

<p>1 Monday, 19 March 2012 2 (10.00 am) 3 LORD JUSTICE LEVESON: Good morning, yes. 4 MR JAY: Before I start with Mr Harrison, there's one 5 statement to be read in today. It's that of Mr Scott 6 Hesketh, please. 7 LORD JUSTICE LEVESON: Thank you. 8 MR JAY: The first witness is Mr Harrison, please. 9 LORD JUSTICE LEVESON: Thank you. 10 MR DAVID ELLIS HARRISON (affirmed) 11 Questions by MR JAY 12 MR JAY: First of all, your full name. 13 <b>A. David Ellis Harrison.</b> 14 Q. Thank you? 15 LORD JUSTICE LEVESON: Mr Jay, it's right that this evidence 16 is being taken slightly out of order. It fits with some 17 other evidence which we're going to hear, but it has to 18 be taken out of order for convenience to the witness; is 19 that right? 20 MR JAY: It is indeed. 21 LORD JUSTICE LEVESON: Thank you. 22 MR JAY: Mr Harrison, you provided the Inquiry with a short 23 witness statement dated 19 February of this year. 24 <b>A. Yes, I did.</b> 25 Q. You've signed and dated it under a statement of truth,</p> <p style="text-align: center;">Page 1</p>	<p>1 all, remind us, please, for those of us who don't 2 remember, what was the Ipswich murder inquiry? 3 <b>A. It was a serial killing of five girls in the Ipswich</b> 4 <b>area.</b> 5 Q. Thank you. The murderer was apprehended in December 6 2006 or January 2007; is that right? 7 <b>A. Yes, that's correct.</b> 8 Q. What were the circumstances in which SOCA were asked to 9 assist Suffolk police in relation to this investigation? 10 <b>A. We were briefed that the surveillance resources of</b> 11 <b>Suffolk constabulary were not such that they could</b> 12 <b>continue 24 hour a day surveillance on any potential</b> 13 <b>suspect. We were asked to deploy two surveillance teams</b> 14 <b>to the area, which we did.</b> 15 Q. So you were a member of one of those teams? 16 <b>A. I was, yes.</b> 17 Q. You say in your statement that you attended the first 18 operational briefing on 18 December 2006 in the evening. 19 You were taking over from the Suffolk surveillance team 20 and the briefing was delivered by the branch commander. 21 First of all, who was the branch commander and what did 22 he say? 23 <b>A. The branch commander was a chap called Simon Jennings.</b> 24 <b>He was in charge of SOCA generally for that area, even</b> 25 <b>though the surveillance teams had come from London and</b></p> <p style="text-align: center;">Page 3</p>
<p>1 so this is your formal evidence to the Inquiry? 2 <b>A. It is, yes.</b> 3 Q. To be clear, it hasn't been given pursuant to 4 a statutory notice; you volunteered it? 5 <b>A. Not at all; it was entirely voluntary.</b> 6 Q. First of all, please, your employment as a crime 7 investigator or intelligence officer with SOCA. That's 8 the Serious Organised Crime Agency. For those who don't 9 know what SOCA is, what is SOCA and what does it do, in 10 a nutshell? 11 <b>A. They are entrusted to investigate serious organised</b> 12 <b>crime. That would be drug smuggling, people</b> 13 <b>trafficking, money-laundering, any other crime that was</b> 14 <b>instigated by an organised crime group.</b> 15 Q. Thank you. Would their work ordinarily cover murder 16 investigation? 17 <b>A. No, not normally.</b> 18 Q. We'll deal with the circumstances in which SOCA was 19 involved in this case. You were employed there 20 between April 2006 and July 2008, and previously you 21 carried out the same role for Her Majesty's Customs; is 22 that right? 23 <b>A. Yes, I did.</b> 24 Q. In December 2006, you were part of a SOCA surveillance 25 team working on the Ipswich murder inquiry. First of</p> <p style="text-align: center;">Page 2</p>	<p>1 <b>Birmingham. He delivered the first half of the</b> 2 <b>briefing, a kind of "welcome to the operation", basic</b> 3 <b>reasons why we were there, and then he handed over to</b> 4 <b>the operational briefing commander.</b> 5 Q. At that stage, were your attentions directed to the 6 individual whom you're describing as the first suspect? 7 <b>A. Yes, that's correct.</b> 8 Q. And to be clear, the first suspect was, as it 9 transpired, not the murderer? 10 <b>A. That is correct, yes.</b> 11 Q. What were you told, if anything, about one newspaper's 12 interest in this operation? 13 <b>A. At the end of the briefing, as part of the intelligence</b> 14 <b>that had been received, we assumed by Suffolk</b> 15 <b>constabulary, that a News of the World surveillance team</b> 16 <b>had been deployed to identify who we were and where we</b> 17 <b>were based.</b> 18 Q. How would the News of the World have obtained that 19 information about SOCA? 20 <b>A. My opinion is it would have come from someone close to</b> 21 <b>the investigation team, either the Suffolk murder</b> 22 <b>inquiry or SOCA.</b> 23 Q. Because there are no other possibilities, are there? 24 <b>A. No, not really.</b> 25 Q. Your surveillance activities then commenced, and during</p> <p style="text-align: center;">Page 4</p>

<p>1 the course of those activities, were you aware that you 2 yourself were the object of surveillance? 3 <b>A. Yes. Once we'd been told that there was a surveillance 4 capability looking for us -- we didn't know how many 5 people that involved, how many cars, whether it was one 6 guy stood on the payment or four or five vehicles -- we 7 obviously took that into account during our surveillance 8 activity, so we were always looking for potentials 9 surveillance teams.</b> 10 Q. Did you see any or anybody who might be a surveillance 11 team? 12 <b>A. Yes, on at least one occasion, I believe two occasions, 13 there were vehicles that attempted to follow us. They 14 were -- we identified them because they were sat in 15 positions that we would sit in if we were doing the same 16 job, on the outskirts of Ipswich. If you're trying 17 to -- from their point of view, if they're trying to 18 lock onto a surveillance team, the best thing to do is 19 wait for them to finish work and go back to their hotel. 20 Well, it would have been probably pretty obvious we'd 21 stay well outside Ipswich, so if you put a car on the 22 main roundabout, on the main route out of Ipswich, you 23 have a pretty good chance of seeing something, if you 24 know what you're looking for, and there were at least 25 two occasions where we saw a vehicle plotted up on</b> Page 5</p>	<p>1 had engaged this team? 2 <b>A. I've no idea. I assume it's the same source as the 3 original briefing.</b> 4 Q. You tell us in your statement in the last paragraph of 5 the first page -- that's 10041 -- that colleagues on 6 your surveillance team said that they had watched -- 7 this was the first suspect -- him picked up and driven 8 around by a team that carried out anti-surveillance 9 manoeuvres before dropping him off at a hotel to be 10 interviewed? 11 <b>A. That's correct.</b> 12 Q. So whoever it was who were conducting this surveillance 13 obviously knew about surveillance as well? 14 <b>A. Yes, that's correct.</b> 15 Q. Because without giving away any of the tricks of the 16 trade, as it were, you refer to "anti-surveillance 17 manoeuvres". 18 <b>A. Yes.</b> 19 Q. One can imagine what they might be. 20 On the next page, you explain the harm to the public 21 interest that -- you only identify the News of the World 22 in this context. Do you intend to confine your 23 observations to the News of the World rather than 24 exclude the Sunday Mirror? 25 <b>A. I think that the Sunday Mirror objectives were merely to</b> Page 7</p>
<p>1 <b>a roundabout that attempted to follow us.</b> 2 Q. It sounds as if the person or persons who were carrying 3 out the surveillance on you knew something about the art 4 of surveillance? 5 <b>A. Yes. If they knew nothing about surveillance, they 6 wouldn't have got anywhere near us.</b> 7 Q. Were you told anything at the briefing that Mr Jennings 8 carried out as to the possible identities or rather the 9 employers of the people who were carrying out the 10 surveillance, or the ex-employers? 11 <b>A. Yes, we were told that they were probably ex-special 12 forces soldiers who would have a good inside knowledge 13 of surveillance techniques.</b> 14 Q. You tell us in your statement that there was a later 15 briefing, a day or two later, either 19 or 20 December. 16 What were you told during the course of that briefing? 17 <b>A. This was to do with the same suspect. We were then told 18 that a Sunday Mirror surveillance team -- not exactly 19 surveillance team, but some sort of capability that 20 allowed them to pick up the suspect and get him to 21 a place where they could debrief him without us being 22 able to follow them. So it could have been a couple of 23 cars designed with counter-surveillance capabilities to 24 pick the suspect up and take him off.</b> 25 Q. How did people know that it was the Sunday Mirror who Page 6</p>	<p>1 <b>pick the suspect up, either without being seen or -- and 2 take him to an area where he could be debriefed without 3 being followed, so I would exclude them from this 4 comment. I would make it sort of merely in terms of the 5 News of the World.</b> 6 Q. You identify the two respects that you believe the 7 actions of the News of the World jeopardised the murder 8 inquiry. In your own words, could you summarise those 9 two respects for us, please? 10 <b>A. Yes. It is historically known that murder suspects, 11 before they are arrested, before they realise they're 12 being investigated, may return to the scene of the 13 crime. They may try to dispose of evidence. They may 14 try to move bodies or they may even try to commit 15 further offences. If, whilst doing that, they thought 16 they were doing followed -- they obviously wouldn't know 17 that it was a legitimate police surveillance team or 18 whether it was a newspaper, but if they thought they 19 were being followed, they might very well stop what they 20 were doing or not do what they'd planned to do, and 21 because their evidence -- if a surveillance officer can 22 see the sort of evidence we were after, if that is not 23 possible, then that weakens the prosecution case in the 24 future.</b> 25 Q. Your second point is -- perhaps it's more obvious to us. Page 8</p>

1 **A. Yes. The second objective of our surveillance was not**  
 2 **only to look for evidence -- look for the target to go**  
 3 **back to the scene of the crime, but it was also to make**  
 4 **this you are that if he had intended to commit further**  
 5 **murders, we were in a position to either stop him or**  
 6 **call resources in to stop him. Again, if our**  
 7 **surveillance had been weakened by having to try and**  
 8 **avoid other surveillance teams looking for us, if we'd**  
 9 **lost the subject, he may have gone and committed further**  
 10 **murders because we were dealing with something else, we**  
 11 **were trying to keep away from other surveillance teams.**  
 12 Q. In the events which happened, however, the first suspect  
 13 was, as you've told us, not the murderer, but there came  
 14 into your sights, as it were, a second suspect, who  
 15 I think you were involved in --  
 16 **A. Yes, very briefly.**  
 17 MR JAY: Thank you very much. That's all the questions  
 18 I have for you, Mr Harrison. Thank you very much  
 19 indeed.  
 20 LORD JUSTICE LEVESON: In a free society, of course,  
 21 Mr Harrison, journalists are entitled to go where they  
 22 want, but how potentially difficult does it make the  
 23 inquiry if a journalist does take off a suspect to  
 24 interview him themselves?  
 25 **A. Well --**

Page 9

1 LORD JUSTICE LEVESON: Which was the second limb of the  
 2 concern that you expressed.  
 3 **A. I think the main point would be: if, by their actions,**  
 4 **they had lost us, if we hadn't been able to follow the**  
 5 **suspect because they had picked him up and taken him off**  
 6 **to a hotel, for instance, and then left him at the hotel**  
 7 **or dropped him off somewhere else that he want and we**  
 8 **weren't there, that person is not under control, we're**  
 9 **not fulfilling the objectives that we want, either to**  
 10 **protect people from further offences or to gather**  
 11 **evidence. So they could easily pick him up, take him to**  
 12 **the hotel, lose us, drop him off and he could go and do**  
 13 **whatever he wanted without us behind him. So that is**  
 14 **a potential risk to the -- well, to public safety.**  
 15 LORD JUSTICE LEVESON: Although the probability is that the  
 16 press, doing such a thing, weren't so much interested in  
 17 you as other members of the press.  
 18 **A. Well --**  
 19 LORD JUSTICE LEVESON: You don't know?  
 20 **A. I don't know about that, no.**  
 21 LORD JUSTICE LEVESON: All right. Thank you very much  
 22 indeed.  
 23 **A. Okay.**  
 24 MR JAY: Thank you. We have a technical problem with the  
 25 screen here. May I ask that we --

Page 10

1 LORD JUSTICE LEVESON: And with mine.  
 2 MR JAY: All right.  
 3 LORD JUSTICE LEVESON: Thank you. We'll let that be  
 4 resolved. Thank you.  
 5 (10.22 am)  
 6 (A short break)  
 7 (10.35 am)  
 8 MR JAY: The next witness, please, is Mr Twomey.  
 9 MR JOHN JOSEPH DONALD TWOMEY (sworn)  
 10 Questions by MR JAY  
 11 MR JAY: Your full name, please?  
 12 **A. It's John Joseph Donald Twomey.**  
 13 Q. You've provided the Inquiry with two witness statements?  
 14 **A. That's right.**  
 15 Q. The first is in your capacity as crime reporter at the  
 16 Daily Express, the second in your capacity as chairman  
 17 of the Crime Reporters Association. The first statement  
 18 is dated 8 February, the second 28 February. There's  
 19 a statement of truth on each statement. Are both your  
 20 formal evidence to the Inquiry?  
 21 **A. Yes.**  
 22 Q. Thank you, Mr Twomey. First of all, please, your  
 23 career. You were first employed as a general news  
 24 reporter, appointed crime reporter in 1983. For a short  
 25 period you were a crime reporter at the London Daily

Page 11

1 News, but since October 1987, you've been crime reporter  
 2 of the Daily Express?  
 3 **A. That's correct.**  
 4 Q. And from 2009 -- that must have been on the retirement  
 5 of Mr Edwards -- you've been chairman of the Crime  
 6 Reporters Association?  
 7 **A. That's correct.**  
 8 Q. Can I ask you, first of all, two general questions about  
 9 the Daily Express. The first question is: what is the  
 10 sort of crime story that Daily Express readers expect to  
 11 read and therefore you aim to write?  
 12 **A. I think you could probably describe it as a judicial**  
 13 **sort of crime story about murders, armed robberies, the**  
 14 **police investigating serial offenders, maybe sex**  
 15 **attackers, and the kind of stories that I think Daily**  
 16 **Express readers wish to read are the ones that end up**  
 17 **with the killer or the armed robber, the serial sex**  
 18 **attacker in the dock at the Old Bailey getting life**  
 19 **imprisonment. It's the old-fashioned cops and robbers**  
 20 **stories, if you see what I mean.**  
 21 LORD JUSTICE LEVESON: So the take is the serious crime end  
 22 rather than the macro-criminal view about communities  
 23 and harassment and nuisance type crime?  
 24 **A. I would say so, yes.**  
 25 Q. And not, presumably, gossip about what's happening in

