was -- he was doing 10 certain bits for certain papers, for certain magazines, 11 selling stories. 12 Q. You tell us in paragraph 8 of your statement that he 13 worked with Channel 5 on a series of shows about 14 Radio 1? 15 A. That's correct. 16 Q. Was that for a long term -- 17 A. No, it wasn't. These were all very short-term 18 contracts, two, three, four months. Although I haven't 19 put it in my statement -- and I know I shouldn't really 20 go off the statement here, but at some point he actually 21 got so fed up with journalism and what was going on that 22 he just walked away from journalism and he actually went 23 and worked with horses for about a period of six months, 24 just to try and get away from it all. We were very keen 25 that he -- the family was very keen that he got away</p> <p style="text-align: center;">Page 7</p>
<p>1 put on him and other reporters to produce articles that 2 would sell. He certainly wasn't enjoying it, the last 3 year. He was bringing his work home, he was drinking 4 more, he was trying to run away from certain issues that 5 were going on at the paper and it wasn't -- it wasn't 6 a nice part of his life and he was certainly struggling. 7 Q. How did his employment come to end? 8 A. His employment came to end by a -- again, this was 9 reported that he was sacked. He came to a mutually 10 convenient, shall we say, decision was made and Sean was 11 asked to leave. Sean was paid a settlement to leave and 12 he -- yeah, he was asked to leave, and the person that 13 asked him to leave was a senior member at the paper. 14 Q. You've told us that you were very close to your brother, 15 that you spoke to him almost daily. 16 A. Yes. 17 Q. Can you tell us about how he felt about leaving 18 News of the World? 19 A. He felt that his world had fallen apart. He really did. 20 I was speaking to his wife this weekend, actually, and 21 we were just running over things and I was explaining to 22 her my nervousness of appearing here today and she was 23 saying that she can remember to this day when Sean came 24 home and he just sat in the chair and he really felt 25 lost. I can't tell you how much Sean enjoyed</p> <p style="text-align: center;">Page 6</p>	<p>1 from journalism for a bit, and he went and worked at an 2 equestrian centre and he thoroughly enjoyed himself. 3 Q. I'm going to move on now to ask you about some of the 4 practices that Sean told you about relating to his days 5 at both the Sun and the News of the World, if I can. 6 I'm going to touch on the issue of phone hacking first. 7 I'm going to remind you that it's very important during 8 these questions that you don't give us any names. 9 Unless I specifically say a name, please don't mention 10 any names. Thank you. 11 I'll take it in stages. You say this at 12 paragraph 12 of your statement: 13 "Sean had worked with certain individuals at both 14 the Sun and News International where phone hacking was 15 a daily routine." 16 You go on to say that you know this because Sean 17 told you and you regularly discussed this. Can I ask 18 you this, first of all: was this discussion at the time, 19 ie when Sean was working at News of the World or the 20 Sun, or was it afterwards, when he'd stopped working? 21 A. The discussions took place whilst he was still employed 22 at the News of the World and after he'd finished working 23 at the News of the World. 24 Q. Right. You also say -- and we've discussed this 25 briefly -- that there are emails in existence that cover</p> <p style="text-align: center;">Page 8</p>

<p>1 this practice. Don't tell me anything about the detail 2 of them, please, but are they contemporaneous emails or 3 are they emails which Sean sent after he'd stopped 4 working at the Sun and the News of the World? 5 A. They're emails that Sean sent after he'd finished 6 working at the News of the World and the Sun. I think 7 I just want to make a point here as well, and I take on 8 board what you're saying about the names, et cetera, but 9 I want to make it very clear that this alleged practice 10 not only went on at the News of the World but went on at 11 the Sun. I want to make it very clear that this was 12 a practice that was taken to the News of the World. 13 Q. Right. 14 LORD JUSTICE LEVESON: That's what Sean told you, anyway? 15 A. That's correct. 16 MS PATRY HOSKINS: Is your evidence then that Sean told you 17 that phone hacking was a daily routine at the Sun? 18 A. It was a routine at the Sun. 19 Q. And was it a routine at the News of the World? 20 A. It was. It was probably more daily at the 21 News of the World. 22 Q. You obviously spoke to him about this. Can you tell me, 23 was he referring here to practices which he himself had 24 witnessed when he was working at these institutions or 25 was it just a rumour that went around?</p> <p style="text-align: center;">Page 9</p>	<p>1 News of the World ..." 2 A. Got it. Yes, I'm here. 3 Q. The third paragraph: 4 "And the voicemail hacking was all part of a great 5 game." 6 Do you see that? 7 A. No, I must be on the wrong page. I do apologise. 8 LORD JUSTICE LEVESON: Does it start, top left-hand corner? 9 "Everyone got over-confident ..." 10 A. Yes. 11 LORD JUSTICE LEVESON: The next paragraph starts: 12 "It must have scared the rest of Fleet Street ..." 13 And the next one -- 14 A. Sorry, apologies, yes. 15 MS PATRY HOSKINS: I'll read it out if that assists: 16 "And the voicemail hacking was all part of the great 17 game ..." 18 Sorry, I should make clear this is an article 19 written by Nick Davies just after Sean died, essentially 20 setting out parts of an interview that he had had with 21 Sean. He's commenting here on what he's told about 22 phone hacking: 23 "The idea that it was a secret or the work of some 24 rogue reporter had him rocking in his chair: 25 "Everyone was doing it. Everyone got a bit carried</p> <p style="text-align: center;">Page 11</p>
<p>1 A. These were practices that he witnessed. 2 Q. I've caused to be handed around to the core 3 participants, but we have behind tab 7, an article 4 written by Nick Davies of the Guardian. If you look at 5 the third page of that, please. It's the last page. If 6 you look three paragraphs down, there's a paragraph that 7 starts: 8 "And the voicemail hacking was all part of a great 9 game." 10 Do you see that? 11 A. Um ... 12 Q. It's the last page behind tab 7. 13 A. Yes. 14 Q. Do you see the third paragraph down? 15 A. Yes. 16 Q. "And the voicemail hacking ..." 17 That might not be the right article. It looks like 18 this. 19 A. Page 3 of 3? 20 LORD JUSTICE LEVESON: Yes, that's it. 21 A. Yes. 22 LORD JUSTICE LEVESON: It's an article about your brother. 23 A. Right, okay, sorry. 24 MS PATRY HOSKINS: It's headed: 25 "Sean Hoare knew how destructive the</p> <p style="text-align: center;">Page 10</p>	<p>1 away with this power that they had. No one came close 2 to catching us.' 3 "He would hack messages and delete them so that the 4 competition could not hear them, or hack messages and 5 swap them with mates on other papers." 6 Now, the thing I want to focus on here is the 7 deletion of messages. Did he ever speak to you about 8 whether he deleted or saw others deleting voicemail 9 messages they had listened to? 10 A. No. Again, I mean, you know, just to make this clear as 11 well, there was a kind of -- as far as the phone hacking 12 was concerned and the other methods that they used to 13 track people down, there was very much a structure in 14 place that the journalists went through other 15 individuals to get this information, so I really don't 16 know how much Sean would have seen of any deletions. 17 Q. Right. Again, I don't want you to name any names, but 18 can you tell me whether, in your discussions with Sean, 19 he ever told you whether phone hacking was limited to 20 one or two individuals at the paper or whether it was 21 wider, something that was practised on a wider scale? 22 Answer me first on his time at the Sun and then his time 23 at the News of the World. 24 A. I think the answer is the same for both papers, that the 25 use of hacking was used widely.</p> <p style="text-align: center;">Page 12</p>