Page 12

<p>1 political terms -- inverted commas around "political" --</p> <p>2 around the management board of the Metropolitan Police,</p> <p>3 for example?</p> <p>4 <b>A. No.</b></p> <p>5 Q. Is that right? The second general point is we've heard</p> <p>6 from a number of witnesses that there's less money</p> <p>7 around to do serious reporting. (a) Is that true in</p> <p>8 relation to the Daily Express, and (b) if it is true,</p> <p>9 what, if anything, have been the consequences of that?</p> <p>10 <b>A. I think there probably is a tighter budget at the</b></p> <p>11 <b>Express than other papers. The consequences might be</b></p> <p>12 <b>that you can't bid for exclusive interviews, perhaps,</b></p> <p>13 <b>unless they fall within our interest range. Perhaps</b></p> <p>14 <b>itches are -- if they're sold exclusively, might go to</b></p> <p>15 <b>other papers with a bigger budget. That is not always</b></p> <p>16 <b>the case. We can always step in, you know, with a bid</b></p> <p>17 <b>that would outbid other papers, should it be absolutely</b></p> <p>18 <b>in our interest range.</b></p> <p>19 Q. Okay. At paragraph 4 of your first statement,</p> <p>20 Mr Twomey, you tell us, going back now to the 1980s,</p> <p>21 that, broadly speaking, crime reporters acted as</p> <p>22 cheerleaders for the police, and Scotland Yard in</p> <p>23 particular, and the MPS could normally rely on</p> <p>24 uncritical coverage from daily paper crime reporters.</p> <p>25 Is that an observation, Mr Twomey, which applies to</p> <p style="text-align: center;">Page 13</p>	<p>1 <b>courts.</b></p> <p>2 Q. In paragraph 6, you explain that the culture changed for</p> <p>3 a number of reasons.</p> <p>4 <b>A. Yes.</b></p> <p>5 Q. Many of them are clear to us. You highlight in</p> <p>6 particular the Stephen Lawrence case, but all these</p> <p>7 factors played a part in transforming relations between</p> <p>8 police and the media, and the upshot was that the media</p> <p>9 became more critical of the police?</p> <p>10 <b>A. That's right.</b></p> <p>11 Q. Presumably that applied to the Daily Express as well,</p> <p>12 did it?</p> <p>13 <b>A. It did.</b></p> <p>14 Q. Was that something that you were comfortable with or not</p> <p>15 comfortable with?</p> <p>16 <b>A. Well, I think those stories had to be written. Quite</b></p> <p>17 <b>clearly, the miscarriages of justice, they had to be</b></p> <p>18 <b>exposed, they had to be rectified, the problems had to</b></p> <p>19 <b>be rectified so they wouldn't recur. Publicity played</b></p> <p>20 <b>a major role in that, I think, and those were the</b></p> <p>21 <b>stories that needed to be written. My concern was --</b></p> <p>22 <b>perhaps "concern" is putting it too highly, but you</b></p> <p>23 <b>still wanted to get back to the traditional story. You</b></p> <p>24 <b>didn't want the paper full of critical stories when your</b></p> <p>25 <b>contacts were probably just doing the same good work as</b></p> <p style="text-align: center;">Page 15</p>
<p>1 crime reporters as a whole or to the Daily Express in</p> <p>2 particular?</p> <p>3 <b>A. No, at that time that would be crime reporters as</b></p> <p>4 <b>a whole. Joining the group of daily paper crime</b></p> <p>5 <b>reporters, that was the impression you picked up very</b></p> <p>6 <b>quickly from the older hands, and clearly you followed</b></p> <p>7 <b>their example.</b></p> <p>8 Q. What do you think were the reasons for this phenomenon,</p> <p>9 uncritical coverage?</p> <p>10 <b>A. Well, I think it's because -- maybe it was a tradition</b></p> <p>11 <b>that crime reporters worked so closely with detectives,</b></p> <p>12 <b>they were very friendly with them. They would promote</b></p> <p>13 <b>the CID and they would, in return, as it were, get good</b></p> <p>14 <b>stories and it would be in their interests, the</b></p> <p>15 <b>interests of both sides, if that kind of coverage was</b></p> <p>16 <b>continued.</b></p> <p>17 Q. In paragraph 5 of your statement, you speak of direct</p> <p>18 relationships with senior detectives, unmediated by the</p> <p>19 DPA. Can I ask you, please, about interactions with</p> <p>20 detectives at that stage. Were they based around the</p> <p>21 pub? How did it work?</p> <p>22 <b>A. I think -- I have to say that it was probably based</b></p> <p>23 <b>around the pub, the local pub to a police station or</b></p> <p>24 <b>near Scotland Yard, near the courts where they regularly</b></p> <p>25 <b>had their cases: clearly the Old Bailey, other major</b></p> <p style="text-align: center;">Page 14</p>	<p>1 <b>they were in the past but not getting it promoted in the</b></p> <p>2 <b>same way that they were.</b></p> <p>3 Q. And the contacts you're referring to are the senior</p> <p>4 detectives you mentioned?</p> <p>5 <b>A. Yes.</b></p> <p>6 Q. And these are the individuals who are providing you with</p> <p>7 the information you refer to under paragraph 8 of your</p> <p>8 statement; is that correct?</p> <p>9 <b>A. That's right.</b></p> <p>10 Q. Can I be clear, though, when you say in paragraph 8:</p> <p>11 "In practice, less information was passed to</p> <p>12 reporters, both formally and informally."</p> <p>13 At that stage -- we're talking now late 1990s,</p> <p>14 possibly the --</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. -- first decade of the 21st century. What do you mean</p> <p>17 by "formally and informally"?</p> <p>18 <b>A. Formally from the press office, the Press Bureau, where</b></p> <p>19 <b>they would have been more open, there perhaps would have</b></p> <p>20 <b>been more press conferences. There was less information</b></p> <p>21 <b>from the official channels. Your contacts might not be</b></p> <p>22 <b>so ready to give you information. Your contacts may not</b></p> <p>23 <b>meet you as often. They might -- some of the people</b></p> <p>24 <b>that you had been speaking to previously may simply just</b></p> <p>25 <b>drift off to -- and you'd lose contact with them.</b></p> <p style="text-align: center;">Page 16</p>

<p>1 So the upshot was that from both the official</p> <p>2 channel there was less information but there was --</p> <p>3 although it might be more patchy, there was probably</p> <p>4 less information coming through your informal contacts</p> <p>5 as well.</p> <p>6 Q. How did it work with the informal contacts? If you</p> <p>7 wanted information about a case which was not their</p> <p>8 case, did your informal contacts tend to put you in</p> <p>9 touch with the detective who could assist you?</p> <p>10 A. Well, that could happen, yes. Quite a few occasions</p> <p>11 when -- over the years, when detectives -- you would go</p> <p>12 and meet them and ask them if there was anything that</p> <p>13 could be printed or published, any developments in their</p> <p>14 inquiries, and they may turn around and say, "No,</p> <p>15 there's nothing, but superintendent so-and-so, my</p> <p>16 friend, my colleague, who you don't know, I know that he</p> <p>17 has an interesting development in his inquiry", and you</p> <p>18 could then -- he might even say, "I'll introduce you to</p> <p>19 him if you don't already know him", and you would go</p> <p>20 along and you would have a discussion.</p> <p>21 That officer, the second officer, might say, "I'm</p> <p>22 quite happy with you to write a story about that."</p> <p>23 Under certain conditions, he might say, "It's just not</p> <p>24 ready for publication just yet", or he might say, "We do</p> <p>25 have an interesting development but I'm going to go</p> <p style="text-align: center;">Page 17</p>	<p>1 missed. They may have been reluctant to say that under</p> <p>2 those conditions in that era, so that probably would act</p> <p>3 strictly against the public interest.</p> <p>4 Q. You mention, however, a change in the MPS media strategy</p> <p>5 following the publication of the MacPherson report,</p> <p>6 which was in 1999. This is paragraph 11. You say:</p> <p>7 "Against the background of corrosive publicity, more</p> <p>8 meaningful relationships were actively sought with</p> <p>9 newspaper editors."</p> <p>10 Was this a charm offensive?</p> <p>11 A. I think it was, and I think it was probably more than</p> <p>12 that. I think they clearly had a message. They were in</p> <p>13 dire straits, as I think Lord Stevens has explained to</p> <p>14 the Inquiry, in terms of the numbers of officers who</p> <p>15 were leaving, and they weren't getting any in to replace</p> <p>16 them. But there was an element of a charm offensive,</p> <p>17 I guess, but it was -- that was on the -- there was</p> <p>18 a message, a real proper serious message to put over,</p> <p>19 that the Metropolitan Police could cope and that they</p> <p>20 were getting back on their feet, and it might take a few</p> <p>21 years, three years, four years, five years, but they</p> <p>22 would achieve it.</p> <p>23 LORD JUSTICE LEVESON: Just before you go on with that, can</p> <p>24 we go back to your last answer, which I've been</p> <p>25 reflecting upon, when you said that the drying up of</p> <p style="text-align: center;">Page 19</p>
<p>1 through official channels and we'll put it through the</p> <p>2 press office."</p> <p>3 Q. I have been asked to put to you this question but you</p> <p>4 may already have answered it: what kinds of informal</p> <p>5 information was not being passed which would have been</p> <p>6 before?</p> <p>7 A. Well, I think -- well, it would be the whole range,</p> <p>8 really. I mean, whereas people would be quite happy to</p> <p>9 talk about developments in inquiries, court cases coming</p> <p>10 up, some twist and turn in some inquiry that had long --</p> <p>11 that was long established that would have been of</p> <p>12 interest, and -- they probably felt it wasn't right and</p> <p>13 they wouldn't tell you.</p> <p>14 Q. When information was passed to you informally, was it</p> <p>15 passed either in the pub or over the phone?</p> <p>16 A. It would be very unlikely to be over the telephone,</p> <p>17 I think, so it would be in a social setting, yes.</p> <p>18 Q. In your view, when this information stream -- I won't</p> <p>19 say dried up but became -- was flowing less freely, did</p> <p>20 it impact on your ability to write stories in the public</p> <p>21 interest?</p> <p>22 A. Well, it may have done. It's difficult to say. It's</p> <p>23 difficult to quantify. They may have wished to pass</p> <p>24 information about an inquiry that was going wrong, about</p> <p>25 some -- a chance to catch an offender that had been</p> <p style="text-align: center;">Page 18</p>	<p>1 information may have affected the public interest</p> <p>2 stories. Could I ask you this: who, in that regard, is</p> <p>3 the better arbiter of what's in the public interest? Is</p> <p>4 it the journalist and his editor or the detective and</p> <p>5 his superior? And is the real problem the mismatch</p> <p>6 between trying to dictate by over-arching decree and the</p> <p>7 rather more sensitive decision, case by case, as to what</p> <p>8 might aid a prosecution process? Do you see the</p> <p>9 question I'm asking?</p> <p>10 A. Yes, indeed, but I think the -- to make that decision,</p> <p>11 if it's going to be the detective or the newspaper</p> <p>12 editor, that information has to be aired somewhere.</p> <p>13 There has to be some sort of dialogue, there has to be</p> <p>14 some sort of debate about whether it is in the public</p> <p>15 interest or not, so if we don't get to hear about it --</p> <p>16 LORD JUSTICE LEVESON: But once you've heard about it, the</p> <p>17 police have lost control, because once you hear about it</p> <p>18 you can decide: "Well, I think this is in the public</p> <p>19 interest and I won't pay attention to your view"; you</p> <p>20 can do that.</p> <p>21 A. Well, it could happen like that, but you would have to</p> <p>22 look at it -- clearly, you would have to look at it case</p> <p>23 by case, each one having its own particular</p> <p>24 circumstances.</p> <p>25 MR JAY: Would there be a discussion at editorial level?</p> <p style="text-align: center;">Page 20</p>

<p>1 You obtain information where you know police disclosure 2 was unauthorised. 3 <b>A. Yes.</b> 4 Q. Is there then a discussion within the newspaper as to 5 whether it is in the public interest to publish? 6 <b>A. Well, there would be, yes. I mean, I think -- you know,</b> 7 <b>the reporter might decide that it needs to go to the</b> 8 <b>editor. It might be the news editor. This might be</b> 9 <b>some discussion about that. I think there would be</b> 10 <b>a careful reflection. There wouldn't be a rushing into</b> 11 <b>print. I think you would have to look at the impact --</b> 12 <b>you know, perhaps if it was a serial sex inquiry, you</b> 13 <b>would have to look at the impact on victims and the</b> 14 <b>ability of -- if the person was still outstanding, on</b> 15 <b>the ability of the police to catch the person. That</b> 16 <b>would be the paramount thing.</b> 17 <b>So you would never go ahead with any story that</b> 18 <b>would possibly jeopardise apprehending a criminal, or if</b> 19 <b>you were in a position to write a story that would</b> 20 <b>actually jeopardise the safe prosecution, someone having</b> 21 <b>a safe trial.</b> 22 LORD JUSTICE LEVESON: Does it matter if the story becomes 23 one of those all-embracing stories that everybody's 24 after? We've heard, during the course of the Inquiry, 25 of a number of such investigations that really did catch</p> <p style="text-align: center;">Page 21</p>	<p>1 <b>stories have opinion published that, with hindsight,</b> 2 <b>shouldn't have been.</b> 3 LORD JUSTICE LEVESON: One can go back over the years: the 4 moors murders. We've talked about 25 Cromwell Street. 5 <b>A. Yeah.</b> 6 LORD JUSTICE LEVESON: More recently, you could talk about 7 the murder of Joanna Yeates, where the story becomes so 8 important to the public -- 9 <b>A. Yes.</b> 10 LORD JUSTICE LEVESON: -- that caution goes to the wind. 11 Would that be unfair? 12 <b>A. Well, it could appear to be like that.</b> 13 LORD JUSTICE LEVESON: But you don't think it is it? 14 <b>A. Well, no --</b> 15 LORD JUSTICE LEVESON: You're being cautious and that's 16 entirely fair enough, Mr Twomey. I understand that. 17 <b>A. Yes, but I think there are a lot of decisions that have</b> 18 <b>been made over the years, with hindsight, people would</b> 19 <b>have taken a different course.</b> 20 MR JAY: Can I deal with methods? We've heard about 21 obtaining informal information and we understand that, 22 but once obtained, is it your practice to check out 23 through more formal sources within the police whether 24 the information you're receiving (a) is true and (b), if 25 true, its publication would harm the public interest?</p> <p style="text-align: center;">Page 23</p>
<p>1 the attention of everybody, and therefore what became 2 important was to publish something else on the story, 3 irrespective of the consequences that it might have. 4 You can think of some examples, as I know I can. 5 <b>A. But you would have to -- I think you would have to err</b> 6 <b>on the side of caution then and not -- not just follow</b> 7 <b>the -- and not just follow the momentum of where that</b> 8 <b>series of stories was going. I think you would have to</b> 9 <b>call a halt and the decision would have to be made at</b> 10 <b>editor level.</b> 11 LORD JUSTICE LEVESON: But do you think that's always 12 happened? 13 <b>A. No.</b> 14 LORD JUSTICE LEVESON: So one has to calibrate that in some 15 way? 16 <b>A. I suppose so, yes.</b> 17 MR JAY: When you say that you don't think it's always 18 happened, are you referring to your paper or to the 19 press more generally? 20 <b>A. Well, the press in general.</b> 21 Q. What sort of things have gone wrong then, insofar as one 22 can generalise? 23 <b>A. Well, there have been stories in the past, perhaps,</b> 24 <b>where there's deemed to be a great interest from the</b> 25 <b>public, and, you know, perhaps, rather rashly, follow-up</b></p> <p style="text-align: center;">Page 22</p>	<p>1 <b>A. You would certainly have to check almost all the</b> 2 <b>information. If you got it from the horse's mouth -- if</b> 3 <b>the SIO told you, then you work out with him what you</b> 4 <b>could write. If you heard it from an informal source,</b> 5 <b>you would go to the official channels to check it out,</b> 6 <b>but they may come back and say, "For reasons that you</b> 7 <b>don't realise, for reasons that you haven't been told,</b> 8 <b>you're treading on territory perhaps where you shouldn't</b> 9 <b>go", and if that were the case, then I'd --</b> 10 <b>I wouldn't -- I certainly wouldn't even tell the news</b> 11 <b>desk. That would be the -- that was always the way that</b> 12 <b>I operated: you checked out a story first to make sure</b> 13 <b>it was accurate, but if there were any problems about</b> 14 <b>writing it and getting it in the newspaper, you would</b> 15 <b>want to hear about those before you told the news desk.</b> 16 <b>Sorry, I was going to say that's a safety valve,</b> 17 <b>because that -- the checking that it's true may not be</b> 18 <b>at the same time as somebody who's then ringing you up</b> 19 <b>and saying, "Hang on a minute, you're straying into</b> 20 <b>territory where you shouldn't go."</b> 21 Q. You're very experienced. You've been the crime reporter 22 at the Daily Express for 24 years. You probably have 23 more experience than many of the news editors. Are 24 there occasions in which there's almost a tension 25 between you and the news editors, where you may be</p> <p style="text-align: center;">Page 24</p>

<p>1 exercising more restraint than they might be prepared to</p> <p>2 because you understand the issues more delicately than</p> <p>3 they do?</p> <p>4 <b>A. I think that's correct, and I think that's where you</b></p> <p>5 <b>have to trust your own judgment. There can be tensions,</b></p> <p>6 <b>and you just have to trust your own judgment and stick</b></p> <p>7 <b>to your own judgment.</b></p> <p>8 Q. I may be wrong about this, but if my recollection is</p> <p>9 being true to me, the Daily Express wasn't involved in</p> <p>10 any critical way with the Mr Jefferies stories; is that</p> <p>11 correct?</p> <p>12 <b>A. I think -- I'm not entirely sure, but I think you're</b></p> <p>13 <b>right.</b></p> <p>14 Q. Did you write any stories on that case?</p> <p>15 <b>A. No.</b></p> <p>16 Q. No. May I ask you to look at paragraph 15 of your</p> <p>17 statement now, Mr Twomey, when you indicate that the</p> <p>18 officers you mixed with were ranked mostly from</p> <p>19 detective sergeant to detective superintendent. We can</p> <p>20 understand why: because the sort of stories you were</p> <p>21 writing --</p> <p>22 <b>A. Yes.</b></p> <p>23 Q. -- they would be providing the most useful information.</p> <p>24 In the context of that statement, can I ask you what was</p> <p>25 the purpose, then, of you meeting up with more senior</p> <p style="text-align: center;">Page 25</p>	<p>1 <b>a high-profile investigation or a terrorist emergency,</b></p> <p>2 <b>the CRA could get the access we felt we needed so we</b></p> <p>3 <b>could get on-the-record information, possibly the</b></p> <p>4 <b>non-attributable information that they like to give us</b></p> <p>5 <b>from time to time, and that we got that as quickly as</b></p> <p>6 <b>possible.</b></p> <p>7 Q. The lunches after the briefings were always both</p> <p>8 non-attributable and non-reportable; any information you</p> <p>9 were given wouldn't leave the table, as it were.</p> <p>10 <b>A. That's right.</b></p> <p>11 Q. But you make it clear in paragraph 21 that the talk was</p> <p>12 always very general. Are you referring here to</p> <p>13 background context information regarding the terrorist</p> <p>14 threat, for example?</p> <p>15 <b>A. That's right, yeah. That's right. That would be the --</b></p> <p>16 <b>if you were meeting an assistant commissioner who had</b></p> <p>17 <b>the terrorism brief or the DAC who had the terrorism</b></p> <p>18 <b>brief, obviously it would be very beneficial, I think,</b></p> <p>19 <b>to both sides to have a broad general discussion,</b></p> <p>20 <b>a context discussion, as you say, about the terrorist</b></p> <p>21 <b>threat, any new developments. There would be</b></p> <p>22 <b>a wide-ranging talk, but it would probably be on general</b></p> <p>23 <b>policing matters. You might talk about court cases,</b></p> <p>24 <b>terrorism court cases -- not the ones that were up and</b></p> <p>25 <b>coming but the ones that had just finished. There would</b></p> <p style="text-align: center;">Page 27</p>
<p>1 officers, from commissioner level down to assistant</p> <p>2 commissioner or deputy assistant commissioner level?</p> <p>3 <b>A. Well, from time to time I know the -- over the years,</b></p> <p>4 <b>you would -- people would be promoted. You may know</b></p> <p>5 <b>them as Detective Chief Superintendent, but then they</b></p> <p>6 <b>might come back as a commander or a DAC and you get to</b></p> <p>7 <b>know them there. The senior officers -- as far as I was</b></p> <p>8 <b>concerned, it was probably good to meet them from time</b></p> <p>9 <b>to time if you had the opportunity, but the bread and</b></p> <p>10 <b>butter information for a crime reporter came from the</b></p> <p>11 <b>inspector, chief inspector, superintendent.</b></p> <p>12 Q. Did you meet with the more senior people either in your</p> <p>13 capacity as a senior position, really, within the CRA or</p> <p>14 to gain a broader perspective on the crime issues of the</p> <p>15 day?</p> <p>16 <b>A. Well, meeting up with the assistant commissioners,</b></p> <p>17 <b>deputy assistant commissioners, that was normally done</b></p> <p>18 <b>in my capacity as being a senior member of the CRA,</b></p> <p>19 <b>particularly since I was the chairman. The purpose of</b></p> <p>20 <b>doing that is obviously you get the benefit, as an</b></p> <p>21 <b>individual crime reporter, but the purpose of meeting</b></p> <p>22 <b>senior ranks as a CRA chairman is to build up that</b></p> <p>23 <b>relationship with the organisation to ensure that the</b></p> <p>24 <b>access we did have was continued and so we could -- but</b></p> <p>25 <b>also to improve it and to ensure that should there be</b></p> <p style="text-align: center;">Page 26</p>	<p>1 <b>be aspects of the investigations that you might not know</b></p> <p>2 <b>about and it was very interesting to hear how those</b></p> <p>3 <b>successful terrorist -- anti-terrorist investigations</b></p> <p>4 <b>and prosecutions were put together and how they were</b></p> <p>5 <b>assembled. They wouldn't be giving any secrets away,</b></p> <p>6 <b>clearly. We wouldn't want them to and you wouldn't</b></p> <p>7 <b>expect them to do that, but you sometimes came away from</b></p> <p>8 <b>a lunch like that with a great deal of knowledge and an</b></p> <p>9 <b>enhanced knowledge of how the anti-terrorism world</b></p> <p>10 <b>worked.</b></p> <p>11 Q. How often did these lunches tend to last, insofar as one</p> <p>12 can generalise?</p> <p>13 <b>A. Probably about two hours, I should think.</b></p> <p>14 Q. Did you ever hear things during these lunches which</p> <p>15 weren't particularly of interest to you, because of the</p> <p>16 sort of stories you wanted to write about, but might</p> <p>17 have been of interest to other newspapers? I'm talking</p> <p>18 in particular about what might be described as leaks</p> <p>19 relating to poor relationships within the management</p> <p>20 board, for example.</p> <p>21 <b>A. I can't recall anything like that, no.</b></p> <p>22 Q. Can I ask you, please, about lunches with Mr Fedorcio.</p> <p>23 <b>A. Mm-hm.</b></p> <p>24 Q. Paragraph 23. You explain:</p> <p>25 "It makes good sense to have a good working</p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 relationship with the head of public affairs at New 2 Scotland Yard. I had less contact with his 3 predecessors."</p> <p>4 It's largely self-explanatory why it made good sense 5 to have a good working relationship, but to be clear, 6 you weren't seeking any particular privileged 7 information from him, were you?</p> <p>8 <b>A. No. No. All those lunches that were organised by the 9 CRA, the first rule was that it was non-reportable. It 10 didn't mean to say that that opened the door for any 11 kind of discussion about secrets or gossip or 12 tittle-tattle; it just meant that anything that was said 13 was nonreportable, and the point of my meeting with 14 Dick Fedorcio was the same as meeting with assistant 15 commissioners and other senior officers: so that you 16 could -- basically, you were still promoting the CRA as 17 a body. You were trying to help keep the access that we 18 had and you were always trying to improve it.</b></p> <p>19 Q. When you met with Mr Fedorcio over lunch -- and it was 20 about once a year, we believe, Mr Twomey -- was it 21 usually with another CRA journalist, or were these 22 one-to-one lunches?</p> <p>23 <b>A. They probably would be more often -- probably about 24 twice a year, I should think. It would be sometimes one 25 to one, sometimes with one or two other CRA members.</b></p> <p style="text-align: center;">Page 29</p>	<p>1 hospitality at all?</p> <p>2 <b>A. I don't think it's -- well, it's not necessary. I think 3 police stations are, by and large, rather grim and 4 inhospitable places. Like most people, detectives want 5 to get out of the office and the pub or the wine bar, 6 the restaurant is a convenient, more comfortable or 7 convivial surroundings. But you wouldn't say that the 8 hospitality element of it was necessary; it was just 9 much more convenient.</b></p> <p>10 Q. You've explained to us earlier in your statement -- this 11 is paragraph 21 -- that since the resignations of last 12 summer, CRA lunches with senior officers have ceased.</p> <p>13 <b>A. Yes.</b></p> <p>14 Q. Is that a good or a bad thing?</p> <p>15 <b>A. I think it's a bad thing because it may be a marker as 16 to their attitudes in the future. You know, those 17 lunches did have value. I think they had value for both 18 sides. In fact, as far as I can remember, the CRA 19 lunches with Mr Clarke, when he was the DAC in charge of 20 counter-terrorism, I think that was the idea of the 21 press office to have that. I think he wanted to get 22 around as many crime reporters and other journalists who 23 specialised in police and security matters. I think he 24 had already gone around the editors to talk about 25 terrorism in general terms and he wanted to do the same</b></p> <p style="text-align: center;">Page 31</p>
<p>1 <b>Perhaps I ought to say that in my dealings with 2 Dick Fedorcio, I always found him very proper and very 3 professional and very loyal to the organisation and 4 those in command.</b></p> <p>5 Q. You say in paragraph 24 that you speak with him -- 6 certainly since the summer of last year, one would need 7 to use the past tense.</p> <p>8 <b>A. Mm-hm.</b></p> <p>9 Q. "... regularly by phone, both mobile and office." 10 Would he frequently telephone you?</p> <p>11 <b>A. No, he wouldn't. There were conversations which he 12 rang. He might have been wishing to alert me about an 13 event coming up, a CRA briefing, perhaps, or he may have 14 rung after a CRA briefing where he wasn't present and 15 wanted to know how it had gone, if everything was all 16 right.</b></p> <p>17 Q. Did you telephone him ever for the purpose of asking him 18 to put you in touch with the officer, whether it be 19 a detective sergeant or detective superintendent or 20 someone in between, who was dealing with a case of 21 particular interest to you?</p> <p>22 <b>A. No.</b></p> <p>23 Q. You say in paragraph 29 you provided hospitality for MPS 24 officers on numerous occasions over the past 28 years. 25 Why is it necessary or was it necessary to provide</p> <p style="text-align: center;">Page 30</p>	<p>1 <b>with the people who were actually going to be writing 2 the stories.</b></p> <p>3 Q. You make it clear in paragraph 30 that the standard of 4 restaurant is, as it were, directly proportionate to the 5 rank of the officer involved. I've been asked to put 6 this to you: why is a more expensive restaurant less 7 public?</p> <p>8 <b>A. Well, it may be. I think it's -- it -- you would try 9 and choose the restaurant that was nearby the Yard, that 10 was kind of proportionate to the officer's rank, as 11 a mark of respect to them. There are places that are 12 very crowded and expensive. You would try and go for 13 the places where the tables weren't quite so close 14 together or might be less busy at lunchtimes so that you 15 wouldn't be overheard, or the chance of being overheard 16 would be minimised.</b></p> <p>17 Q. We don't need necessarily to name the restaurants, but 18 what sort of price a head are we talking here?</p> <p>19 <b>A. Well, it's probably -- it would probably be £60, £70, 20 £80 maybe a head, maybe a little bit more sometimes.</b></p> <p>21 Q. These must therefore be lunches with alcohol, it goes 22 without saying; is that right?</p> <p>23 <b>A. Yes.</b></p> <p>24 Q. We know from our examination of the hospitality 25 registers that there were two or three lunches with</p> <p style="text-align: center;">Page 32</p>

8 (Pages 29 to 32)



1 Mr Hayman --  
 2 **A. Yes.**  
 3 Q. -- when he was head of counter-terrorism, SO15. The  
 4 purpose of those lunches, presumably, was the same as  
 5 elsewhere: to learn more about the general context of  
 6 police operations of counter-terrorism; is that correct?  
 7 **A. Yes.**  
 8 Q. Is this also correct: that the subject matter went no  
 9 wider than that, although it might have gone quite  
 10 widely into areas which simply you couldn't put into the  
 11 public domain? Have I correctly understood it?  
 12 **A. Well, there might be references to -- I don't think they**  
 13 **occurred really that often. I think -- because they**  
 14 **were social occasions, there would be a portion --**  
 15 **a large portion of the conversation would be about, say,**  
 16 **anti-terrorism, putting it in the context. There would**  
 17 **be other general matters you might talk to people about**  
 18 **over lunch, subjects like the news of the day, anything**  
 19 **that was -- that had captured people's attention that**  
 20 **morning, in the morning's newspapers, perhaps.**  
 21 Q. Do you feel that in any way the quid pro quo for these  
 22 lunches was the freer flow of the sort of information  
 23 you wanted to receive?  
 24 **A. As far as the -- so far as the CRA was concerned, the**  
 25 **benefit of those lunches, as far as I was concerned, was**

Page 33

1 **to keep the access open, to try and improve it. If we**  
 2 **did have a terrorist emergency similar to the one as in**  
 3 **2005, we wanted similar access to that which we got**  
 4 **then, but we wanted it to be -- we wanted it to be**  
 5 **improved, we wanted it to be quicker. So to have good**  
 6 **relations, you could make your point to the people that**  
 7 **already knew you, who knew that they could trust you.**  
 8 LORD JUSTICE LEVESON: I'm not, in any sense, puritanical  
 9 about eating and drinking. I really am not, and I don't  
 10 want to focus on it, but is it really the case that the  
 11 way of attracting the attention and interest of the most  
 12 senior officers was, if not inevitably, at least in more  
 13 than a small part, by inviting them to a very nice  
 14 lunch? This wasn't something that could be done  
 15 entirely properly but without that sort of  
 16 encouragement?  
 17 **A. It could -- clearly, it could be done without going to**  
 18 **a restaurant. It could be done in a police station or**  
 19 **at Scotland Yard, quite clearly. That was the tradition**  
 20 **and it had been for many years. It was perhaps what**  
 21 **they were used to, and they wanted to get out of the**  
 22 **office as much as anybody else.**  
 23 LORD JUSTICE LEVESON: I can understand that, but again,  
 24 it's a perception thing, isn't it?  
 25 **A. Mm.**

Page 34

1 LORD JUSTICE LEVESON: The need to improve relationships,  
 2 the need for each to understand the other, the need for  
 3 the police to be able to get across the criminal justice  
 4 message and for you to understand that message is  
 5 obvious, clear and sensible.  
 6 **A. Mm.**  
 7 LORD JUSTICE LEVESON: But help me: doesn't it create a bit  
 8 of a problem if the way you have to do that requires  
 9 this sort of inducement?  
 10 **A. I wouldn't see it as an inducement. I think common**  
 11 **sense applies. It's just a convivial and convenient and**  
 12 **more comfortable way of meeting. But clearly you don't**  
 13 **have to have the food and drink element.**  
 14 LORD JUSTICE LEVESON: Reflecting back on it now -- I'm very  
 15 keen to use your experience, as I have been with all the  
 16 other witnesses -- do you think that I am being too  
 17 straight-laced if I express a measure of concern about  
 18 the perception of what's happening?  
 19 **A. No, I don't think you are. I think it's -- I can see --**  
 20 **clearly, I can see the point you're making, but it does**  
 21 **go on in a business world. It goes on in Parliament.**  
 22 **Defence correspondents meet army officers in their**  
 23 **clubs, in restaurants. It doesn't mean to say they're**  
 24 **knocking back £400 bottles of champagne. Over a couple**  
 25 **of glasses of wine and a decent meal, it --**

Page 35

1 LORD JUSTICE LEVESON: Yes, I understand that. I understand  
 2 that.  
 3 **A. And it's what -- there's a tradition there, and I think**  
 4 **they would expect it. They don't want to be stuck in**  
 5 **Scotland Yard when they could be out in a comfortable**  
 6 **place. I think that's -- you know, in surroundings with**  
 7 **people they know and they can trust.**  
 8 LORD JUSTICE LEVESON: Well, do you think it's something  
 9 that should continue or do you think that actually, in  
 10 the light of the perception and everything that's  
 11 happened, some other way ought to be found? I'm not  
 12 leading you to an answer there; I'm very interested in  
 13 what you actually think.  
 14 **A. I don't think you should lose that. I think the -- you**  
 15 **know, there's a question of flexibility. If the**  
 16 **rules -- if new rules, should they be introduced, if**  
 17 **they're too strict, it will -- it will make it more**  
 18 **difficult for reporters like me to get access to**  
 19 **information, to get access to officers. If you only can**  
 20 **meet them in police stations or at Scotland Yard,**  
 21 **they're -- I think they will probably be more likely to**  
 22 **be toeing the party line, as it were. You wouldn't**  
 23 **get -- in a wider context, not the CRA kind of lunches**  
 24 **that I'm referring to -- perhaps I'm drifting off the**  
 25 **subject there, actually, but it would be a shame to lose**