<p>1 Q. At paragraph 15 of your witness statement, you say that 2 Sean considered the news desk in particular at 3 News of the World to be out of control. Again, from 4 your conversations with Sean, was it just the news desk 5 or was it other parts of the News of the World? 6 A. I think it was -- you know, again, I can only speak for 7 what he told me. 8 Q. Of course. 9 A. It was very, very foreign for me. We came from -- 10 I come from a very disciplined world, and to listen to 11 Sean's stories of what went on -- it just didn't even 12 seem like work to me. I mean, it seems, you know, as 13 though no one was in control. As long as they delivered 14 an article, whether it could stand up or not didn't 15 really matter, but as long as they delivered something, 16 and if they delivered something early on in the week, 17 then all the better because they can go and do whatever 18 they want to do for the rest of the week. It was a very 19 strange world that they operated in. 20 Q. Do you know whether or not it was just the news desk or 21 other parts of the paper, or is that something you just 22 didn't discuss? 23 A. It's something we didn't really discuss. Sean always 24 referred to the news desk as where he was filing or 25 reporting and that's, I think, where his colleagues</p> <p style="text-align: center;">Page 13</p>	<p>1 phone in order it would ascertain where its user is 2 located. Sean spoke to the New York Times about this 3 practice and it's behind your tab 5. For everyone else, 4 I've caused to be handed out the relevant article. It's 5 at the back of the clip that I've handed out. It's on 6 the third page of that particular article. Again, I'll 7 read it out: 8 "A former showbiz reporter for the 9 News of the World, Sean Hoare, who was fired in 2005, 10 said that when he worked there, pinging cost the paper 11 nearly \$500 on each occasion. He first found out how 12 the practice worked, he said, when he was scrambling to 13 find someone and was told that one of the news desk 14 editors [I'm not going to read out the name] could help. 15 This person asked for the person's cell phone number and 16 returned later with information showing the person's 17 precise location in Scotland, Mr Hoare said. Mr X, who 18 faces questioning by police on a separate matter, did 19 not return calls for comment." 20 I'm going to read the top of the next page if I can: 21 "A former Scotland Yard officer said the individual 22 who provided the information could have been one of 23 a small group entitled to authorise pay and request, or 24 a lower level officer who duped his superiors into 25 thinking that the request was related to a criminal</p> <p style="text-align: center;">Page 15</p>
<p>1 were. 2 Q. Perhaps you've answered this question in parts already, 3 but can you tell us why did he think the Sun and the 4 News of the World had taken to practising the dark arts? 5 A. Do you know what? That's a very difficult question for 6 me to answer, because I kind of like to think Sean 7 actually didn't realise at the time that he was probably 8 doing wrong. I think that he got carried away, like 9 a lot of journalists, and was certainly under a lot of 10 pressure from seniors to deliver. I doubt in my own 11 head if initially he realised he was doing wrong. 12 I think he thought that he was producing, he was getting 13 the stories, he was getting his name on the front page, 14 his ego was being stroked. We all like a little bit of 15 publicity, and I think Sean probably enjoyed that 16 initially. It wasn't until later on in his career that 17 he couldn't deal with the pressure, that I think Sean 18 actually took the time to sit down and to speak to his 19 family, and I mention this in my statement concerning 20 certain individuals where Sean felt very strongly about 21 he was hung out to dry, that Sean took the actions that 22 he did. 23 Q. We'll come onto that, I promise. Can I ask you about 24 another practice, please, and that's called pinging, the 25 practice of pinging. This is the tracking of a mobile</p> <p style="text-align: center;">Page 14</p>	<p>1 case. Mr Hoare said the fact that it was a police 2 officer was clear from his exchange with X: 3 "I thought it was remarkable and asked him how he 4 did it and he said, 'It's the old bill, isn't it', he 5 recalled, noting that the term is common slang in 6 Britain for the police. 'At that point, you don't ask 7 questions,' he said." 8 The article then goes on to report that a second 9 former editor at the page backed Mr Hoare's account. 10 I don't think we need to read the rest of that. 11 What I want to ask you about is if he ever spoke to 12 you about this particular practice and if so, what he 13 said. 14 A. The simple answer to your question is yes. What did he 15 say about it? Again, I think when we discussed this -- 16 and we discussed this probably a couple months before 17 his death -- 18 Q. Is that the first time he'd spoken to you about it? 19 A. No, we'd spoken about it, but I had not really taken 20 a lot of -- or paid a lot of attention to it. It was 21 when he brought it up and we were discussing -- 22 I actually remember walking around a field with him. 23 We'd taken the dogs for a walk and I was saying to him: 24 "Is that it? Are you done with what you have to tell 25 now?" And he said, "No, I need to mention this</p> <p style="text-align: center;">Page 16</p>

<p>1 practice", and he spoke to me about it at length. 2 I think, again, the thing that shocked me about this 3 practice was there was actually a defined structure in 4 place. So again, the reporters went through someone who 5 went to someone. I was just shocked, and I remember 6 saying to him: "Are you sure you want to really say 7 this?" I make no secrets that I wasn't keen of him 8 parting with this information, you know. We kind of 9 avoid publicity and -- but he said, "Yes, I have to say 10 it. I have to tell everything." 11 Q. I understand. You say he told you this recently but 12 also he told you about it before. Can you recall, did 13 he tell you about it before when he was working at the 14 News of the World or -- 15 A. That's correct. That's the first time that we ever 16 spoke about this, whilst he was employment with the 17 News of the World. 18 Q. I've asked you about phone hacking, Mr Hoare, and I have 19 asked you about pinging. Are there any other aspects of 20 the culture at either the Sun or the News of the World 21 that Sean told you about that you would like to share 22 with this Inquiry? 23 A. I think -- I'd like to think that my statement really 24 tries to get across the feeling of myself as to what 25 went on and why he did it. I'm just -- to this day, I'm</p> <p style="text-align: center;">Page 17</p>	<p>1 contributed to from July, September and November 2010. 2 We know he also spoke to Nick Davies at the Guardian and 3 Mr Hanning, who is going to be the next witness giving 4 evidence this morning. Can you assist us, though, with 5 why Sean decided to speak out at this time? What was it 6 about 2010 that meant that he decided to take this 7 action? 8 A. I suppose -- going back to a comment earlier, I suppose 9 2010, we'd got him out of journalism, we'd got him 10 working with horses. He'd stopped drinking. He was 11 clean. The old Sean that we knew and loved as a family 12 was returning to us, and I think he had the ability in 13 2010 to think clearly and understand his actions. And 14 I think being away from journalism, it gave him the 15 ability to take a step back and to understand the 16 difference between right and wrong. And that's what the 17 time gave him and that's what being clean gave him: the 18 ability to decide what's right and what's wrong. 19 Q. I understand. Do you know whether he was approached to 20 speak about these practices or whether he contacted 21 newspapers? 22 A. Sean didn't contact newspapers. Sean actually tried to 23 put his concerns into the public domain, but no one 24 really wanted to much listen. Everyone -- everyone's 25 perception of Sean was he's some drug-taking, drinking</p> <p style="text-align: center;">Page 19</p>
<p>1 disgusted with what went on. I feel sorry for the 2 normal journalist that goes about and does his do job 3 and does his job very well. It upsets me, the amount of 4 pressure that these journalists at the News of the World 5 were put on to deliver stories. It really does. And to 6 see the demise of my brother through this was shocking. 7 Q. I'll move on, if there's nothing else you'd like to say 8 about the culture -- 9 LORD JUSTICE LEVESON: Just before we pass on, it may be 10 that most people understand what you mean by "pinging", 11 but did your brother explain that concept? Did you 12 understand it or did he explain it? 13 A. I can explain the way that he explained it to me, that 14 it's quite a simple method of actually being able to 15 track people via their mobile phone. Like a GPS system, 16 I suppose, we would see something like -- I don't know, 17 Googlemaps, whereby if they had someone's phone number, 18 they could pass it on to an individual and he would tell 19 you where that individual is located. 20 LORD JUSTICE LEVESON: That's what was explained to you? 21 A. That's what he explained to me. 22 MS PATRY HOSKINS: Can I ask you about Sean's decision to 23 speak out about the practices that he told you about. 24 We know that Sean spoke out about the practices in 2010, 25 and there are New York Times articles that he</p> <p style="text-align: center;">Page 18</p>	<p>1 old journalist that's washed up, you know, and quite 2 frankly no one wanted to listen to him. He was then 3 introduced to an individual who took Sean for what he 4 was and took him very seriously. 5 Q. You can probably name that individual. 6 A. That was Joe Becker of the New York Times. 7 Q. Did he receive payment for the interviews that he 8 undertook. 9 A. Thank you for asking that question because I want to 10 make this very, very clear. Sean received no money for 11 what he did. In fact we talked about that many, many 12 times and he felt very, very strongly. He received no 13 money as far as articles that he provided to the paper 14 and to the New York Times. 15 Q. There is a question here on the issue of speaking out 16 which I have been asked to put to you by one of the 17 other parties to this Inquiry. The question is this: 18 the Guardian has reported that in September 2010 your 19 brother was questioned by the police under caution in 20 relation to allegations that he was asked to hack phones 21 when at News of the World and chose to make no comment. 22 Do you know whether it is true that he was questioned by 23 the police at that time and that he chose to make no 24 comment? 25 A. I am fully aware of the interview. He was questioned by</p> <p style="text-align: center;">Page 20</p>

<p>1 police and, yes, he chose, under legal advice, to answer 2 the questions with "no comment".</p> <p>3 Q. Right, move on from that. You probably knew Sean better 4 than anyone, from what you tell us. Do you think that 5 he was telling the truth when he told you about these 6 practices at the Sun and at the News of the World?</p> <p>7 A. I think sitting here today demonstrates that everything 8 that Sean said, every statement that Sean made, was the 9 truth. I sit here with a lot of pride.</p> <p>10 Q. You've explained that he was very upset about having to 11 leave News of the World. Is it possible that he could 12 have exaggerated the position simply because he felt 13 upset and angry about the way he'd been treated at 14 News of the World?</p> <p>15 A. Again, I think that's a very, you know, obvious route to 16 go down. Yes, he was upset. Would he exaggerate? 17 I don't think, looking at Sean's life and what he went 18 through, the time when he was sober, the time to 19 reflect -- no. No, I don't think he would have 20 exaggerated. I think he was very serious in what he was 21 doing. He lost a lot, a lot of friends through what 22 Sean decided to do.</p> <p>23 Q. You accept in your statement, Mr Hoare, that Sean had 24 a problem with drink and drugs over the course of his 25 adult life, which started when he worked in the</p> <p style="text-align: center;">Page 21</p>	<p>1 his use of drugs in the last few years of his life?</p> <p>2 A. Yes, I think as far as drugs -- let's deal with that 3 first -- Sean hadn't taken drugs for a long, long time. 4 I think of Sean's drug-taking -- what I know, Sean may 5 have taken drugs. I'm sure he did. Sean regarded that 6 as part of the scene, as part of the job.</p> <p>7 As far as his drinking --</p> <p>8 LORD JUSTICE LEVESON: Sorry, sorry, why would it be part of 9 his job?</p> <p>10 A. I think Sean, in his way, thought that within the 11 entertainment world, that to allow Sean to do some of 12 the jobs and gain some of the interviews and gain the 13 friendships of certain individuals, Sean thought that he 14 had to be like them. I honestly do. I hate it. You 15 know, I don't understand it, but that's what he did. 16 And he came close to a lot of celebrities and got a lot 17 of information that benefited him and his employer.</p> <p>18 MS PATRY HOSKINS: Sir, for your information, I can't read 19 it out but if you look back at the article by 20 Nick Davies behind tab 7, that will give you some of the 21 background to the fact that he took drugs with certain 22 persons whose names I won't mention in the course of his 23 employment.</p> <p>24 LORD JUSTICE LEVESON: I understand that.</p> <p>25 MS PATRY HOSKINS: So in fact, would I be right to conclude</p> <p style="text-align: center;">Page 23</p>
<p>1 newspaper industry.</p> <p>2 A. Yes.</p> <p>3 Q. You tell us that drinking, for example, was an accepted 4 part of the job, certainly in the earlier days. Some 5 ex-News of the World personnel have suggested that his 6 version of events can be dismissed as essentially the 7 ramblings of someone who had a severe problem. Let me 8 deal with it this way. Sean first gave an interview 9 about the practice of the dark arts to the New York in 10 July 2010 or some point before the article in July 2010. 11 At that time, was he drinking or taking drugs?</p> <p>12 A. No.</p> <p>13 Q. How long had he abstained for at that time?</p> <p>14 A. He'd probably been away from drink and drugs -- probably 15 at that time I would have thought probably seven or 16 eight months, at that time. I referred in my statement 17 to the inquest that myself and my wife attended just 18 lately, and it was so encouraging, for a change, to hear 19 a coroner speak so fondly of Sean, and to understand the 20 pressure that he was put on and the reasons why Sean 21 started drinking again, unfortunately, the last few 22 months before he passed away.</p> <p>23 Q. Which was in July 2011?</p> <p>24 A. (Nods head)</p> <p>25 Q. Did the coroner make any findings about his drinking or</p> <p style="text-align: center;">Page 22</p>	<p>1 from what you've just said that when your brother gave 2 interviews to Nick Davies and the New York Times, and 3 when he spoke to Mr Hanning, who we'll hear from 4 shortly, he wasn't in fact taking drugs or drinking?</p> <p>5 A. No, he wasn't. He was clean, out of journalism, working 6 in the fresh air. He was actually -- he was -- the old 7 Sean was coming back. It really was. You know, he was 8 very on top of his game.</p> <p>9 MS PATRY HOSKINS: Mr Hoare, those are all the questions 10 I have. Is there anything that you would like to add?</p> <p>11 A. Just that I found this incredibly difficult today, but 12 I'd like to, I suppose, refer you to section -- point 17 13 of my statement. I'd really just like to make this 14 very, very clear, that I've found it very, very 15 difficult today not to name names, but the seniors that 16 were involved in the practices that went on, know that 17 they are involved and they know the wrong that has been 18 done, and I just hope that sitting here today, I've 19 tried to put some of the wrongs to rights on Sean's 20 behalf and his ex-colleagues that have suffered pain and 21 imprisonment, that I'm speaking on behalf of Sean to try 22 and put their wrongs right.</p> <p>23 Thank you for the opportunity.</p> <p>24 LORD JUSTICE LEVESON: Mr Hoare, you must understand -- and 25 I'm sure you do -- that it is unusual for this sort of</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