Page 36

1 **that because it makes everything so formal and**  
 2 **restricted.**  
 3 LORD JUSTICE LEVESON: So you want the senior officers to be  
 4 unguarded? That's not surprising; that's what you do  
 5 for a living.  
 6 **A. No, but I mean, they realise they can be less guarded in**  
 7 **their speech when they're talking to trusted crime**  
 8 **reporters. Once you --**  
 9 LORD JUSTICE LEVESON: I understand the relationship is  
 10 important and they need to be able to build up a trust  
 11 of you, and you want to be able to decide whether you  
 12 can trust them to tell you the story as it is as opposed  
 13 to as somebody might want you to believe it to be. Is  
 14 that it?  
 15 **A. That's right.**  
 16 LORD JUSTICE LEVESON: Not entirely easy, is it?  
 17 **A. No.**  
 18 MR JAY: You told Elizabeth Filkin the Metropolitan Police  
 19 is a very powerful organisation:  
 20 "In many ways, it's a very secret one. Power needs  
 21 to be checked and senior civil servants need to be held  
 22 to account. Restricting or overregulating contact  
 23 between crime reporters and police officers will make  
 24 that crucial function vastly more difficult."  
 25 Do you feel it was part of your function, not just

Page 37

1 theoretically but in practice, to hold officers to  
 2 account?  
 3 **A. I think that memo was written -- it tried to get the**  
 4 **collective view of the CRA members who wanted to -- who**  
 5 **had actually gone to meet Elizabeth Filkin, and that**  
 6 **reflected part of the discussion that she had already**  
 7 **heard orally in front of her, and I had summarised that**  
 8 **just in a memo at her request.**  
 9 **I mean, it is -- clearly, it is part of any**  
 10 **journalist's function to hold public servants to**  
 11 **account. It's not my prime objective as a crime**  
 12 **reporter for the Daily Express. My prime objective is**  
 13 **to get the information for the types of stories that**  
 14 **I've described.**  
 15 Q. The information will often be background information,  
 16 which will inform and give colour and texture to the  
 17 story which you will write maybe six months or a year  
 18 later.  
 19 **A. It could be there.**  
 20 Q. Could you help us, please, with your impression of  
 21 Mr Hayman. Was he someone who spoke in an unguarded  
 22 fashion after the two glasses of wine you've mentioned?  
 23 **A. He was freer in the way he expressed himself. I think**  
 24 **if -- unguarded -- if you mean if he gave away secrets,**  
 25 **no, I don't think he did. He certainly didn't do in my**

Page 38

1 **presence, not when he was talking about**  
 2 **counter-terrorism or anything else, for that matter, and**  
 3 **it was always clearly -- I'm sorry if I'm repeating**  
 4 **myself, but it was always -- on those social occasions,**  
 5 **there was this strict rule anyway that applied: it was**  
 6 **nonreportable.**  
 7 Q. Although it may not have been of interest to the Daily  
 8 Express, did he share things with you about tensions in  
 9 the management board during any of these lunches?  
 10 **A. No. No.**  
 11 Q. Okay. May I move off that topic to paragraph 34 of your  
 12 statement, Mr Twomey. This is accompanying police  
 13 officers on raids at the police's invitation.  
 14 I appreciate it's difficult to get a sense of this, but  
 15 do you feel that the Daily Express was fairly treated in  
 16 terms of the number of invitations it received vis-a-vis  
 17 other newspapers?  
 18 **A. Over the years, yes.**  
 19 Q. Apart from resulting in good publicity for the police,  
 20 what was the public interest in these stories or these  
 21 invitations?  
 22 **A. Well, I think in a broad sense, if people see**  
 23 **photographs, TV images of the police basically smashing**  
 24 **down doors, taking away suspects, there is a sense that**  
 25 **they've reinforced the public's confidence in them to**

Page 39

1 **deal with serious major crime, that they're not simply**  
 2 **there to investigate it after it happens, that they're**  
 3 **actually trying to take people -- criminal networks out**  
 4 **of the -- out of society, and that bolsters the**  
 5 **confidence in the police.**  
 6 Q. Have you ever been invited along, even informally, to  
 7 raids or arrest operations which don't involve the sort  
 8 of serious criminal but, for example, celebrities?  
 9 **A. No.**  
 10 Q. Do you know anything about situations which have arisen  
 11 where celebrities are arrested or come of interest to  
 12 the police and there's a posse of press photographers  
 13 there?  
 14 **A. No. I have never experienced that. Not when -- before**  
 15 **somebody's been arrested.**  
 16 LORD JUSTICE LEVESON: Well, the point is that at the moment  
 17 of their arrest, it's not merely the case that police  
 18 officers go in but the press are there as well.  
 19 **A. Yes, I see what you mean, but I have no knowledge of --**  
 20 **I've never had information about that.**  
 21 LORD JUSTICE LEVESON: But you have seen that sort of thing  
 22 happening?  
 23 **A. Oh, well, of course, yeah.**  
 24 MR JAY: Can I ask you about your use of the term "police  
 25 source". How do you use it?

Page 40

<p>1 <b>A. That would be a police officer. Maybe sometimes a press</b>  2 <b>officer but it would probably be -- almost always be</b>  3 <b>a police officer.</b>  4 Q. In paragraph 50, Mr Twomey, you're dealing in general  5 terms with the ethical issues which arise, and  6 I appreciate this is at a level of generality. The  7 second sentence:  8 "Reporters should not be persuaded by personal  9 contacts to ignore or bury unfavourable stories."  10 To your knowledge, have attempts ever been made by  11 the police in your presence to persuade reporters to  12 ignore or bury unfavourable stories?  13 <b>A. No, not in my presence, but you do hear of that kind of</b>  14 <b>thing that has gone on in the past.</b>  15 Q. How far in the past is this?  16 <b>A. Oh well, I think -- well, over the -- well, probably --</b>  17 <b>not in the recent past; probably 20 years ago. Maybe</b>  18 <b>longer than that.</b>  19 Q. So these are the days of meetings in pubs, which we  20 heard of earlier on, are they?  21 <b>A. Well, it -- you know, it could be done like that but it</b>  22 <b>was a long time ago.</b>  23 Q. It's not something that, to your knowledge, Mr Fedorcio  24 seeks to achieve, is it?  25 <b>A. No.</b></p> <p style="text-align: center;">Page 41</p>	<p>1 <b>seems sometimes that they've identified the wrong</b>  2 <b>people. I've never been formally interviewed or</b>  3 <b>directly asked.</b>  4 Q. But even if you had been, you make it clear that you  5 wouldn't identify who your source is because you have  6 a moral obligation not to?  7 <b>A. Exactly.</b>  8 Q. So to be clear, there's nothing unethical about  9 receiving information which has been leaked or  10 unauthorised, but the police, of course, would be  11 interested because there would be an ethical issue  12 regarding the leaker at their end. You understand that?  13 <b>A. Yes.</b>  14 Q. But the fact that information has been provided to you  15 or may have been, pursuant to a leak, is a factor which  16 you weigh in the balance in assessing where the public  17 interest lies?  18 <b>A. Yes.</b>  19 Q. Can I ask you about paragraph 58, which again is quite  20 general. When you talk about the corporate image of the  21 MPS:  22 "Statements from the MPS and other forces often bear  23 a corporate stamp -- stock phrases which reflect core  24 values are often repeated whether they are strictly  25 relevant or not."</p> <p style="text-align: center;">Page 43</p>
<p>1 Q. Then you say, again, at a level of generality:  2 "There should be no trade-offs -- accepting an  3 exclusive story in return for not running a critical  4 one. I have no personal experience of this."  5 But do you have any personal knowledge of that  6 happening?  7 <b>A. No, it was just in general terms. It goes back to my</b>  8 <b>earlier answer about burying unfavourable stories.</b>  9 <b>Perhaps they, in the past -- you know, perhaps in the</b>  10 <b>long distant past, crime reporters have buried</b>  11 <b>unfavourable stories hoping perhaps in return they might</b>  12 <b>get a decent exclusive.</b>  13 Q. Then you say again, maybe not so much at a hypothetical  14 level:  15 "The MPS and other forces often try to identify  16 reporters' sources of information."  17 Have they tried that with you?  18 <b>A. Yes, over the years they've done that. They've tried</b>  19 <b>that.</b>  20 Q. Is this in the context of so-called leak inquiries or is  21 it in some broader context?  22 <b>A. I suppose it must have been -- over the years, I guess</b>  23 <b>I've been the subject of a leak inquiry. I think they</b>  24 <b>must have been fairly half-hearted. You get to know</b>  25 <b>about them maybe after they'd been concluded, and it</b></p> <p style="text-align: center;">Page 42</p>	<p>1 Are you referring there to the language in which  2 press releases are couched?  3 <b>A. That's right, and sometimes if you get a press release</b>  4 <b>after a court case that quotes an officer in the case,</b>  5 <b>it -- some of his comments may have a very definite</b>  6 <b>familiar ring because the same phrases have been used in</b>  7 <b>previous press releases, attributed to other officers.</b>  8 Q. You have some comments to make about the HMIC  9 recommendations.  10 <b>A. Yes.</b>  11 Q. In your own words, what is your general concern?  12 <b>A. My general concern is: should any new arrangements</b>  13 <b>require officers to record contact with journalists --</b>  14 <b>all contact with journalists, and then make a report of</b>  15 <b>that, that contact, and put it into a database, then</b>  16 <b>that would have a kind of a freezing effect. Officers</b>  17 <b>would be less likely to talk to you. They would give</b>  18 <b>out less information to you when they do. Some officers</b>  19 <b>may just cease contact with you completely.</b>  20 <b>I think that -- all journalists will find it in</b>  21 <b>their career that people at a certain level in their</b>  22 <b>careers are quite happy to talk to you. If, say,</b>  23 <b>a detective chief inspector is anxious to get</b>  24 <b>a promotion in the future and a rule like that is</b>  25 <b>introduced, should it be, then he or she will probably</b></p> <p style="text-align: center;">Page 44</p>

<p>1 <b>cease all contact because they don't want -- when they</b>  2 <b>go for promotion or maybe to a selection board for</b>  3 <b>a specialist CID unit, they don't want anyone to be able</b>  4 <b>to access the database and say, "Well, hang on, that</b>  5 <b>person in the last three years, for instance, has seen</b>  6 <b>crime reporters every now and again --"</b>  7 LORD JUSTICE LEVESON: But hang on, wouldn't it be rather  8 better if it was thought that maintaining a healthy and  9 worthwhile relationship with the press was an important  10 part of the job, so far from being a matter of  11 criticism, is worthy of commendation, provided the  12 contact is appropriate and not worthy of criticism? So  13 if he is constantly seeing you and each time after he's  14 seen you there's an article in the Daily Express which  15 reveals some, as it were, briefing against the Met, that  16 would not be unimportant.  17 <b>A. No.</b>  18 LORD JUSTICE LEVESON: I'm not suggesting it would be as  19 unobtrusive as that -- I'm deliberately painting it in very  20 bright colours -- but that sensible communication  21 followed, that sensible dialogue, that you were  22 understanding the problems that London faced, that even  23 if you were critical of things that had gone wrong, you  24 were recognising the openness of the Met, that might be  25 a senior officer doing his job properly. Now, why do  Page 45</p>	<p>1 <b>again, then the Sun, and they will say, "Well, they're</b>  2 <b>favouring those two organisations, we shouldn't be</b>  3 <b>dealing with somebody like that." That would be the</b>  4 <b>fear in the officer's mind before he continues his</b>  5 <b>contact. I think, as you say, sir, it would be all</b>  6 <b>dependent on how it's sold to the officers, but that</b>  7 <b>was -- reading the HMIC report, that was my concern.</b>  8 LORD JUSTICE LEVESON: Well, I understand the point.  9 MR JAY: May I move on to your separate statement, which you  10 provided us as chairman of the CRA?  11 LORD JUSTICE LEVESON: Is that a convenient moment to have  12 a short break? Then we'll come back for the Crime  13 Reporters Association after the break. Thank you.  14 (11.36 am)  15 (A short break)  16 (11.42 am)  17 MR JAY: Mr Twomey, before moving on to the Crime Reporters  18 Association, I've been asked to put this point to you,  19 looking at it quite broadly: is it the role of a crime  20 reporter such as you to identify the criminal before the  21 police does?  22 <b>A. What, to publish it, do you mean?</b>  23 Q. No, no, not to publish it.  24 <b>A. No, I don't see that. I don't see that. I mean,</b>  25 <b>it's -- no, no.</b>  Page 47</p>
<p>1 you say that it would be looked upon always as a matter  2 of adverse inference?  3 <b>A. Well, I -- it wouldn't be looked upon always but I think</b>  4 <b>the reaction of officers, particularly, should it be</b>  5 <b>introduced, the initial reaction, would be for them to</b>  6 <b>pull back. They would err on the side of caution.</b>  7 LORD JUSTICE LEVESON: Depends how it's sold, doesn't it?  8 <b>A. Absolutely.</b>  9 LORD JUSTICE LEVESON: So if it's said, "Look, we don't  10 trust any of you to get this right, therefore everything  11 has to be recorded", that's one thing.  12 <b>A. Yeah.</b>  13 LORD JUSTICE LEVESON: If they say, "Well, it's sensible  14 that we monitor what's going on, or we can do, or we can  15 audit it" -- that's the word of the time -- "but it is  16 an important part of the job that you can relate to the  17 press, that you can involve them in the positives about  18 your community and explain the problems so that there's  19 a broad understanding", that's good. What would be  20 wrong with that?  21 <b>A. There wouldn't be anything wrong with that, but I think</b>  22 <b>the way that officers would look at that, they would</b>  23 <b>just see somebody from the professional standards</b>  24 <b>department looking down a list of contacts seeing Daily</b>  25 <b>Express four times, the Sun three times, Daily Express</b>  Page 46</p>	<p>1 Q. So you're not carrying out a sort of complementary  2 detective role?  3 <b>A. No.</b>  4 LORD JUSTICE LEVESON: If that's right, what do you think of  5 the evidence that you've heard this morning, as I have,  6 about some newspaper having surveillance teams to do  7 this or to do that in the way that we heard? I'm just  8 interested in your view.  9 <b>A. I mean, if that did happen, that's quite shocking. I'm</b>  10 <b>quite dismayed if that is the case. I've got no reason</b>  11 <b>to believe that it isn't, other than it's just quite</b>  12 <b>unbelievable, really, that a newspaper should go to</b>  13 <b>those lengths.</b>  14 LORD JUSTICE LEVESON: So that took you by surprise?  15 <b>A. I think it would have taken most reporters, certainly</b>  16 <b>most crime reporters by surprise. Almost all crime</b>  17 <b>reporters by surprise.</b>  18 LORD JUSTICE LEVESON: How interesting.  19 MR JAY: Yes. I'm sure it would take you by surprise in the  20 sense that it's not something the Daily Express or  21 yourself would ever dream of doing, but there's another  22 sense in which it might or might not take you by  23 surprise: were there rumours that this sort of thing  24 went on?  25 <b>A. I've never heard of surveillance teams being put on</b>  Page 48</p>

12 (Pages 45 to 48)