<p>1 Inquiry to run parallel to a police investigation. 2 I understand why it's important for those two events to 3 run parallel, in tandem rather than one after the other, 4 and I hope that you do too. This isn't, in any sense, 5 to cover up what's happened or make findings about 6 whether it's happened; it is very much more an effort to 7 look at what were the culture, practices and ethics of 8 the press to see whether and how things can be made 9 better. 10 I am sure that if there are prosecutions, rather 11 more will come out. There is another part to this 12 Inquiry, but to try to roll it up into one would have 13 undermined the other. 14 A. I understand. 15 LORD JUSTICE LEVESON: So I recognise the complication of 16 it, but I hope you understand why that was absolutely 17 necessary. 18 A. I do. 19 LORD JUSTICE LEVESON: Thank you very much. 20 A. No, thank you all very much. 21 MS PATRY HOSKINS: Thank you, Mr Hoare. 22 LORD JUSTICE LEVESON: Right. I'll rise until the visual 23 side of the promulgation of this evidence is restored. 24 Thank you. 25 (10.40 am)</p> <p style="text-align: center;">Page 25</p>	<p>1 A. That's right. 2 Q. Could you tell us a little bit more about your career 3 history, and in particular, the titles for which you 4 have worked over the last quarter of a century? 5 A. Well, I started off as a freelance -- from a standing 6 start, as it were, as a freelance. I then did about six 7 months on the Daily Mail, and I then joined the Evening 8 Standard, doing shifts, and then got a staff job on the 9 Standard and then was -- stayed at the Standard for 10 about 15 years and then -- where are we? Seven years 11 ago I joined the Independent on Sunday. 12 Q. I see. Thank you. You explain in paragraph 2 of your 13 statement that you spoke to Sean Hoare on an 14 off-the-record basis, but that you are now prepared to 15 go public with those off-the-record conversations, given 16 Mr Hoare's death and the fact that you are confident, 17 having been in touch with Mr Hoare's family, that that 18 is what he would have wanted; is that right? 19 A. Yes. I checked with Stuart Hoare that he -- and it 20 didn't require any conversation at all. We were both 21 certain that we would have wanted what he knew to be 22 made known. 23 Q. Thank you. You make clear in your witness statement 24 that today you are giving evidence entirely in 25 a personal capacity?</p> <p style="text-align: center;">Page 27</p>
<p>1 (A short break) 2 (10.45 am) 3 LORD JUSTICE LEVESON: Yes, Mr Barr? 4 MR BARR: Thank you, sir. The next witness is Mr Hanning. 5 MR GILES JAMES HANNING (sworn) 6 Questions by MR BARR 7 MS PATRY HOSKINS: Mr Hanning, good morning. 8 A. Morning. 9 Q. Could you give the Inquiry your full name, please? 10 A. Yes, it's Giles James Hanning. 11 Q. You've provided a witness statement to the Inquiry. Are 12 you familiar with the contents? 13 A. Yes, I am. 14 Q. And are the contents of your witness statement true and 15 correct to the best of your knowledge and belief? 16 A. Yes, they are. 17 Q. We're going to take your witness statement as read. I'm 18 going to ask you, just as my learned friend asked 19 Mr Hoare a moment ago, not to name names when answering 20 my questions unless I specifically ask you to, and that 21 is for the legal reasons which we're all now familiar 22 with. 23 You tell us that you've been a journalist for 25 24 years, and you are currently the deputy editor of the 25 Independent on Sunday.</p> <p style="text-align: center;">Page 26</p>	<p>1 A. Yes, indeed. 2 Q. And not in your capacity as a deputy editor of the 3 Independent on Sunday? 4 A. Indeed. 5 LORD JUSTICE LEVESON: But that has to be unpicked a little 6 bit, if you don't mind, Mr Hanning. Of course you're 7 not speaking as the deputy editor, but you are speaking, 8 I hope, with the experience of 25 years in journalism? 9 A. Indeed, yes. 10 LORD JUSTICE LEVESON: So therefore, to some extent -- and 11 doubtless you'll be asked about this -- the way in which 12 you spoke to Mr Hoare and your own knowledge can 13 combine. 14 A. Yes. 15 LORD JUSTICE LEVESON: I hope that what I'm receiving is the 16 benefit of all that. 17 A. Indeed. I mean, I spoke to Sean, Sean knew I worked for 18 the Independent on Sunday, it was implicit that I was 19 talking to him as an employee of the Independent on 20 Sunday. So yes indeed. 21 MS PATRY HOSKINS: You tell us in your statement that not 22 only did you speak to Mr Sean Hoare, you also spoke to 23 a number of people who either were or had been employees 24 of the News of the World; is that right? 25 A. Yes.</p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 Q. Can you give us any indication about the sort of numbers 2 of people in that category who you spoke to? 3 A. Well, not a great many. I can't pretend it was a lot 4 because -- not least because they were not keen to talk. 5 Sean was the one I spoke to most, but I did speak to one 6 or two people briefly and they were sometimes able to 7 corroborate things casually, as it were, but not many 8 people were anxious to sit down and have a long chat, as 9 it were. 10 Q. What was the purpose of these conversations? Why did 11 you seek them out? 12 A. Well, I got interested in the whole story three or four 13 years ago and it just struck me there was something 14 there, and it was really when I met Sean that I was able 15 to sort of push things on a bit, but it had been 16 a longstanding interest of mine for -- it just struck me 17 there was something going on. 18 Q. Turned out there was. Can I ask you about your contact 19 with Mr Hoare. You tell us that you first met him in 20 the summer of 2010? 21 A. Yes. 22 Q. And that you met him after that four or five times. Can 23 you give us some indication of the duration of these 24 meetings? Were they short meetings or long meetings? 25 A. Quite long. He would come into London from Watford,</p> <p style="text-align: center;">Page 29</p>	<p>1 that time or was he drinking? 2 A. I'm pretty sure, so far as I can be, that he wasn't 3 taking drugs. Whether he was not drinking I would be 4 less certain. He may have had a half of lager or 5 something, but there was certainly no evidence that he 6 was in the state that I'd heard he had been in the past. 7 He seemed to be operating very efficiently and 8 impressively. 9 Q. Did you sense that either at the time he was trying to 10 recall things for you or because of his past problems 11 with drink and drugs, that his memory of events had been 12 impaired or distorted? 13 A. No. I had no feeling that his memory was impaired at 14 all. 15 Q. We also know that he had left the News of the World some 16 years before you met him. Can you tell us a little bit 17 about how he regarded the circumstances in which he had 18 come to part company with the News of the World? 19 A. Well, my understanding is that he was aggrieved because, 20 as we've heard this morning from his brother, he loved 21 journalism, he loved the game. I think he did feel 22 wounded and, you know, the boat was moving off without 23 him, as it were. 24 Q. Did you ever sense that that grievance influenced the 25 way he spoke to you and his account of events?</p> <p style="text-align: center;">Page 31</p>
<p>1 where he lived, so -- we both wanted to make it worth 2 his while so we had a good chat. We had lunch a couple 3 of times and -- yes, we had a very good chat and we 4 always found one another to be talking the same 5 language, as it were. We seemed to be on the same 6 territory. So yes, they were pretty lengthy 7 conversations. 8 Q. Did you feel that in those meetings you had built up 9 some trust and a rapport with Mr Hoare? 10 A. Yes, I think I did. 11 Q. You tell us that there was discussion perhaps of writing 12 a book together? 13 A. Yes. That was a bit hit and miss. One or other of us 14 would say, "Gosh, I've found out this, I've found out 15 that", and we would think: "Gosh, I wonder if perhaps 16 that would make a book", and then either I was busy or 17 he was busy, so it never really got off the ground, but 18 it was something that was in the background. 19 Q. There are number of matters which I must explore with 20 you so that we can hear as best as possible what those 21 who spoke to him thought at the time. 22 First of all, we know that he was a man who sadly 23 had difficulties with both drugs and alcohol. Can you 24 help us, please. When you saw him in the summer of 25 2010, was it your understanding that he was teetotal at</p> <p style="text-align: center;">Page 30</p>	<p>1 A. It would be fair to say he was -- to say his motives 2 were entirely public-spirited, I suppose, would be an 3 exaggeration. That's not to say he wasn't -- he hadn't 4 thought very seriously about why he was doing it. But 5 he -- yes, I would be lying if I said he didn't -- there 6 was a degree of feeling that some of the people who had 7 been responsible for what went on shouldn't pay for it. 8 Q. Did you ever sense that that motivation affected the 9 reliability of the account that he was giving? 10 A. No. 11 LORD JUSTICE LEVESON: You must, during your career as 12 a journalist, have many meetings with people who have 13 all sorts of different motives -- 14 A. Absolutely. 15 LORD JUSTICE LEVESON: -- for speaking about what they speak 16 about? 17 A. Of course, yes. 18 LORD JUSTICE LEVESON: Some good, some bad, some terrible. 19 And part of the job is to calibrate or validate -- 20 A. Yes. 21 LORD JUSTICE LEVESON: -- the information you're getting. 22 A. Absolutely. You make allowances and you aim off and so 23 on, and I did that -- I tried to do that constantly with 24 Sean, and I -- the more I spoke to him, the less I felt 25 that was necessary. I felt: actually, yes, this does</p> <p style="text-align: center;">Page 32</p>

<p>1 stack up, this is corroborated by other sources one can 2 get hold of.</p> <p>3 MR BARR: A final question on this theme: we've heard in 4 Mr Stuart Hoare's statement that Mr Sean Hoare had 5 strong socialist beliefs. By the time that you were 6 speaking to Sean Hoare, the Murdoch press had switched 7 political allegiance and one former editor of the 8 News of the World was working in Downing Street. Did 9 you ever sense that there was any political agenda or 10 any political axe to grind behind what Sean Hoare was 11 telling you?</p> <p>12 A. It definitely occurred to me, but I wouldn't say it 13 was -- I wouldn't say it was a prime sort of spur. 14 I mean, he did -- I think Stuart used the word 15 "romantic". He did have a very romantic view of 16 socialism, it seemed to me, but in my experience those 17 with a romantic view of socialism very often find they 18 have to live in the real world and they get just get on 19 with their jobs and I think that's what -- Stuart was in 20 that category.</p> <p>21 Q. So far as you were aware, is it right that Sean Hoare 22 received no money in return for the interviews he gave 23 journalists?</p> <p>24 A. Not only that, but he told me he was offered £60,000 to 25 tell his story some years ago and he turned it down.</p> <p style="text-align: center;">Page 33</p>	<p>1 people.</p> <p>2 Q. Did he give you any impression about how long the 3 practice of hacking phones had been going on for in the 4 News of the World?</p> <p>5 A. I think as long as he'd been at the News of the World. 6 Maybe longer.</p> <p>7 Q. Again without naming names, did he give you any 8 indication of the types of target whose phones were 9 hacked?</p> <p>10 A. Well, I think all sorts of people. I mean, he had been 11 a showbiz reporter and so I think he did a lot of 12 celebrities, showbiz people.</p> <p>13 Q. Did he give you to understand whether there were any 14 boundaries, by which I mean: was there any sort of 15 people who were off limits to phone hacking?</p> <p>16 A. No, but we never discussed that. But no.</p> <p>17 Q. Without naming names, did he give you to understand that 18 even people who had good relations with the 19 News of the World had been targeted by their hacking 20 efforts?</p> <p>21 A. Well, there were -- yes. There were two instances of 22 that. One was when a famous female celebrity rang 23 a senior executive on the paper and said, "I understand 24 you may need to get in touch with me, this is my PA's 25 number", and the female celebrity handed over the number</p> <p style="text-align: center;">Page 35</p>
<p>1 I'm not sure how many years ago, but maybe a couple of 2 years ago.</p> <p>3 Q. Thank you. Against that background, can we now turn to 4 what he actually did tell you. Can we start with phone 5 hacking, again being extra specially careful not to 6 mention names.</p> <p>7 Did he tell you that he had hacked phones whilst 8 working for the News of the World?</p> <p>9 A. Yes, he did.</p> <p>10 Q. Did you get the impression that it was a one-off or was 11 something that he had done numerous times?</p> <p>12 A. Numerous times.</p> <p>13 Q. Did he tell you that anybody else had hacked mobile 14 phones whilst he was working for the News of the World?</p> <p>15 A. Yes.</p> <p>16 Q. Did you get the impression that he was talking about 17 a single other individual or about a number of other 18 individuals?</p> <p>19 A. It was a number.</p> <p>20 Q. Are we talking a small number or a large number?</p> <p>21 A. Well, I remember once when the police were making 22 progress with their case and he was speculating as to 23 who might go into the witness box, he said -- and 24 testify against people, he said, "X will probably sing 25 in court and will ..." and he then named about eight</p> <p style="text-align: center;">Page 34</p>	<p>1 to this senior executive and they had a chat, and he put 2 the phone down and he then passed the note on to another 3 executive and said, "There you are, there's X's number, 4 tell him to get hacking", or words to that effect. You 5 know: "That's one for him to work on with his hacking", 6 or "screwing", I think the term would have been. 7 "There's a phone for him to screw."</p> <p>8 Q. Can --</p> <p>9 A. Sorry, there was one instance of that, where I know 10 a cabinet minister -- this was about a year ago -- said, 11 "X wouldn't have authorised the hacking of my phone", 12 and -- "X wouldn't authorise the hacking of my phone. X 13 was a friend of mine." And I just thought: crikey, they 14 still don't get it. Why would having social relations 15 with someone disbar them from having their phone hacked?</p> <p>16 Q. Now, the hacking I've been thinking -- we're talking 17 about voicemails; is that right?</p> <p>18 A. Yes.</p> <p>19 Q. Did he ever speak about intercepting conversations?</p> <p>20 A. Yes, he did.</p> <p>21 Q. And was that in the context of a long time ago or was he 22 talking about more recently?</p> <p>23 A. It wasn't explicit, and he said it only briefly, but he 24 said it -- he just said, "Yes, they can do it. Yes, 25 that goes on."</p> <p style="text-align: center;">Page 36</p>

<p>1 Q. Did he talk about pinging or using mobile phones to 2 locate people? 3 A. No, he never talked to me about that. That's a story 4 I would have liked to have had, actually. 5 Q. Did he talk to you about intercepting emails? 6 A. I don't remember. I don't think so. 7 Q. I'm going to move off the interception of communications 8 onto wider cultural issues. Before I do so, is there 9 anything else that you would like to tell us about what 10 Sean Hoare told you about phone hacking? 11 A. Well, I mean, I suppose it was -- he talked about it as 12 if it was one shot in the locker. Phone hacking was 13 just one of the things they did but it was -- there's 14 been a lot of interest in the media about phone hacking, 15 but it seems -- my impression from him was that it 16 wasn't -- it was not exactly the least of it, but it was 17 just one of the tools. 18 Q. Perhaps that's a convenient peg on which to move onto 19 the other tools. What other tools did he tell you 20 about? 21 A. Well, I mean there was -- I understood there was 22 a certain amount of cash around in the office, and 23 I know he and another employee of the newspaper would 24 pay somebody on another paper to have their news list. 25 This is the news list that's prepared or updated every Page 37</p>	<p>1 was so hard to keep track of. 2 Q. Could you help us with what Sean told you, if anything, 3 about decisions as to what went into the newspaper and 4 what didn't. Was there an attitude that what should be 5 published was what was interesting to the public or was 6 there any discussion of discernment and being careful 7 not to publish things that might not be in the public 8 interest in a higher sense of the word? 9 A. I think it's fair to say that Sean regarded the 10 News of the World as a source of information but also 11 a source of entertainment. If it was entertaining, 12 added to the gaiety of the nation, then it should go in. 13 That was the prime concern because, I suppose, you could 14 be pretty sure that if you didn't run the story, then 15 one of your rivals would. 16 Q. If that was Mr Hoare's view, did he say anything which 17 gave you to understand that it was a general 18 understanding or attitude at the paper? 19 A. I think it was implicit. 20 Q. Did he ever discuss with you the emerging law of privacy 21 and the effect that that was having on the 22 News of the World's ability to print intrusive stories? 23 A. I don't remember him doing so, no. 24 Q. Did he, for example, ever discuss the Max Mosley story 25 with you? Page 39</p>