<p>1 <b>surveillance teams.</b></p> <p>2 LORD JUSTICE LEVESON: So, all right, it's not to beat the</p> <p>3 police; then what is your role? What does a crime</p> <p>4 reporter do?</p> <p>5 <b>A. A crime reporter reports on the investigations that are</b></p> <p>6 <b>current, and maybe on witness appeals to help to assist</b></p> <p>7 <b>the police, to get witnesses to come forward. I see it</b></p> <p>8 <b>as following that investigation through to the start of</b></p> <p>9 <b>the court case, reporting on the court case and</b></p> <p>10 <b>reporting on the outcome, hopefully with the right</b></p> <p>11 <b>criminal safely convicted and locked up. I think if</b></p> <p>12 <b>you -- that's what newspaper -- certainly Daily Express</b></p> <p>13 <b>readers want. The public in general clearly want that</b></p> <p>14 <b>from their fiction, because they -- well, I don't need</b></p> <p>15 <b>to go into that. So when it's fact, it's doubly</b></p> <p>16 <b>compelling and memorable.</b></p> <p>17 LORD JUSTICE LEVESON: Does it go on also to require you to</p> <p>18 see where things have gone wrong when they do go wrong,</p> <p>19 and lessons to be learnt?</p> <p>20 <b>A. That's part of it, certainly, but it's also to promote</b></p> <p>21 <b>the good work that the police do, that certainly the CID</b></p> <p>22 <b>do, and that's where the public's appetite for crime</b></p> <p>23 <b>stories is; it's in the work of the CID rather than the</b></p> <p>24 <b>broader police story.</b></p> <p>25 LORD JUSTICE LEVESON: So would you cover, for example, the</p> <p style="text-align: center;">Page 49</p>	<p>1 statement which we haven't already heard from. Yes,</p> <p>2 paragraph 19 maybe, Mr Twomey. You rightly say:</p> <p>3 "Members have their own contacts but the CRA as</p> <p>4 a body has no jurisdiction over these relationships."</p> <p>5 Is the CRA concerned at all with ethical</p> <p>6 considerations and a code which regulates relationships</p> <p>7 of its members with the police?</p> <p>8 <b>A. It's true to say we don't have a code. I think there</b></p> <p>9 <b>was a code many years ago. I think Jeff Edwards, when</b></p> <p>10 <b>he was at the Inquiry last week, made reference to the</b></p> <p>11 <b>code --</b></p> <p>12 Q. Mm.</p> <p>13 <b>A. -- of conduct. In my time in the CRA, I've not seen</b></p> <p>14 <b>one, so ...</b></p> <p>15 Q. You can't assist us further with that?</p> <p>16 <b>A. No.</b></p> <p>17 LORD JUSTICE LEVESON: Well, you've been in the CRA for 24</p> <p>18 years, so that's a fair time.</p> <p>19 <b>A. Yeah.</b></p> <p>20 LORD JUSTICE LEVESON: So if you've not seen it, to such</p> <p>21 extent as there was one in the mists of time, it's</p> <p>22 passed into history?</p> <p>23 <b>A. Indeed.</b></p> <p>24 LORD JUSTICE LEVESON: But do you think there is anything</p> <p>25 additional that you believe crime reporters should</p> <p style="text-align: center;">Page 51</p>
<p>1 concept of kettling and public order --</p> <p>2 <b>A. I might do, but it's -- it would fall within my remit,</b></p> <p>3 <b>certainly, and another reporter possibly would do that</b></p> <p>4 <b>because there was a political element to that. It</b></p> <p>5 <b>certainly wouldn't be in the mainstream. That kind of</b></p> <p>6 <b>story wouldn't be in the mainstream of my work.</b></p> <p>7 MR JAY: The CRA, Mr Twomey. You give us some of the</p> <p>8 history. Set up at the end of the Second World War, it</p> <p>9 now has 47 members and you have provided us with a list</p> <p>10 of the current members and we can see who is represented</p> <p>11 and who is not.</p> <p>12 In terms of the officers, as it were, the chair,</p> <p>13 secretary, treasurer and president, those are elected,</p> <p>14 are they?</p> <p>15 <b>A. Yes.</b></p> <p>16 Q. And likewise the committee, the executive committee?</p> <p>17 <b>A. That's right.</b></p> <p>18 Q. You say in paragraph 8 of your second statement:</p> <p>19 "The rules call for applicants for membership to be</p> <p>20 sponsored by two existing members."</p> <p>21 <b>A. Yes.</b></p> <p>22 Q. And presumably there's a small annual membership fee, is</p> <p>23 there?</p> <p>24 <b>A. That's right. It currently stands at £30.</b></p> <p>25 Q. I'm just seeing what additional you say in this</p> <p style="text-align: center;">Page 50</p>	<p>1 follow beyond that which is contained in the general</p> <p>2 approach that all reporters should follow?</p> <p>3 <b>A. I think probably now is the right time to give that some</b></p> <p>4 <b>careful thought, and it might be beneficial to crime</b></p> <p>5 <b>reporters and CRA members in the future if they did have</b></p> <p>6 <b>a code of conduct or a statement of principles. I think</b></p> <p>7 <b>we would have to sit down and make sure that the wording</b></p> <p>8 <b>of any such statement of principles was carefully put</b></p> <p>9 <b>together so that it would be enduring.</b></p> <p>10 MR JAY: Just a miscellany of points, Mr Twomey. It's of</p> <p>11 interest in paragraph 26 that when Assistant</p> <p>12 Commissioner Peter Clarke retired in 2008, he received</p> <p>13 a gift in recognition of his outstanding leadership and</p> <p>14 devotion to public service during the terrorist</p> <p>15 emergencies of the last decade. That presumably was the</p> <p>16 collective view of all your members, was it?</p> <p>17 <b>A. Yes.</b></p> <p>18 Q. Was that sort of gift unusual?</p> <p>19 <b>A. I can only recall those two other gifts to Lord Condon</b></p> <p>20 <b>and Lord Stevens. So in my time, I can only think of</b></p> <p>21 <b>those three. So I think it's acknowledged the --</b></p> <p>22 <b>certainly in police circles, not only in this country</b></p> <p>23 <b>but probably abroad, the role that Peter Clarke played</b></p> <p>24 <b>during the -- those emergencies in the first decade of</b></p> <p>25 <b>this century. And that was a small token, I think, of</b></p> <p style="text-align: center;">Page 52</p>

1 **our regard.**  
 2 Q. In a sense, you would be in a position to know. You've  
 3 received these informal briefings over the years, you  
 4 understand the nature of the terrorist threat and also  
 5 the MPS response to that threat. So it just gives us  
 6 some insight into the regard you have for him.  
 7 **A. Yes.**  
 8 Q. In paragraph 46 now, page 07128, you give us one example  
 9 of the value of a non-attributable CRA briefing. In  
 10 your own words, please, could you tell us something of  
 11 that?  
 12 **A. There was a particularly brutal double murder in south**  
 13 **London. The victims were two young French men.**  
 14 **I believe they were postgraduate students, only here for**  
 15 **possibly a year or a short time. They were attacked in**  
 16 **the home of one of them in south London and they were**  
 17 **tied up, they were tortured. The two attackers were**  
 18 **after their cash card PIN numbers and one of the victims**  
 19 **was subjected to a rather extraordinary level of**  
 20 **violence. He was attacked by a knife -- they were both**  
 21 **attacked with knives, and after they were dead, their**  
 22 **bodies were set alight. Once I think the victims had**  
 23 **been identified and their next of kin had been informed**  
 24 **this double tragedy had occurred, there needed to be**  
 25 **a witness appeal and it had to be done very quickly.**

Page 53

1 **I think that was the view of the investigating officer,**  
 2 **who was a detective chief inspector, as I recall.**  
 3 **I think he was quite young in that rank, as well. He**  
 4 **didn't feel able, for whichever reason, that he could**  
 5 **give details of the post-mortem examination and**  
 6 **therefore that level of appalling violence on the**  
 7 **record, on camera, in a witness appeal style briefing.**  
 8 **That information was given to us non-attributably by**  
 9 **a senior press officer, and it resulted in a great deal**  
 10 **of publicity, as you can imagine, and that publicity did**  
 11 **have the desired effect.**  
 12 **One of the attackers came forward two days**  
 13 **afterwards. He gave himself up at a police station.**  
 14 **His partner, as it were, was also arrested a short time**  
 15 **afterwards, and subsequently I think I'm right in saying**  
 16 **that the man who gave himself up made certain**  
 17 **admissions. He tried to talk his way out of it, and**  
 18 **that formed evidence against both men, and they were**  
 19 **subsequently convicted of the murder of those two French**  
 20 **men.**  
 21 **I think the point about that sort of formal**  
 22 **non-attributable briefing is clearly -- its importance**  
 23 **is underlined by the fact that one of them gave**  
 24 **themselves up and that there were subsequent**  
 25 **convictions. I think it had to be done quickly.**

Page 54

1 **I think that was the -- any delay would have possibly**  
 2 **been fatal to the impact of that witness appeal. For**  
 3 **whatever reason, the investigating officer didn't feel**  
 4 **able to give those details in conjunction with the**  
 5 **witness appeal on camera, on the record, and the senior**  
 6 **press officer took the decision that he would.**  
 7 LORD JUSTICE LEVESON: So does that mean -- just so that  
 8 I understand it, was that merely to inform you of the  
 9 gravity of what would emerge, or to inform you so you  
 10 could publish non-attributably the extent of the injury?  
 11 **A. No, it was to inform us so that we could publish the**  
 12 **true level of violence, which obviously was terribly**  
 13 **shocking but it did secure the kind of publicity that**  
 14 **they wanted. Massive publicity on television, radio, in**  
 15 **the newspapers the next day, and I think when the man**  
 16 **gave himself up at the police station, his first words**  
 17 **were something like: "I'm the man you're after."**  
 18 LORD JUSTICE LEVESON: But I don't understand, Mr Twomey,  
 19 what the difference is, because if you're publishing the  
 20 details, then you can only have got them from the  
 21 police --  
 22 **A. I know. With hindsight, it's -- it's a -- it's**  
 23 **difficult to -- he probably could have done it himself,**  
 24 **but I think -- I do know that if they were going to do**  
 25 **it on the record, they might have had to check with**

Page 55

1 **other agencies, other authorities, the French embassy**  
 2 **perhaps, the Foreign Office. There would inevitably**  
 3 **have been delays.**  
 4 LORD JUSTICE LEVESON: But why does doing it unattributably  
 5 matter? The French embassy, if they're going to be  
 6 concerned, are going to be concerned if it's obviously  
 7 come from a policeman.  
 8 **A. Exactly.**  
 9 LORD JUSTICE LEVESON: But that's the sort of contact that  
 10 is critical to our society.  
 11 **A. Exactly.**  
 12 LORD JUSTICE LEVESON: And therefore one doesn't want to do  
 13 anything that minimises the opportunity the police have  
 14 to garner the assistance of all forms of media in the  
 15 detection of crime, and in participation with the  
 16 criminal justice system. I entirely agree with that.  
 17 The question is how that should impact on everything  
 18 else.  
 19 **A. But if there was -- for whatever reason -- I am just not**  
 20 **privy to the reason why the decision was taken to be**  
 21 **non-attributable.**  
 22 LORD JUSTICE LEVESON: But ...?  
 23 **A. But I know the briefing had to be done. It had to be**  
 24 **done then. So maybe they just said, "We're not going to**  
 25 **have any problems with this at all if we have it**

Page 56

<p>1 <b>non-attributable."</b></p> <p>2 MR JAY: It doesn't quite add up, exploring human</p> <p>3 motivations, but sometimes people act irrationally.</p> <p>4 What might have been done on the record wasn't. That's</p> <p>5 your evidence?</p> <p>6 <b>A. Indeed.</b></p> <p>7 Q. Can I ask you, please, about paragraph 52, when you're</p> <p>8 dealing with the issue of leaks. Are you giving this</p> <p>9 evidence from your own direct experience, or are you</p> <p>10 drawing inferences from your assessment of circumstances</p> <p>11 in which leaks have been made to others?</p> <p>12 <b>A. I think the latter.</b></p> <p>13 Q. So when you're looking at the range of factors,</p> <p>14 a feeling that the public is being misled by official</p> <p>15 statements from senior officers, anger at certain</p> <p>16 decisions -- for instance, closed-down inquiries or</p> <p>17 redeployed staff -- it's based, really, on your</p> <p>18 experience of how you think police officers operate,</p> <p>19 having worked with them for so long; is that fair?</p> <p>20 <b>A. That would be fair, yes.</b></p> <p>21 LORD JUSTICE LEVESON: The answer is -- is this too</p> <p>22 naive? -- there shouldn't be misleading statements out</p> <p>23 to the public, and that if there's concern about</p> <p>24 decisions that are being made, they should be explained.</p> <p>25 Isn't that the answer to that? Openly.</p> <p style="text-align: center;">Page 57</p>	<p>1 MR JAY: The last question, really, because you cover the</p> <p>2 HMIC. Paragraph 61, Mr Twomey. To be fair to you,</p> <p>3 you're not the only journalist who criticises</p> <p>4 Elizabeth Filkin's report as being condescending.</p> <p>5 Somebody else used the term "patronising". I'm sure you</p> <p>6 haven't compared notes when preparing your witness</p> <p>7 statements, but to be clear, why have you come to that</p> <p>8 conclusion in relation to certain parts of her report?</p> <p>9 <b>A. The certain parts were the bits at the end, the bits</b></p> <p>10 <b>that covered "avoid alcohol", that section. I think if</b></p> <p>11 <b>you look at it, there's a handy traffic light system</b></p> <p>12 <b>where "avoid" has a red -- is in red lettering and</b></p> <p>13 <b>something where caution is being urged has amber and</b></p> <p>14 <b>something that's okay is in green. It didn't quite go</b></p> <p>15 <b>with the seriousness of the earlier part of the report</b></p> <p>16 <b>and I think there's some condescending remarks about</b></p> <p>17 <b>women in there. I know she did speak to women reporters</b></p> <p>18 <b>and I think they probably are entitled to be a little</b></p> <p>19 <b>upset about that.</b></p> <p>20 Q. You're referring there to flirting, aren't you?</p> <p>21 <b>A. Yes.</b></p> <p>22 MR JAY: Those are all the questions I have for you,</p> <p>23 Mr Twomey.</p> <p>24 LORD JUSTICE LEVESON: Could I just ask one more question,</p> <p>25 and that's in relation to the membership of the CRA.</p> <p style="text-align: center;">Page 59</p>
<p>1 <b>A. Exactly.</b></p> <p>2 LORD JUSTICE LEVESON: Because once you start to say it's</p> <p>3 actually legitimate for somebody to complain, your</p> <p>4 example, about the decision to merge the Special Branch</p> <p>5 and anti-terrorist branch, the whistle-blower, if you so</p> <p>6 call them, is seeking to take operational decisions to</p> <p>7 the greater court of public opinion, which may be to the</p> <p>8 advantage of nobody.</p> <p>9 <b>A. Mm.</b></p> <p>10 MR JAY: I think it's clear from your evidence that the sort</p> <p>11 of story in play here might not have been of interest to</p> <p>12 the Daily Express; have I correctly understood your</p> <p>13 evidence? Or would it be of interest to the Daily</p> <p>14 Express, the merger of Special Branch and anti-terrorist</p> <p>15 branch?</p> <p>16 <b>A. That was -- I think that particular story was announced</b></p> <p>17 <b>at a press conference, a general press conference. I'm</b></p> <p>18 <b>not sure if it would really interest the Daily Express</b></p> <p>19 <b>readers but I do know that the background of that</b></p> <p>20 <b>particular thing, that there were a lot of former and</b></p> <p>21 <b>servicing Special Branch officers who wanted to keep their</b></p> <p>22 <b>independence.</b></p> <p>23 LORD JUSTICE LEVESON: That rather makes my point, doesn't</p> <p>24 it?</p> <p>25 <b>A. Mm.</b></p> <p style="text-align: center;">Page 58</p>	<p>1 We've been told that actually pure crime reporting has</p> <p>2 been overtaken by what might be described as home</p> <p>3 affairs reporting. Is that something that you've also</p> <p>4 noted?</p> <p>5 <b>A. That's correct, yes. When I first started, there were</b></p> <p>6 <b>one or two home affairs reporters in the CRA. Now there</b></p> <p>7 <b>are a lot more. There will probably be a lot more in</b></p> <p>8 <b>the future.</b></p> <p>9 LORD JUSTICE LEVESON: My question is this: 47 doesn't seem</p> <p>10 a very large number in the context of the press as</p> <p>11 a whole.</p> <p>12 <b>A. Mm-hm.</b></p> <p>13 LORD JUSTICE LEVESON: Is there a risk that it might be</p> <p>14 being perceived as something of a slightly elite group</p> <p>15 of reporters and therefore give rise to the possibility</p> <p>16 that unless it was rather more open, it doesn't really</p> <p>17 reflect what the public interest requires in open and</p> <p>18 transparency in everything? It's not for me to</p> <p>19 interfere in your association, but I'm just asking the</p> <p>20 question.</p> <p>21 <b>A. Some people, I think, could perceive it as an elite</b></p> <p>22 <b>group. I don't think they -- I don't think they -- it's</b></p> <p>23 <b>not a correct perception, but I can see, looking from</b></p> <p>24 <b>the outside, particularly where crime reporters get</b></p> <p>25 <b>exclusives they believe might have come through CRA</b></p> <p style="text-align: center;">Page 60</p>

1 channels or because they're members of the CRA, where  
 2 it's actually their own independent sources -- and that  
 3 concern, that perception is reflected in Mrs Filkin's  
 4 report, I think. I think that's something we'll have to  
 5 live with, really. If reporters who mainly report on  
 6 police matters want to join the CRA and they work for  
 7 a national newspaper, then they can probably join. It  
 8 may be that they already have two or maybe even three  
 9 members already, so that may not be fair to their  
 10 competitors.

11 LORD JUSTICE LEVESON: But why should you worry about  
 12 whoever is in it, provided -- and I accept this is an  
 13 important proviso because of some of the other evidence  
 14 I've heard -- they have sufficient background knowledge  
 15 to ensure that they don't need to be taken down the  
 16 green slopes of criminal investigation or criminal  
 17 issues and are ready for the red or the black run, which  
 18 is, as I understand it, if I pursue my skiing analogy  
 19 further, really what the Association does. The  
 20 Association is there to say, "We know the background, we  
 21 know what we're talking about, therefore you can cut to  
 22 the chase immediately, you don't have to give us the  
 23 introduction"; is that fair?