<p>1 day for a Sunday paper, and the news list is what is 2 planned to go in the paper. 3 Now, for a rival paper to get hold of your news list 4 is quite -- it's a good thing to have. I'm told -- Sean 5 told me that they would get £400 in cash and a person on 6 another paper was paid £200 to hand over this news list 7 and £100 would go to Sean and £100 would go to the other 8 executive. 9 Q. So that is an example both of paying money to secure 10 information from a third party and also, it would seem, 11 an abuse of the expenses system? 12 A. Yes. 13 Q. Can I look at each of those topics separately? Did he 14 tell you about payments either by himself or by anybody 15 else at the News of the World to third parties in return 16 for information? 17 A. No, I don't think he did. I don't think he did, no. 18 Q. Did he speak about any other instances or indeed about 19 any general attitude towards expenses? 20 A. Not really. I mean, I understand that cash was the -- 21 it was assumed that cash made things happen, and I know 22 the -- I mean, my understanding is that senior people in 23 the office were concerned that there was -- too much was 24 being done in cash and they would frequently try and 25 clamp down on how much was going out in cash because it Page 38</p>	<p>1 A. I don't think so. 2 Q. Did he ever discuss blagging with you? 3 A. He mentioned there was an expert in blagging, but he 4 didn't talk about it specifically a great deal, if at 5 all. 6 Q. Did he give you any impression of the management line so 7 far as discipline was concerned? Did you get the 8 impression that journalists were kept to rigid 9 professional standards or did you get the impression 10 that what was of most importance was obtaining stories 11 that could be printed? 12 A. The latter, very much. Yes, get the story. I mean, 13 I think Stuart Hoare used the expression -- he said the 14 news desk was out of control. I'm not sure it's a term 15 I'd use. I mean, it seemed to me it was known what was 16 going on. 17 Q. I see. So -- I understand. 18 Moving on to the pressures on journalists, did 19 Mr Hoare talk to you about the pressures he'd felt under 20 whilst working for the News of the World? 21 A. Yes. Again, extremely competitive newspaper and in many 22 ways a very impressive one. But nobody had an easy ride 23 there. I mean, it was not for nothing did they sell 24 that many copies. There was great pressure and he was 25 clearly -- he did talk about that. Page 40</p>

10 (Pages 37 to 40)

<p>1 Q. That was a pressure to perform?</p> <p>2 A. Yes.</p> <p>3 Q. Did he speak about the consequences of not performing?</p> <p>4 A. Again, not explicitly, but I think he felt he didn't</p> <p>5 need to and I'm not sure I felt he needed to.</p> <p>6 Q. I see. Did he --</p> <p>7 LORD JUSTICE LEVESON: You'd better decodify that for me,</p> <p>8 please.</p> <p>9 A. Sorry. Well, I don't --</p> <p>10 LORD JUSTICE LEVESON: What does it mean?</p> <p>11 A. It's a tough -- it's a tough -- the red top market is</p> <p>12 a very tough place to be, and if you don't perform, you</p> <p>13 tend not to thrive.</p> <p>14 MR BARR: Does that mean you get sacked or does that mean</p> <p>15 you just bump along the bottom?</p> <p>16 A. Probably get sacked.</p> <p>17 Q. Did he tell you anything about the management style of</p> <p>18 senior managers? Again, naming no names. Did you get</p> <p>19 any sense of how the paper was run?</p> <p>20 A. I felt just as far as his own testimony was concerned,</p> <p>21 I felt he, for some time, was in quite a privileged</p> <p>22 position because he was producing results and so on.</p> <p>23 So -- and I think latterly in his career there, when</p> <p>24 things were going less well, I think he was put under</p> <p>25 increasing pressure. But -- so he -- no, I mean during</p> <p style="text-align: center;">Page 41</p>	<p>1 that he was in touch with them. But he was concerned</p> <p>2 that he was sticking his neck out and would make himself</p> <p>3 very unpopular.</p> <p>4 Q. Can we move now to the Sun. Did he say anything to you</p> <p>5 about whether or not phone hacking had occurred on the</p> <p>6 Sun?</p> <p>7 A. I don't remember him saying that specifically, but if</p> <p>8 I'm not speculating, then I would think he would take</p> <p>9 that -- he would assume I would understand that to have</p> <p>10 been the case. He would -- it seemed to be implicit.</p> <p>11 Q. I see. Did he speak to you about any other</p> <p>12 information-gathering techniques which might be</p> <p>13 considered ethically controversial on the Sun?</p> <p>14 A. No. I don't think so.</p> <p>15 Q. Can I now move to your own experience, which is</p> <p>16 predominantly on the Evening Standard and the</p> <p>17 Independent on Sunday. In what circumstances, in your</p> <p>18 book, is it acceptable to use subterfuge in journalism?</p> <p>19 A. Well, it seems to me the PCC code is pretty good in this</p> <p>20 respect. I mean, I know this is -- it's all being</p> <p>21 reviewed at the moment, but generally I think if you</p> <p>22 talked to most journalists, they would say the PCC code</p> <p>23 is pretty good.</p> <p>24 I do think there is a rule that I was always taught,</p> <p>25 which I think is a Harry Evans rule, former editor of</p> <p style="text-align: center;">Page 43</p>
<p>1 the time when things were good for him, he didn't really</p> <p>2 discuss the ethos, but clearly when he wasn't performing</p> <p>3 and he was having problems, then he was suffering.</p> <p>4 Q. Did he describe, either in terms or implicitly, any</p> <p>5 bullying or harassment by managers?</p> <p>6 A. Yes. There was a bit of that, yes. There was one</p> <p>7 individual in particular, I remember him saying, had had</p> <p>8 a really hard time and to whom he was -- he offered</p> <p>9 a shoulder on which to cry. And I don't mean that</p> <p>10 euphemistically. He was -- my understanding from</p> <p>11 talking to former colleagues of his was that he was very</p> <p>12 kind and he was a popular figure. They liked him.</p> <p>13 Q. Returning to the question of information-gathering</p> <p>14 techniques, we've heard some evidence of a suspected</p> <p>15 break-in to obtain information. Did he ever speak to</p> <p>16 you about anything like that?</p> <p>17 A. No. I don't think so.</p> <p>18 Q. I want to move now to the consequence of Mr Hoare</p> <p>19 speaking out to other people. There are a number of</p> <p>20 articles that we're aware of that were published on the</p> <p>21 basis of what he said. Did that have any adverse</p> <p>22 consequences for him in his relations with his former</p> <p>23 colleagues?</p> <p>24 A. I would assume so, or rather I would assume they would</p> <p>25 have done had he been in touch with them. I'm not aware</p> <p style="text-align: center;">Page 42</p>	<p>1 the Sunday Times, which is that if you're writing</p> <p>2 a story which involves some sort of subterfuge, you</p> <p>3 should ask yourself: will I be prepared to tell the</p> <p>4 reader what I've done when I write the story? It seems</p> <p>5 to me that's a minimal test, but it's a good test, and</p> <p>6 it seems to me phone hacking, for example, is generally</p> <p>7 not excusable under that criterion.</p> <p>8 Q. When you discussed that idea in your witness statement,</p> <p>9 you also say that it would rule out fishing expeditions.</p> <p>10 Do you think that that's a good thing or a bad thing?</p> <p>11 A. I generally think fishing expeditions are a bad thing,</p> <p>12 yes. You can have a strong suspicion, but you need to</p> <p>13 be pretty confident you've got -- you're going after</p> <p>14 something.</p> <p>15 Q. The PCC code on subterfuge, clause 10, places a heavy</p> <p>16 emphasis on what's in the public interest. In your</p> <p>17 book, how do you define what is and what is not in the</p> <p>18 public interest?</p> <p>19 A. I think I find it an incredibly difficult question.</p> <p>20 I mean, we have endless arguments in our own office</p> <p>21 about whether a footballer's sex life is in the public</p> <p>22 interest or not. Very often there's a -- you could say</p> <p>23 footballer X, so what if they're having an affair? Then</p> <p>24 you find actually they've done all sorts of other</p> <p>25 things, and then you think actually, that is in the</p> <p style="text-align: center;">Page 44</p>