24 **A. That's fair, yes.**

25 LORD JUSTICE LEVESON: So provided anybody can demonstrate

Page 61

1 they have that knowledge, in whatever way they want to  
 2 demonstrate it, and therefore will never be asking the  
 3 "Well, take me back to the beginning" type question, why  
 4 should you be restrictive on membership?

5 **A. Well, that would mean that basically anyone could join  
 6 if they were an experienced reporter, and what we've  
 7 tried to preserve, what we've tried to take to the  
 8 police, is the idea that if they brief us, they are  
 9 talking to people who have a commitment to crime  
 10 reporting, to policing affairs, and therefore they're  
 11 signed up to the three rules, that "non-reportable"  
 12 means non-reportable, "non-attributable" means  
 13 non-attributable, and we don't break any embargos. If  
 14 there's somebody who is an experienced reporter who  
 15 wants to sort of dip in and dip out, and they're not  
 16 showing any commitment to the organisation --**

17 LORD JUSTICE LEVESON: Okay.

18 **A. -- or any commitment to those three principles, then  
 19 there might be a risk then of letting in somebody who  
 20 decides that they're just going to bust it wide open,  
 21 and that would be quite damaging.**

22 LORD JUSTICE LEVESON: I'm sure that's right. So can you  
 23 ensure and do you ensure that actually not merely that  
 24 you're open to every national newspaper -- and I might  
 25 debate with you whether it's necessary to be restricted

Page 62

1 to national newspapers -- but that in fact every  
 2 national newspaper does have a representative?

3 **A. They do, yes.**

4 LORD JUSTICE LEVESON: So there isn't a question of  
 5 favouritism?

6 **A. Exactly, yes. I think they should do. I mean, those  
 7 national newspapers that are not represented are not  
 8 represented by choice by them.**

9 LORD JUSTICE LEVESON: It's not that they would ever be kept  
 10 out?

11 **A. No.**

12 LORD JUSTICE LEVESON: Because that's probably very  
 13 important, isn't it?

14 **A. Exactly.**

15 LORD JUSTICE LEVESON: That they're not kept out. It's open  
 16 to all national papers. It's open to all who have that  
 17 degree of commitment.

18 **A. Yes.**

19 LORD JUSTICE LEVESON: Okay. Is there anything that you  
 20 would like to add to what you've said?

21 **A. Well, I would like to reflect on something that you  
 22 asked of, I think, Jeff Edwards. I think you invited  
 23 him to arrange for the CRA to draft some sort of  
 24 guidelines --**

25 LORD JUSTICE LEVESON: Yes.

Page 63

1 **A. -- embracing the possibility that records need to be  
 2 kept. It's probably best done through me, and I would  
 3 like to take up that offer.**

4 LORD JUSTICE LEVESON: Of course, of course. Of course  
 5 I wasn't excluding you --

6 **A. Oh no, I just wanted to make that clear, that it would  
 7 be through me rather than through Jeff.**

8 LORD JUSTICE LEVESON: That's entirely appropriate,  
 9 Mr Twomey. Having thrown out the offer to the CRA, of  
 10 course it embraces the current leadership of the CRA.  
 11 Had you come first, the request would have been made of  
 12 you. It was Mr Edwards, so the request was made of him.

13 **A. No, I --**

14 LORD JUSTICE LEVESON: Absolutely.

15 **A. -- appreciate that.**

16 **The other point I was going to make was that should  
 17 those new arrangements be made, that perhaps the CRA,  
 18 along with other bodies like the Society of Editors, the  
 19 NUJ, representatives from broadcasting and online  
 20 branches of the industry, might be able to assist in  
 21 some sort of regular review of how -- should the new  
 22 arrangements be introduced, the impact of those new  
 23 arrangements on police/media relationships.**

24 **I wouldn't say that so it's just a platform for  
 25 making complaints but so that if they're working well,**

Page 64



<p>1 <b>we can encourage -- positively encourage others to</b>  2 <b>follow suit, perhaps express our concern if we don't</b>  3 <b>think they're being adhered to.</b>  4 LORD JUSTICE LEVESON: If you are prepared and you think it  5 would be valuable -- and I think it would be valuable --  6 for you to engage with those other bodies to bring them  7 into your discussion, and you can incorporate their  8 views in anything you send to me, I would be absolutely  9 delighted, because the more that the press are doing and  10 the media generally are doing this for themselves,  11 actually the better. That doesn't bind me into  12 anything, but I think I've already said to you this  13 morning you understand your business much better than  14 I will ever understand it. I'm working quite hard on  15 it, but you know what works and what won't work, and you  16 know what I want to achieve and what it is legitimate  17 for me to achieve, as you have recognised. So any help  18 you can give me, with the assistance of those other  19 bodies, would be only too welcome.  20 <b>A. Right.</b>  21 LORD JUSTICE LEVESON: Thank you very much indeed.  22 <b>A. Thank you.</b>  23 MR BARR: Sir, the next witness is Mr James Murray.  24 LORD JUSTICE LEVESON: Thank you.  25</p> <p style="text-align: center;">Page 65</p>	<p>1 MR BARR: Paragraph 8, first line, the number "6" should in  2 fact be the number "7"; is that right?  3 <b>A. That's right.</b>  4 Q. And in paragraph 27, second line, where you have written  5 "Crime Writers Association" --  6 <b>A. "Crime Reporters Association".</b>  7 Q. You meant to say "Crime Reporters Association"?  8 LORD JUSTICE LEVESON: They do very different things,  9 I hope.  10 <b>A. I don't think there is a crime writers association.</b>  11 LORD JUSTICE LEVESON: I thought it would be a fictional  12 body.  13 <b>A. Could well be.</b>  14 MR BARR: Subject to those corrections, are the contents of  15 your witness statement true and correct to the best of  16 your knowledge and belief?  17 <b>A. Yes.</b>  18 Q. You are the associate editor, news at the Sunday  19 Express, aren't you?  20 <b>A. Yes, that's my title.</b>  21 Q. And you've been with the Sunday Express for ten years  22 now?  23 <b>A. Ten, 11 years, yes.</b>  24 Q. You started off as the news editor and then became  25 investigations editor?</p> <p style="text-align: center;">Page 67</p>
<p>1 MR JAMES ARTHUR MURRAY (sworn)  2 Questions by MR BARR  3 MR BARR: Mr Murray, could you confirm your full name,  4 please?  5 <b>A. James Arthur Murray.</b>  6 Q. You provided the Inquiry with a witness statement.  7 I understand that there are a number of corrections that  8 you would like to make to it before confirming the truth  9 of its contents. First of all, in paragraph number 1,  10 I understand that you wish to omit the references to  11 television; is that right?  12 <b>A. It's just because it's a grammatical error there.</b>  13 <b>Something's gone wrong.</b>  14 Q. This is in the third line on page 2?  15 <b>A. Yes, so:</b>  16 <b>"I have a great deal of experience in television</b>  17 <b>news and tabloid and broadsheet newspapers."</b>  18 <b>"Television" is not necessary there.</b>  19 Q. You wish to omit that one word?  20 <b>A. Yes.</b>  21 LORD JUSTICE LEVESON: It's the word "television" you're  22 omitting?  23 <b>A. Yes.</b>  24 LORD JUSTICE LEVESON: That's fair enough, as long as  25 I know.</p> <p style="text-align: center;">Page 66</p>	<p>1 <b>A. Yes. At the Sunday Express we have quite a small staff,</b>  2 <b>so we do other things as well, so I sometimes do book</b>  3 <b>reviews, I sometimes do showbusiness stories, I oversee</b>  4 <b>the work of other journalists. We do a multitude of</b>  5 <b>tasks.</b>  6 Q. But your remit includes crime?  7 <b>A. In this context, yes. This is why I'm trying to be</b>  8 <b>helpful to the Inquiry with my work in the crime field</b>  9 <b>and my experience over the years.</b>  10 Q. You tell us a little bit about your professional  11 background in paragraph 1. You've been a journalist for  12 more than 30 years now and you've worked both in local  13 media and also at national level. You've worked for  14 both tabloid and broadsheet newspapers; is that right?  15 <b>A. Yes.</b>  16 Q. Moving now to that section of your witness statement  17 which deals with relations between the media and the  18 Metropolitan Police, you tell us at paragraph 4 of your  19 witness statement that you think that the culture of  20 relations has always been professional and positive and  21 above board. Can I ask you to tell us what you consider  22 amounts to an above-board relationship between the media  23 and the Metropolitan Police?  24 <b>A. That means having good discussions on the phone with</b>  25 <b>Press Bureau, with the staff there, so you'll be clear</b></p> <p style="text-align: center;">Page 68</p>

<p>1 and concise in what you're trying to achieve in getting 2 information from them to help you construct a story. 3 When you're invited along to a press conference at the 4 Yard, it's cordial, the officers are polite, they 5 introduce themselves, you introduce yourself. There's 6 a professional understanding that you're both there to 7 try and achieve the same aim, which is to get an 8 accurate story out into the public domain, which may 9 assist in the apprehension of a criminal or may assist 10 in the inquiries the police are pursuing.</p> <p>11 Above-board -- I'm aware that there are corrupt 12 officers, obviously, and they sometimes manifest 13 themselves -- you hear rumours of that. In my dealings, 14 I have never been approached by a policeman at any level 15 who has said something along the lines of: "I'm quite 16 happy to help you if you make a little payment to my 17 daughter's piano lessons" or anything of that kind. 18 I would consider an approach like that to be underhand, 19 and I would be -- you know, I would decline it. So when 20 I say that my dealings with been above-board, what 21 I mean is I've never been approached in any means or any 22 way to be party to any underhand relationship with an 23 officer.</p> <p>24 Q. Have ever been given a tip-off by either a police 25 officer or someone working for the police about</p> <p style="text-align: center;">Page 69</p>	<p>1 some information about a job in London when some vaults 2 were raided and a large sum of money was taken, and 3 jewels, et cetera. That was appreciated.</p> <p>4 Q. Are we talking here about communications from the 5 Directorate of Public Affairs or are we talking about 6 operational staff?</p> <p>7 A. On that occasion, it was not a police officer; it was 8 somebody else, another source informed me.</p> <p>9 Q. Somebody who worked for the police?</p> <p>10 A. Somebody who had knowledge of the event.</p> <p>11 LORD JUSTICE LEVESON: Obviously, actually.</p> <p>12 A. Well --</p> <p>13 LORD JUSTICE LEVESON: Yes, yes.</p> <p>14 A. I'm not trying to be difficult, sir.</p> <p>15 LORD JUSTICE LEVESON: No, no.</p> <p>16 A. I'm not also going to betray any sources.</p> <p>17 LORD JUSTICE LEVESON: I don't ask you to do that. I've got 18 the message about sources quite early on. But are you 19 surprised -- let me ask this question -- when you hear 20 that the police have gone to the home of celebrity Y, 21 who has reported a burglary, but the photographers from 22 the press have already beaten them there?</p> <p>23 A. Doesn't surprise me, no.</p> <p>24 LORD JUSTICE LEVESON: Do you think that is entirely 25 professional, positive and above-board?</p> <p style="text-align: center;">Page 71</p>
<p>1 involvement between the police and a celebrity or other 2 famous person?</p> <p>3 A. I can't think of a specific example regarding 4 a celebrity that comes to mind. I have been lucky 5 enough to be on the receiving end of a phone call when 6 somebody's said they've got a good story about 7 so-and-so, and you say, "Thanks very much", and you make 8 further enquiries to establish the accuracy and the 9 veracity of the story, and then it may be that a short 10 time later you ring up your contact, your source, and 11 say, "Would you like to have a little drink or would you 12 like to have a cup of coffee or would you like to have 13 a meal by way of thank you for being helpful in that 14 matter?"</p> <p>15 Q. Is this a police source?</p> <p>16 A. Yeah, it can be a police source. It can be a member of 17 the public who's got information about a crime. I mean, 18 the sources can come from a multitude of different ways.</p> <p>19 Q. And the interesting person you refer to is somebody 20 newsworthy?</p> <p>21 A. No, I'm saying I can't think of a specific example in 22 relation to a celebrity, which was your question, but 23 I can think of phone calls I've had when, for instance, 24 there's going to be an interesting arrest made or 25 there's been a big theft of property. I think I got</p> <p style="text-align: center;">Page 70</p>	<p>1 A. No. In the old days, there were people who had 2 scanners. I worked at Thames News in London for ITV and 3 I was on the news desk and also did bulletin writing, 4 and there were people who spent all day listening to the 5 police wires, and they would be tipsters. I didn't deal 6 with them directly; it was dealt with by the news desk 7 executives. And they would hear information, you know: 8 "There's a serious incident at X." They'd heard it on 9 the scanner and then they would ring up the news desk. 10 There's incidents where that happened.</p> <p>11 LORD JUSTICE LEVESON: Yes.</p> <p>12 A. So that --</p> <p>13 LORD JUSTICE LEVESON: It's not necessarily from 14 a policeman, but with the ability to scan into 15 radio/telephone communications in that way has long 16 since passed into history, hasn't it?</p> <p>17 A. It has, yes. It was very common, I think, in the 1980s, 18 and it was quite well-known to the police that this was 19 going on, I believe, but you know, that's what happened.</p> <p>20 LORD JUSTICE LEVESON: But it doesn't explain what happens 21 these days.</p> <p>22 A. No. It's -- that -- you're right to say that that sort 23 of tip-off from a scanner has come to an end. I never 24 heard of that when I was working in newspapers, by the 25 way; that was whilst in television, because -- that's</p> <p style="text-align: center;">Page 72</p>

18 (Pages 69 to 72)

1 how they relied on their tips because they had to be  
 2 there with a camera crew very, very quickly, you see,  
 3 whereas a news reporter can be there an hour later and  
 4 catch up with events, but obviously if you're trying to  
 5 capture the scene when there's just been a shooting or  
 6 when there's been a bank robbery, then it's vital that  
 7 you get the immediate picture.  
 8 LORD JUSTICE LEVESON: Yes. I'm not looking at how the  
 9 television operates.  
 10 **A. No, I appreciate that.**  
 11 LORD JUSTICE LEVESON: I have more than enough to do, thank  
 12 you very much, Mr Murray. Yes.  
 13 MR BARR: Have you ever had anyone from the police, whether  
 14 uniformed or civilian, come to you in the role of  
 15 whistle-blower?  
 16 **A. No, but I've had lunches with senior officers on**  
 17 **occasions, and detectives, who have said -- not so much**  
 18 **whistle-blowing. It's grumbles: "We're concerned about**  
 19 **this, we're concerned about that." Often it would be**  
 20 **things like they're concerned about the lack of**  
 21 **equipment they have, that they wanted stories going into**  
 22 **the press that they needed stab-proof vests, that they**  
 23 **wanted to be better protected themselves, that they**  
 24 **wanted -- some officers were keen to -- they seemed to**  
 25 **have causes that they wanted to inform you about and**  
 Page 73

1 promote. They weren't sort of taking the lid off  
 2 corruption or anything like that. I wasn't lucky enough  
 3 to be on the receiving end of a dossier of information  
 4 which gave prima facie evidence of corruption. However,  
 5 I did get the message that these people were conveying  
 6 that sort of information.  
 7 Q. Did you get the impression that they would be quite  
 8 pleased if you were to write a sympathetic article  
 9 without naming them?  
 10 **A. Yes. I think they felt they had -- it's like**  
 11 **politicians when you go out for lunch with them and it's**  
 12 **off the record. They're always very pleased when you**  
 13 **take up their cause and you try to be objective, not**  
 14 **just to publish their view but you try and counter it**  
 15 **with the other side and you try and make your own**  
 16 **decision and gather extra information to see if what**  
 17 **they're saying actually merits attention.**  
 18 Q. But these views were not necessarily the police party  
 19 line?  
 20 **A. Yes. I think Scotland Yard and other forces always**  
 21 **found it slightly difficult to go on the record and say**  
 22 **things like: "The government is not giving us enough**  
 23 **money to get equipment, the government's not doing -- "**  
 24 **you know. They had their federation spokesman and**  
 25 **whatever, but it -- maybe they felt that they were too**  
 Page 74

1 vulnerable. There is a certain shyness, I think, which  
 2 is something you touched on earlier, this wanting to  
 3 have everything off the record and whatever, which gets  
 4 on your nerves a little bit, because I'm a great  
 5 believer in being transparent and open, and in these  
 6 meetings I always encourage the officers that it gives  
 7 the story much more credibility and veracity if we can  
 8 name you as the source, because, you know, that  
 9 information is not particularly scandalous or whatever,  
 10 it's a common view, sensible opinion, and what's the  
 11 problem about attaching your name to it? And often the  
 12 reply would be: "It's just not worth the internal  
 13 politics, it's not worth the flak. I'd rather we did it  
 14 this way."  
 15 That's fair enough, you have to respect their view,  
 16 as indeed you respect the view of the public. It's the  
 17 same view. If a member of the public doesn't wish to be  
 18 named, then you respect their view as well.  
 19 Q. We'll come back to lunches in a little while, but before  
 20 we do, I'd like to explore some of the more formal  
 21 avenues of contact that you've had with the Metropolitan  
 22 Police. First of all, you tell us in paragraph 5 of  
 23 your witness statement that you regularly telephoned  
 24 Scotland Yard and usually spoke with staff at the Press  
 25 Bureau.  
 Page 75

1 **A. Yes.**  
 2 Q. I think that's the Directorate of Public Affairs.  
 3 **A. Yes.**  
 4 Q. Can you give us your opinion, your experience, about how  
 5 effective that avenue of communication is for obtaining  
 6 information about the activities of the Metropolitan  
 7 Police Service?  
 8 **A. Well, they don't have an open-door policy, so you can't**  
 9 **walk down Scotland Yard and walk in and have a cup of**  
 10 **tea with someone instantaneously. So the only means if**  
 11 **they're not calling a press conference is to phone them.**  
 12 Often the Yard, in my experience, released precious  
 13 little information about major crime and it was quite  
 14 hard work getting information out of them, like pulling  
 15 teeth on some occasions. So you had to think in your  
 16 mind, prior to ringing them, what were the key elements  
 17 that you wished to draw from them, and I would often  
 18 write down in my notebook three questions which seemed,  
 19 you know, about -- to keep things fairly simple, on  
 20 a particular running crime story that I wished to  
 21 pursue, and if somebody would come back with an answer  
 22 to those three questions, and that can be dealt with  
 23 quite well on the phone because they take note of the  
 24 questions, then they go away to the senior officer, have  
 25 a discussion about those questions and then come back  
 Page 76

1 with a response, which is either giving you extra  
 2 details to those questions or telling you: "Question one  
 3 is not something we wish to talk about. Question two,  
 4 we can add a little bit of detail. Question three,  
 5 you've got no chance. We're not going near that."  
 6 So it would be on that level. Then obviously -- in  
 7 the old days, they used to hold far more press  
 8 conferences than they do now and so there's much more  
 9 communication. It was a good opportunity, the press  
 10 conferences, to have a chat with the press officers and  
 11 speak to the senior officers afterwards. So those were  
 12 much better occasions and often you'd have the press  
 13 conference -- the three officers would be lined up,  
 14 they'd speak their bit, TV would pull off and then there  
 15 would be a little chat in the back room with the senior  
 16 officer in the case on an off-the-record basis, with CRA  
 17 status or not. I was quite lucky because I knew the  
 18 crime guys -- Mike Sullivan, Jeff Edwards, John  
 19 Twomey -- and often it wouldn't matter whether I was  
 20 a CRA member or not. I would be involved in those  
 21 briefings.  
 22 Q. May I pick up on a few themes from that answer. First  
 23 of all, you tell us that there were occasions when you  
 24 felt that the Metropolitan Police didn't give very much  
 25 information out. Can I ask you whether you thought that

Page 77

1 was because they were being excessively cautious or  
 2 whether you thought there were legitimate, if  
 3 frustrating grounds for withholding the information, or  
 4 whether you sensed that the information was being given  
 5 out, not to you but to somebody else?  
 6 A. It's probably a bit of both. Certainly sometimes you  
 7 got the impression that CRA members did get fuller  
 8 briefings on the phone than non-members and sometimes --  
 9 I think Mike Sullivan alluded to this -- if you annoyed  
 10 them with a story, you might get a little bit of a  
 11 frosty reception and an "Oh, can't tell you much about  
 12 that" response, and that would last for a couple of  
 13 weeks, then there would be a thawing and then you get  
 14 a fuller briefing, as it were, but whether there was any  
 15 truth in any of those sort of gossipy rumours, I don't  
 16 know. I certainly was aware sometimes, when I'd written  
 17 stories which may have annoyed senior officers, that for  
 18 the next couple of weeks life could be a little bit  
 19 difficult and then it got back to normal again.  
 20 Q. Next, you --  
 21 A. But I do think that the Yard, more so than other forces,  
 22 does release less information, just as a general  
 23 picture. I mean, the CRA is very much a London-based  
 24 organisation, I think, in many respects. A lot of the  
 25 guys who -- the sort of core members like John, Mike,

Page 78

1 Jeff in the old days, they were really involved in home  
 2 counties and Met operations.  
 3 LORD JUSTICE LEVESON: The CRA is restricted to national  
 4 newspapers, isn't it?  
 5 A. Yes, but in terms of --  
 6 LORD JUSTICE LEVESON: The biggest player, of course, is the  
 7 Met.  
 8 A. It can be, sir, but I mean you can also have major  
 9 crimes in Greater Manchester.  
 10 LORD JUSTICE LEVESON: There isn't a part of the country  
 11 where you can't have a major crime.  
 12 A. No, but -- and in my experience, when dealing with the  
 13 press officers and the senior officers in the other  
 14 forces, I found that they were more willing to accept  
 15 questions and respond more fully to those questions and  
 16 to give perhaps more interviews. You know, if you rang  
 17 up with a request to speak to the investigating officer  
 18 in a case, often it would be granted in the Met,  
 19 possibly, but often would be: "Oh, he's very busy on  
 20 inquiries, we'll get back to you", sort of thing.  
 21 MR BARR: Am I right to understand that you're not a member  
 22 of the CRA?  
 23 A. No.  
 24 Q. Why not?  
 25 A. Because I do many different things, many different sorts

Page 79

1 of investigations. They're not all crime-related.  
 2 Sometimes they do spill into crime. I mean, I did an  
 3 investigation into an Islamic school down near  
 4 Tunbridge Wells, where they were acting suspiciously and  
 5 there was very little being taught. The story was  
 6 published on the Sunday. The following week, 300  
 7 officers raided that school and there were a number of  
 8 arrests made. Arrests were also made in London. So  
 9 what started out as an investigation into Muslim alleged  
 10 extremism at a private school, if you like, an education  
 11 story, then developed and became a crime story.  
 12 Q. Have you felt in any way disadvantaged in your work  
 13 covering crime stories because you are not a member of  
 14 the CRA?  
 15 A. On certain occasions when, after major trials, there  
 16 would be briefings and sometimes there would be  
 17 briefings for CRA members only, so the senior officers  
 18 would get together with the journalists and have a chat,  
 19 and if you weren't in the CRA, you didn't get that  
 20 information. But whilst I was news editor, we had  
 21 a crime reporter who was a member of the CRA and who did  
 22 go and attend to their briefings. She enjoyed the  
 23 interaction between the other crime journalists and the  
 24 social events and the going to the Yard events as well.  
 25 Q. What's the position now? Does the Sunday Express have

Page 80

<p>1 a CRA member?</p> <p>2 <b>A. No, we don't.</b></p> <p>3 Q. Is that something that you think is just unnecessary or</p> <p>4 is that a matter of regret?</p> <p>5 <b>A. Well, at the moment, relationships seem to be very poor</b></p> <p>6 <b>between the Met and journalists. The normal lines of</b></p> <p>7 <b>communications have been chronically damaged,</b></p> <p>8 <b>potentially, you know, for a long time, and we don't see</b></p> <p>9 <b>any value at this stage in being a member of the CRA</b></p> <p>10 <b>when so little information is coming out of the Yard,</b></p> <p>11 <b>or, in some cases, other forces, but the Yard in</b></p> <p>12 <b>particular.</b></p> <p>13 Q. How long has this situation been extant?</p> <p>14 <b>A. What, the difficulties?</b></p> <p>15 Q. Yes, the difficulties.</p> <p>16 <b>A. Probably since the Guardian published its story in July</b></p> <p>17 <b>of last year. David Leigh and Amelia Hill wrote a story</b></p> <p>18 <b>about an investigation into phone hacking and the</b></p> <p>19 <b>allegations that News of the World had deleted messages</b></p> <p>20 <b>belonging to the phone of Milly Dowler. That had an</b></p> <p>21 <b>enormous impact throughout the industry to chronically</b></p> <p>22 <b>and potentially fatally damage relationships between</b></p> <p>23 <b>journalists and the police, because we do have</b></p> <p>24 <b>a relationship of trust. I was actually the news editor</b></p> <p>25 <b>on the Milly Dowler occasion and Andrea Perry was the</b></p> <p style="text-align: center;">Page 81</p>	<p>1 <b>the new man and he seemed to be taking a positive view</b></p> <p>2 <b>of the press. Not that Lord Stevens didn't; he was an</b></p> <p>3 <b>excellent Met Commissioner and relationships were very</b></p> <p>4 <b>good with him. And at that time there were good</b></p> <p>5 <b>relationships building up. I think I had lunch with</b></p> <p>6 <b>Dick Fedorcio and Andrea, and we were both of the same</b></p> <p>7 <b>mind that we should improve and build on relations.</b></p> <p>8 <b>You'll see in the statement that I mentioned meeting</b></p> <p>9 <b>Sir Ian Blair and having some champagne with him --</b></p> <p>10 Q. I'll be coming to the meetings, but my question was:</p> <p>11 from when do you date the decline in the number of press</p> <p>12 conferences?</p> <p>13 <b>A. Well, I think -- difficult to put an actual date on it,</b></p> <p>14 <b>with respect. I would say there's been a big impact</b></p> <p>15 <b>since the revisions in the Guardian newspaper.</b></p> <p>16 Q. Moving now to paragraph 7 of your witness statement,</p> <p>17 where you tell us about meeting up with senior</p> <p>18 detectives for meals and drinks. Can I ask first of all</p> <p>19 about the number of people at these meals. Did you</p> <p>20 normally take out a single detective for a meal or would</p> <p>21 you take more than one?</p> <p>22 <b>A. It depends. Sometimes it would be one detective,</b></p> <p>23 <b>sometimes it would be two. Often when a team of</b></p> <p>24 <b>detectives have been successful in a prosecution at the</b></p> <p>25 <b>Old Bailey, word would get around that they were having</b></p> <p style="text-align: center;">Page 83</p>
<p>1 <b>crime reporter who was charged with working on it, along</b></p> <p>2 <b>with other journalists, and we spent an enormous amount</b></p> <p>3 <b>of time patiently building up relations with</b></p> <p>4 <b>Surrey Police, meeting them at briefings, having coffee,</b></p> <p>5 <b>gaining their trust, and saying to them: "We want to</b></p> <p>6 <b>work with you on this inquiry and be as helpful as we</b></p> <p>7 <b>can because it's imperative that everything is done in</b></p> <p>8 <b>order to find this girl." She was missing for quite</b></p> <p>9 <b>some time, about six months, I think.</b></p> <p>10 <b>So we worked well and we established a good</b></p> <p>11 <b>relationship. Milly Dowler's parents gave us, I think,</b></p> <p>12 <b>from memory, a little statement on what would have been</b></p> <p>13 <b>her birthday, which was very touching. We had</b></p> <p>14 <b>photographs of Milly that we requested via the press</b></p> <p>15 <b>office, and so, you know, all that trust over that long</b></p> <p>16 <b>period of time, which still existed today, was blown out</b></p> <p>17 <b>the water by these allegations.</b></p> <p>18 Q. You've spoken about a perception that the number of</p> <p>19 press conferences that the Met has given has reduced.</p> <p>20 Over what period of time has that reduction occurred?</p> <p>21 Is that something that you date back to the middle of</p> <p>22 last year or is it something that's occurred over</p> <p>23 a different timescale?</p> <p>24 <b>A. I was thinking in -- when Lord Stevens left and</b></p> <p>25 <b>Sir Ian Blair took over, which was in 2005, Sir Ian was</b></p> <p style="text-align: center;">Page 82</p>	<p>1 <b>drinks in a certain pub, so you go in the pub and there</b></p> <p>2 <b>might be ten detectives there, all, quite rightly,</b></p> <p>3 <b>celebrating and having a drink because they work very,</b></p> <p>4 <b>very hard in an extremely difficult environment.</b></p> <p>5 Q. On occasions, would you take a solitary senior detective</p> <p>6 for lunch?</p> <p>7 <b>A. Yeah, but I just think -- on one occasion, which was,</b></p> <p>8 <b>I think, after a successful prosecution in relation to</b></p> <p>9 <b>a vault job when millions of pounds was taken and the</b></p> <p>10 <b>criminals were tucked away, myself and a colleague were</b></p> <p>11 <b>invited down and we had a very nice drink and a meal,</b></p> <p>12 <b>and then it was too late to get trains home, so they</b></p> <p>13 <b>called -- they were having lifts home in Yard cars, and</b></p> <p>14 <b>so one of the officers who lived near me kindly said,</b></p> <p>15 <b>"Would you like a lift in the car?" knowing that I'd</b></p> <p>16 <b>have difficulty getting home. So I said, "That's very</b></p> <p>17 <b>nice of you", and we both took the car, so effectively</b></p> <p>18 <b>I got a Yard car to my home.</b></p> <p>19 Q. Are we talking about a celebration then that's lasted</p> <p>20 beyond the stamina of public transport?</p> <p>21 <b>A. Yes. It maybe started about 7 o'clock and it's gone to</b></p> <p>22 <b>11.30 or something and the trains -- you have a problem</b></p> <p>23 <b>with the trains. You know, that's -- it wasn't an abuse</b></p> <p>24 <b>of privilege because the officers do have access to</b></p> <p>25 <b>these cars because they have to be at events at certain</b></p> <p style="text-align: center;">Page 84</p>