<p>1 public interest. I think it's an extraordinary grey 2 area and wouldn't presume to -- 3 Q. Does the -- 4 LORD JUSTICE LEVESON: Hang on. You wouldn't presume to 5 what? 6 A. I find it very, very difficult. I mean, the Independent 7 and the Independent on Sunday are papers which tend not 8 to think that footballers' sex lives are of interest and 9 I'm proud of working for those newspapers. Equally, 10 I suspect one can imagine a situation when you'd say, 11 well, yes, a footballer's sex life is a matter of public 12 interest. Maybe if they're getting an enormous 13 sponsorship, maybe if they're married, sponsorship, 14 playing a role of a loving parent and husband and so on, 15 and it turns out that they're doing all sorts of other 16 things which nobody knows about, then it seems to me 17 that probably is in the public interest. 18 LORD JUSTICE LEVESON: But is it appropriate, therefore, to 19 try to define that rather more closely? Because I would 20 have thought as the deputy editor of a newspaper, you 21 would have a view in your mind where the scale was, and 22 that you've explained how much you argue about it and 23 talk about it would suggest that it's rather fuzzier 24 than that. I'm not being critical, I just -- 25 A. It is very fuzzy, absolutely. We had a conversation in</p> <p style="text-align: center;">Page 45</p>	<p>1 Q. -- formulating a succinct, concrete definition of public 2 interest, might that be because it's not amenable to 3 a succinct concrete definition? 4 A. Yes, I think that's fair. 5 Q. And if it's not amenable to a succinct concrete 6 definition, and yet it is a matter of very considerable 7 importance, does that not suggest that there is a need 8 for considerable guidance to inform what might 9 necessarily have to be a slightly elastic broad 10 definition of public interest? 11 A. Yes. Yes. 12 Q. If we see the broad definition in the PCC code, where 13 does one go at the moment for the guidance? Or is there 14 a lacuna? 15 A. I think the PCC code is generally very, very good. It's 16 senior executives on newspapers, lawyers, bringing all 17 their experience to bear and one is slightly feeling 18 one's way. Whether there's a gap, I don't know. Again, 19 if I may say so, it seems to me that the problem has 20 been not so much in the -- in what the PCC says, but in 21 enforcement and investigation. 22 Q. So if a decision on public interest has to be made on 23 a case-by-case basis, you've told us about one pointer, 24 perhaps, which would be hypocrisy. 25 A. Mm.</p> <p style="text-align: center;">Page 47</p>
<p>1 the office a couple of years ago about a television 2 presenter who was having an affair and we had great 3 anxious debates about whether they could do their job as 4 an interviewer and so on, given what was in their 5 closet, and I think we decided on that occasion that it 6 was not in the public interest. But it's -- I do think 7 it's the nub, if I may say so. I think it's the nub of 8 this entire debate. 9 LORD JUSTICE LEVESON: That's why I'm pressing you a bit, 10 Mr Hanning, because I don't think it's the entirety of 11 it, but I do think it's not an unimportant part of it. 12 So if you had to define it, how would you define it? 13 A. I'd find it incredibly difficult. I think if you're -- 14 I think if people really -- if public figures are living 15 a lie, in some sense, figures who are known to the 16 public, in some sense they are living a lie, then they 17 must expect to come under the scrutiny of the press, and 18 that's legitimate. 19 MR BARR: That is, I suppose, an example of hypocrisy, isn't 20 it? 21 A. Yes. 22 Q. You're a man of immense experience and a deputy editor 23 of a national newspaper. If you're having difficulty, 24 if I may say so -- 25 A. Yes.</p> <p style="text-align: center;">Page 46</p>	<p>1 Q. What, in your view, are the other pointers? 2 A. Well, the old-fashioned notion of information, 3 education, so on. I think entertainment is a legitimate 4 part of it. 5 Q. Is that right? That mere entertainment is in the public 6 interest and might justify -- 7 A. Not absolutely, no. 8 Q. -- subterfuge? 9 A. No, not absolutely. In terms of subterfuge? I'm sorry, 10 no. No, in terms of justifying subterfuge, no, 11 I wouldn't say that. 12 Q. I see. In your experience -- and I'm not now confining 13 this question to your experience on the Evening Standard 14 and the Independent on Sunday, I need to make that quite 15 clear -- have you heard, either directly or through what 16 you would consider to be reliable hearsay, of phone 17 hacking going on on any titles other than the 18 News of the World and the Sun? 19 A. I've heard it talked about, but as no more than hearsay. 20 Q. In relation to tabloid titles or broadsheets or both? 21 A. Both. But I have no concrete knowledge of it. 22 Q. No direct knowledge, I understand. 23 Blagging. Is it your understanding from your 24 experience that blagging has or has not been 25 a widespread technique from obtaining information?</p> <p style="text-align: center;">Page 48</p>

<p>1 A. Yes, it has. I think it has. It seems to me there's 2 been an increasing -- there's been a sort of creeping 3 acceptability of some of these practices. Whereas in 4 the past they might have been used to stand up a story, 5 to prove that a story is correct, because they were 6 effective, they seemed to work in proving the truth of 7 a story, then they came to be used more commonly and 8 more readily, and indeed, came to be the starting point 9 for a story with fishing expeditions. 10 I mean, to return to Sean, Sean used to say it was: 11 "Why don't you do some finger fishing, find out what X 12 is up to." And he would be told this in a sort of 13 fairly casual way: "Oh yes, we could do with a story 14 about X." 15 Q. What I'm trying to establish at the moment is whether 16 that approach is more widespread than just the 17 News of the World and perhaps the Sun. 18 A. I don't know. 19 Q. In terms of payments made to public officials to obtain 20 information, have you, in your career, heard what you 21 might consider to be reliable hearsay suggesting that 22 that sort of thing has gone on? 23 A. Yes. I mean, I don't know of specific instances, but 24 it's long been -- I think it's fair to say it's long 25 been recognised among journalists that very often the Page 49</p>	<p>1 government and now this government, there is a great 2 concern to get -- to win the approval of the press and 3 get the right headlines and so on. 4 Q. Does that translate into real political power for 5 newspapers? 6 A. Yes, I think it does. 7 Q. Finally, at the end of your statement, you suggest 8 a second idea which might help to improve ethical 9 standards in the media. It's on a quite different 10 subject. 11 A. Yes. 12 Q. It's on the question of copy approval. The Inquiry has 13 heard evidence about -- I think it's called 14 "churnalism". You suggest that there ought perhaps to 15 be a rule requiring copy which has been scrutinised by 16 the subject of the article to say so, to declare the 17 approval of the subject. 18 A. Yes. 19 Q. In what we do you think that will help to raise 20 standards in the press? 21 A. It seems to me that the press is -- has been playing the 22 PR game to a dangerous degree, and it needs to stand 23 back from just promoting celebrities and so on, and that 24 while it's fair enough for a celebrity to say, "Can 25 I read my quotes back ..." or, "Could you read my quotes Page 51</p>
<p>1 police will tip off friendly journalists and who knows, 2 they may get a meal out of it, they may get 50 quid out 3 of it, I don't know. But the police are recognised as 4 being quite a source of stories. 5 Q. If the police are recognised as a fertile source of 6 information, what is your sense of how widespread that 7 has been in recent years? 8 A. I'm in the dark about the relationship, for example, 9 between the News of the World and the police. I don't 10 understand it. My sense is that individual police 11 officers are -- well, certainly senior police would 12 not -- would certainly not condone anything like that. 13 Q. No, I understand that. I'm just trying to get a sense 14 of if it is going on, whether you can help us with to 15 what extent it is going on. 16 A. I don't think so, no. 17 Q. Can I ask you now, particularly given your experience as 18 a very senior editor, what your impression is of the 19 power of the media in influencing politicians and 20 politics. What is your view about that relationship? 21 A. I think it's -- I think politicians are perhaps more 22 concerned about the media than is healthy, very often. 23 Particularly in terms of just day-to-day headlines and 24 so on. There's the expression "the fight for tomorrow's 25 headlines", and I know certainly under the Labour Page 50</p>	<p>1 back to me to check I'm not misquoted", although even 2 that is debatable -- but when the PR representative of 3 such-and-such a film star says, "We want to see the 4 whole article", it seems to me you're rather selling the 5 past to the reader -- on the reader, so if the newspaper 6 or the magazine is giving copy approval, they should 7 say, "This article has been vetted", or whatever, by the 8 celebrity in question. 9 LORD JUSTICE LEVESON: It's not so much copy approval; it's 10 whether if you change anything? 11 A. Yes. Yes. 12 MR BARR: Those were all my questions. Thank you very much 13 Mr Hanning. 14 Questions by LORD JUSTICE LEVESON 15 LORD JUSTICE LEVESON: Can I ask a couple of topic, please? 16 First of all, you've had the experience of both the 17 Evening Standard and the Independent, which are very 18 different newspapers. Do you think there is a different 19 test to be applied in relation to the public interest, 20 depending upon the type of newspaper? 21 A. Yes, quite possibly, actually. I mean, we -- those who 22 say we have -- it's difficult to argue with those who 23 say we do have two presses. I think that's true. 24 Although I'm not sure the gap -- the difference between 25 the Evening Standard and the Independent is that great. Page 52</p>

<p>1 But no, I mean, I take your point. That is arguable. 2 It seems to me that we have a lot of what you might 3 call tittle-tattle in our daily papers, whereas on the 4 continent, so far as I can see, it's much more in the 5 weekly press which presents different issues for our 6 daily press. 7 Yes, I do think it's a -- they are -- you know, the 8 red tops, for example, are in a different ball game. 9 LORD JUSTICE LEVESON: They may be wanting to discuss the 10 issue in a different context, with a different subject 11 matter, but should the test be different? 12 A. I take your point. No, probably not. I mean, this 13 issue about footballers, for example, no, I don't think 14 it should be different. 15 LORD JUSTICE LEVESON: I mean, that's precisely the concern. 16 A. Yes. 17 LORD JUSTICE LEVESON: I'm merely trying to probe the issue 18 that has been erected, that there is a difference 19 between different markets which has to be understood, 20 and I readily recognise that the tabloid/mid-market 21 papers are different in their outlook and different in 22 the market to which they are selling their wares. 23 A. Yes. I mean, you can cover -- you can have a balance 24 towards celebrities and football in a red top and have 25 other subjects copied in -- covered in broadsheets, but</p> <p style="text-align: center;">Page 53</p>	<p>1 regulatory regime. 2 A. No, I think -- I mean, I don't think it should be 3 optional. It should be strongly discouraged for people 4 to opt out. I think you do need to have some sort of -- 5 LORD LEVESON: But if merely "strongly discouraged", 6 somebody who is prepared to walk-away from it will 7 walk-away from it. 8 A. Indeed. 9 LORD JUSTICE LEVESON: "Strongly discouraged" is not 10 terribly potent. 11 A. No. I accept that. I don't -- I mean, otherwise you 12 have very strict regulation by Parliament, which seems 13 to me not -- 14 LORD JUSTICE LEVESON: I understand entirely that there is 15 a very strong view that regulation by government or 16 Parliament is the antithesis of freedom of expression, 17 or may be the antithesis of freedom of expression. The 18 question is, as I've put to a number of people, whether 19 it's a binary all or nothing or whether there isn't some 20 middle ground. I'm asking you because you are a serving 21 deputy editor with views on this topic, I have no doubt. 22 You will not be the first and you certainly won't be the 23 last I will ask, so you're not being singled out. 24 A. It seems to me the PCC is not far off being pretty good, 25 and that a way should be found, if it's possible, to get</p> <p style="text-align: center;">Page 55</p>
<p>1 no, I take your point. No, the test is the same. The 2 test should be the same. 3 LORD JUSTICE LEVESON: All right. The second thing that 4 I want to just ask you about -- and I recognise that you 5 are speaking in your personal capacity, and I underline 6 that before I start the question. You left somewhat 7 hanging in the air how highly you thought of the code 8 and then expressed, at least by implication, a concern 9 about its enforceability. 10 A. Yes. 11 LORD JUSTICE LEVESON: Help me with that, if you could. 12 A. Well, I understand Lord Hunt is addressing this. It 13 seems to me that some of the things we've been talking 14 about today do suggest that the regulation system was 15 not perfect, and had the PCC -- it seems to me, again, 16 speaking personally, had the PCC had more powers to 17 investigate, then some of the wrongdoing might have been 18 uncovered a bit sooner. 19 LORD JUSTICE LEVESON: Yes, may or may not have had a power 20 to investigate. That's historical. I'm actually 21 thinking about what might be a model for the future, if 22 the model is to change, in particular, whether it should 23 be optional. 24 A. What, membership of the PCC? 25 LORD JUSTICE LEVESON: Well, or involvement or any sort of</p> <p style="text-align: center;">Page 54</p>	<p>1 everybody to sign up to it. 2 LORD JUSTICE LEVESON: Once you talk about "getting 3 everybody", you really mean forcing everybody? 4 A. As I say, strongly encourage. 5 LORD JUSTICE LEVESON: How does that work? 6 A. I don't know. Some sort of financial -- I don't know. 7 I don't know. It's not an issue which I feel confident 8 in answering, particularly -- 9 LORD JUSTICE LEVESON: Fair enough. I'm sure you will 10 understand why, given your position, I felt it 11 appropriate to ask. And indeed, you left the issue 12 hanging slightly. 13 You say: 14 "The PCC is not far off being pretty good." 15 Do you think it's been a regulator at all? 16 A. Yes, I do. I do. The PCC's come in for a lot of 17 criticism recently, but if you talk to most journalists, 18 I would suggest, they would say, "Gosh, we don't want to 19 be brought up in front of the PCC. That's bad news." 20 As I say, a lot has gone on that shouldn't have gone 21 on, but most of its work, it seems to me, has been 22 pretty -- 23 LORD JUSTICE LEVESON: Well, you're talking about -- 24 A. In the bread and butter issues and so on, it's been 25 pretty effective.</p> <p style="text-align: center;">Page 56</p>

<p>1 LORD JUSTICE LEVESON: You're talking about its harassment 2 policy. Are you talking about its complaints system? 3 A. Yes. 4 LORD JUSTICE LEVESON: You think that works efficiently and 5 well? 6 A. In terms of mediation and so on? 7 LORD JUSTICE LEVESON: Mediation is slightly different. 8 A. Right. 9 LORD JUSTICE LEVESON: What about its complaints system? 10 A. Yes -- no, there are instances where there is not 11 sufficient remedy, I agree with that. 12 LORD JUSTICE LEVESON: All right. Well, thank you. 13 Questions by MR DAVIES 14 MR DAVIES: Can I ask a couple of questions before you do? 15 I simply wanted to ask whether he made any notes of his 16 conversations with Mr Hoare. 17 LORD JUSTICE LEVESON: That's a fair question. 18 A. I have some, yes. 19 MR DAVIES: Would you be willing to make them available? 20 A. Yes. 21 LORD JUSTICE LEVESON: Thank you. Thank you very much, that 22 would be very useful. That would be invaluable. Thank 23 you very much. 24 MR BARR: Sir, we've made excellent progress with our two 25 witnesses this morning. Our third witness for the day</p> <p style="text-align: center;">Page 57</p>	
<p>1 is Mr Driscoll. The arrangement was for him to give 2 evidence at 2 o'clock. I'm told by my learned friend 3 that if it was convenient for you, sir, we could start 4 at 1.30. 5 LORD JUSTICE LEVESON: How long is that evidence likely to 6 take? Some time, is it? 7 MS PATRY HOSKINS: Sir, I'm notoriously bad at judging these 8 things. I'd say an hour and a half. Don't hold me to 9 that. 10 LORD JUSTICE LEVESON: You've given me great confidence. 11 MS PATRY HOSKINS: It all depends on the witness and how 12 they answer questions. 13 LORD JUSTICE LEVESON: Yes, yes, and the judge, I know that. 14 MS PATRY HOSKINS: I was too polite to say that. 15 LORD JUSTICE LEVESON: All right. I certainly would want to 16 make sure I concluded his evidence without any problem. 17 Would it be inconvenient to anybody to start earlier? 18 No? All right. We'll start at 1.30. 19 There are some things that I'll want to say this 20 afternoon about module 2, and if there are any other 21 issues that anybody wants to raise, we'll do it after 22 we've concluded the evidence of the witness. 23 Thank you. 24 (11.40 am) 25 (The luncheon adjournment)</p> <p style="text-align: center;">Page 58</p>	

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