<p>1 times. I mean, I may have had a little bit too much 2 wine and they -- I don't think any of them were 3 inebriated beyond doing their professional function, but 4 it was a good night and a memorable night.</p> <p>5 LORD JUSTICE LEVESON: If they've worked very hard and 6 they've had a result, it's not perhaps surprising.</p> <p>7 <b>A. Well, I don't see --</b></p> <p>8 LORD JUSTICE LEVESON: No, no. An image of me is being 9 created which is not entirely accurate. The question is 10 where it crosses the line, or if it crosses the line.</p> <p>11 <b>A. Well, I've never -- I can only speak for my personal 12 experience, and if anyone's suggesting, "Oh, right, 13 you've gone out for this meal with the police, you've 14 had a load of drink, da da da, the next step, you're 15 dropping brown envelopes all over the place" -- it's 16 just so far removed from the truth, really. It doesn't 17 happen like that.</b></p> <p>18 The officer would be, first, mortally offended that 19 that would be even suggested, in my opinion, and it 20 would actually ruin the relationship because the 21 relationship you're trying to build up is one of trust 22 and so he doesn't want to receive a silly request and 23 I certainly wouldn't give it, and likewise, you know, 24 I don't want to receive a silly request, and he probably 25 knows from my character, my nature, and a bit of</p> <p style="text-align: center;">Page 85</p>	<p>1 your pudding, a bottle of wine and maybe a couple of 2 beers, and that normally reaches around £80. Obviously 3 if there's two or three other people there, then that 4 budget will go up.</p> <p>5 Q. You tell us that these --</p> <p>6 <b>A. But that hasn't been done for a while. Certainly that 7 hasn't been done since the Milly Dowler revisions. 8 Everything's on ice, everything's frozen. Nobody wants 9 to know, nobody wants a phone call. Everyone's the sort 10 of Big Brother -- not "Big Brother", but everyone's 11 cautious, everyone's frightened.</b></p> <p>12 Q. You tell us that the status of the communications at 13 these events is off the record. Do you mean by that 14 that what you are told can be reported but not 15 attributed?</p> <p>16 <b>A. There is some confusion over these terms and it's not 17 just amongst senior officers; it's also amongst some 18 journalists. Sometimes there's an OTRNFP briefing, 19 which is "off the record, not for publication", which 20 means that: "We're telling you all this" and sometimes 21 you wonder what's the point of it, because you're 22 telling me all this stuff and I can't do anything with 23 it. Great. Really, what you want is a briefing where 24 you can work out what you need to know for publication. 25 The whole purpose is for publication, and this is what</b></p> <p style="text-align: center;">Page 87</p>
<p>1 background what I'm like. Because the officers do like 2 to get to know you a bit. They like to know what you 3 do, do they play a bit of golf, do you play darts, or 4 whatever -- you know, whatever things, just as normal 5 chit-chat.</p> <p>6 Q. If we stick to what actually happens, do you try and 7 cultivate particular contacts? Do you form 8 a relationship with particular senior detectives which 9 you can then rely upon in the future when you need 10 information?</p> <p>11 <b>A. Depends, because I move in different areas. One minute 12 I'm doing a crime story, the next minute -- as 13 I mentioned to you earlier, what I'm currently working 14 on, which is looking at a solicitor. So it's varied.</b></p> <p>15 Q. Put it this way: have you taken the same senior 16 detective out for lunch more than once?</p> <p>17 <b>A. Oh yes, I've taken the same detective out maybe five, 18 six times, ten times.</b></p> <p>19 Q. You tell us later on in your statement that you normally 20 have a budget which doesn't exceed £80 on meals.</p> <p>21 <b>A. Yeah.</b></p> <p>22 Q. Just to be clear, is this £80 a head or £80 for how many 23 people?</p> <p>24 <b>A. £80 would be for two, so £40 each. So within that you 25 get -- the idea is you get a starter, your main course,</b></p> <p style="text-align: center;">Page 86</p>	<p>1 I try and stress to the officers. Sometimes it's very 2 useful to pick up some background information on 3 internal politics or why X was done or Y was done or 4 whatever, but essentially you're there to gather 5 information to include in a story.</p> <p>6 So I would say -- I mean, things could develop as 7 the meal goes on. One minute they can say something and 8 then you chat further and they say, "Actually, I don't 9 mind if you do mention that. So you can put it in the 10 story, but would you mind not attributing my name to 11 it?" That's fine. On other occasions, they might say, 12 "Let me have a think about that overnight and I'll give 13 you a ring tomorrow. Come down, we'll have a cup of 14 coffee and we'll work out formal words or a structure 15 and they can be attributable."</p> <p>16 Q. Can I take it from that answer that these lunches have 17 proved to be a fertile source of stories over the years?</p> <p>18 <b>A. Yes. Yes.</b></p> <p>19 LORD JUSTICE LEVESON: Can I go back to the party after the 20 case and ask this: presumably you were very pleased to 21 be invited to a gathering of detectives celebrating 22 a successful prosecution?</p> <p>23 <b>A. I was, yes.</b></p> <p>24 LORD JUSTICE LEVESON: Did you ever ask yourself why that 25 might be?</p> <p style="text-align: center;">Page 88</p>

22 (Pages 85 to 88)

1 **A. I can't remember forming that question in my mind.**  
 2 **I just assumed -- it was a nice gesture. I got to know**  
 3 **the guys fairly well and that was it.**  
 4 LORD JUSTICE LEVESON: And they were entertaining you, were  
 5 they?  
 6 **A. It's quite a long time ago.**  
 7 LORD JUSTICE LEVESON: All right.  
 8 **A. I think I offered my credit card. I can't remember how**  
 9 **much was taken off it. I think I did pay -- I didn't**  
 10 **pay all the bill for all the officers, if that's what**  
 11 **you're asking me.**  
 12 LORD JUSTICE LEVESON: No, I'm just --  
 13 **A. I think I paid a contribution.**  
 14 LORD JUSTICE LEVESON: -- trying to work out how this works.  
 15 **A. In usual cases, you pay the bill. Sometimes the officer**  
 16 **will turn around and say, "Don't worry, you got it last**  
 17 **time, I'll pay", and sometimes if you're just meeting**  
 18 **for a quick drink or a coffee, it's very fleeting and it**  
 19 **doesn't really matter who pays.**  
 20 LORD JUSTICE LEVESON: I understand, and I'm not being  
 21 over-sensitive. I'm just trying to understand the  
 22 nature of the relationship and whether it has  
 23 potentially the seeds to cause difficulty for either of  
 24 you.  
 25 **A. I mean, certainly there is the potential there, because**

Page 89

1 **there could be corrupt journalists and there could be**  
 2 **corrupt officers. Put the two together and you have**  
 3 **a tricky situation. But all I can tell you is from my**  
 4 **own experience, what's happened to me.**  
 5 MR BARR: Can we move now to paragraph 8 of your witness  
 6 statement, where you tell us about meeting Sir Ian Blair  
 7 and how an event was arranged at which Sir Ian was  
 8 present when you and colleagues attended a tour of the  
 9 Black Museum at Scotland Yard?  
 10 **A. I think it's called the Crime Museum now. It was**  
 11 **previously known as the Black Museum.**  
 12 Q. You tell us that it was organised by your then crime  
 13 editor, Andrea Perry. Was it therefore attended just by  
 14 people from the Sunday Express and the  
 15 Metropolitan Police?  
 16 **A. I think Martin Townsend, the editor, was there. The**  
 17 **deputy editor at that time, Dick Dismore, myself,**  
 18 **Andrea -- I think there were some other production staff**  
 19 **there as well. Andy was there. I think there was**  
 20 **probably about six or seven of us.**  
 21 Q. But not from other newspapers?  
 22 **A. No. This was solely for the Sunday Express.**  
 23 Q. You tell us that champagne was served.  
 24 **A. Yes. We went to Sir Ian's office. I can't remember**  
 25 **which floor it was on, and we weren't expecting**

Page 90

1 **champagne, but he was very friendly, very convivial, and**  
 2 **there was a glass or two of champagne, certainly not**  
 3 **a third glass, by way of just being pleasant and being**  
 4 **convivial and saying, "I'm the new guy, let's have**  
 5 **a social event, I'll tell you a little bit about**  
 6 **myself", and we just had a very pleasant conversation.**  
 7 **He mentioned that his -- he had roots in the north of**  
 8 **England. He just gave a few basic details about his**  
 9 **background, which was quite interesting, and he's**  
 10 **a bright, intelligent guy and he spoke well.**  
 11 Q. So the champagne was provided by the Metropolitan  
 12 Police?  
 13 **A. I don't know from which budget it came from, whether he**  
 14 **had his own personal entertaining budget or whether, as**  
 15 **Commissioner, he had an allowance for a budget.**  
 16 **I assume it came from an allowance from the budget,**  
 17 **as -- most government departments, foreign office or**  
 18 **whatever, have a budget to do that sort of thing.**  
 19 Q. Apart from the introductions and any conversation about  
 20 the exhibits in the museum, what sorts of topics of  
 21 conversation were discussed?  
 22 **A. We just -- I think we chose -- we had about an hour**  
 23 **discussion before we went down to the Crime Museum. He**  
 24 **didn't actually accompany us down to the Crime Museum;**  
 25 **we were in his office. The first part of the**

Page 91

1 **conversation was really just a bit about his background,**  
 2 **as I was saying. He talked about what we'd call plastic**  
 3 **bobbies, you know, the versions of the PCs on the**  
 4 **streets. I think the editor had some reservations about**  
 5 **how effective would they really be in defeating crime on**  
 6 **the streets. So there was -- that's about the only area**  
 7 **that I can recall where, if you like, an issue arose.**  
 8 **The rest of it was just friendly chat and it all seemed**  
 9 **perfectly straightforward.**  
 10 MR BARR: Sir, would now be a convenient moment?  
 11 LORD JUSTICE LEVESON: Yes, certainly. All right, we'll  
 12 leave you in the Black Museum and come back at  
 13 2 o'clock. Thank you very much.  
 14 (12.58 pm)  
 15 (The luncheon adjournment)  
 16  
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 22  
 23  
 24  
 25

Page 92

<b>A</b>	<p><b>aid</b> 20:8</p> <p><b>aim</b> 12:11 69:7</p> <p><b>aired</b> 20:12</p> <p><b>alcohol</b> 32:21 59:10</p> <p><b>alert</b> 30:12</p> <p><b>alight</b> 53:22</p> <p><b>allegations</b> 81:19 82:17</p> <p><b>alleged</b> 80:9</p> <p><b>allowance</b> 91:15 91:16</p> <p><b>allowed</b> 6:20</p> <p><b>alluded</b> 78:9</p> <p><b>all-embracing</b> 21:23</p> <p><b>amber</b> 59:13</p> <p><b>Amelia</b> 81:17</p> <p><b>amount</b> 82:2</p> <p><b>amounts</b> 68:22</p> <p><b>analogy</b> 61:18</p> <p><b>Andrea</b> 81:25 83:6 90:13,18</p> <p><b>Andy</b> 90:19</p> <p><b>anger</b> 57:15</p> <p><b>announced</b> 58:16</p> <p><b>annoyed</b> 78:9,17</p> <p><b>annual</b> 50:22</p> <p><b>answer</b> 19:24 36:12 42:8 57:21,25 76:21 77:22 88:16</p> <p><b>answered</b> 18:4</p> <p><b>anti-surveillance</b> 7:8,16</p> <p><b>anti-terrorism</b> 28:9 33:16</p> <p><b>anti-terrorist</b> 28:3 58:5,14</p> <p><b>anxious</b> 44:23</p> <p><b>anybody</b> 5:10 34:22 61:25</p> <p><b>anyone's</b> 85:12</p> <p><b>anyway</b> 39:5</p> <p><b>Apart</b> 39:19 91:19</p> <p><b>appalling</b> 54:6</p> <p><b>appeal</b> 53:25 54:7 55:2,5</p> <p><b>appeals</b> 49:6</p> <p><b>appear</b> 23:12</p> <p><b>appetite</b> 49:22</p> <p><b>applicants</b> 50:19</p> <p><b>applied</b> 15:11 39:5</p> <p><b>applies</b> 13:25 35:11</p> <p><b>appointed</b> 11:24</p> <p><b>appreciate</b> 39:14 41:6 64:15 73:10</p> <p><b>appreciated</b> 71:3</p> <p><b>apprehended</b> 3:5</p> <p><b>apprehending</b> 21:18</p>	<p><b>apprehension</b> 69:9</p> <p><b>approach</b> 52:2 69:18</p> <p><b>approached</b> 69:14,21</p> <p><b>appropriate</b> 45:12 64:8</p> <p><b>April</b> 2:20</p> <p><b>arbiter</b> 20:3</p> <p><b>area</b> 3:4,14,24 8:2 92:6</p> <p><b>areas</b> 33:10 86:11</p> <p><b>arisen</b> 40:10</p> <p><b>armed</b> 12:13,17</p> <p><b>army</b> 35:22</p> <p><b>arose</b> 92:7</p> <p><b>arrange</b> 63:23</p> <p><b>arranged</b> 90:7</p> <p><b>arrangements</b> 44:12 64:17,22 64:23</p> <p><b>arrest</b> 40:7,17 70:24</p> <p><b>arrested</b> 8:11 40:11,15 54:14</p> <p><b>arrests</b> 80:8,8</p> <p><b>art</b> 6:3</p> <p><b>Arthur</b> 66:1,5</p> <p><b>article</b> 45:14 74:8</p> <p><b>asked</b> 3:8,13 18:3 32:5 43:3 47:18 63:22</p> <p><b>asking</b> 20:9 30:17 60:19 62:2 89:11</p> <p><b>aspects</b> 28:1</p> <p><b>assembled</b> 28:5</p> <p><b>assessing</b> 43:16</p> <p><b>assessment</b> 57:10</p> <p><b>assist</b> 3:9 17:9 49:6 51:15 64:20 69:9,9</p> <p><b>assistance</b> 56:14 65:18</p> <p><b>assistant</b> 26:1,2 26:16,17 27:16 29:14 52:11</p> <p><b>associate</b> 67:18</p> <p><b>association</b> 11:17 12:6 47:13,18 60:19 61:19,20 67:5 67:6,7,10</p> <p><b>assume</b> 7:2 91:16</p> <p><b>assumed</b> 4:14 89:2</p> <p><b>attaching</b> 75:11</p> <p><b>attacked</b> 53:15 53:20,21</p> <p><b>attacker</b> 12:18</p> <p><b>attackers</b> 12:15 53:17 54:12</p>	<p><b>attempted</b> 5:13 6:1</p> <p><b>attempts</b> 41:10</p> <p><b>attend</b> 80:22</p> <p><b>attended</b> 3:17 90:8,13</p> <p><b>attention</b> 20:19 22:1 33:19 34:11 74:17</p> <p><b>attentions</b> 4:5</p> <p><b>attitudes</b> 31:16</p> <p><b>attracting</b> 34:11</p> <p><b>attributable</b> 88:15</p> <p><b>attributed</b> 44:7 87:15</p> <p><b>attributing</b> 88:10</p> <p><b>audit</b> 46:15</p> <p><b>authorities</b> 56:1</p> <p><b>avenue</b> 76:5</p> <p><b>avenues</b> 75:21</p> <p><b>avoid</b> 9:8 59:10 59:12</p> <p><b>aware</b> 5:1 69:11 78:16</p>	<b>B</b>	<p><b>b</b> 13:8 23:24</p> <p><b>back</b> 5:19 9:3 13:20 15:23 19:20,24 23:3 24:6 26:6 35:14,24 42:7 46:6 47:12 62:3 75:19 76:21,25 77:15 78:19 79:20 82:21 88:19 92:12</p> <p><b>background</b> 19:7 27:13 38:15 58:19 61:14,20 68:11 86:1 88:2 91:9 92:1</p> <p><b>bad</b> 31:14,15</p> <p><b>Bailey</b> 12:18 14:25 83:25</p> <p><b>balance</b> 43:16</p> <p><b>bank</b> 73:6</p> <p><b>bar</b> 31:5</p> <p><b>BARR</b> 65:23 66:2,3 67:1,14 73:13 79:21 90:5 92:10</p> <p><b>based</b> 4:17 14:20 14:22 57:17</p> <p><b>basic</b> 4:2 91:8</p> <p><b>basically</b> 29:16 39:23 62:5</p> <p><b>basis</b> 77:16</p> <p><b>bear</b> 43:22</p> <p><b>beat</b> 49:2</p> <p><b>beaten</b> 71:22</p> <p><b>beers</b> 87:2</p>	<p><b>beginning</b> 62:3</p> <p><b>belief</b> 67:16</p> <p><b>believe</b> 5:12 8:6 29:20 37:13 48:11 51:25 53:14 60:25 72:19</p> <p><b>believer</b> 75:5</p> <p><b>belonging</b> 81:20</p> <p><b>beneficial</b> 27:18 52:4</p> <p><b>benefit</b> 26:20 33:25</p> <p><b>best</b> 5:18 64:2 67:15</p> <p><b>betray</b> 71:16</p> <p><b>better</b> 20:3 45:8 65:11,13 73:23 77:12</p> <p><b>beyond</b> 52:1 84:20 85:3</p> <p><b>bid</b> 13:12,16</p> <p><b>big</b> 70:25 83:14 87:10,10</p> <p><b>bigger</b> 13:15</p> <p><b>biggest</b> 79:6</p> <p><b>bill</b> 89:10,15</p> <p><b>bind</b> 65:11</p> <p><b>Birmingham</b> 4:1</p> <p><b>birthday</b> 82:13</p> <p><b>bit</b> 32:20 35:7 68:10 75:4 77:4,14 78:6 78:10,18 85:1 85:25 86:2,3 91:5 92:1</p> <p><b>bits</b> 59:9,9</p> <p><b>black</b> 61:17 90:9 90:11 92:12</p> <p><b>Blair</b> 82:25 83:9 90:6</p> <p><b>blown</b> 82:16</p> <p><b>board</b> 13:2 28:20 39:9 45:2 68:21</p> <p><b>bobbies</b> 92:3</p> <p><b>bodies</b> 8:14 53:22 64:18 65:6,19</p> <p><b>body</b> 29:17 51:4 67:12</p> <p><b>bolsters</b> 40:4</p> <p><b>book</b> 68:2</p> <p><b>bottle</b> 87:1</p> <p><b>bottles</b> 35:24</p> <p><b>branch</b> 3:20,21 3:23 58:4,5,14 58:15,21</p> <p><b>branches</b> 64:20</p> <p><b>bread</b> 26:9</p> <p><b>break</b> 11:6 47:12 47:13,15 62:13</p> <p><b>brief</b> 27:17,18 62:8</p> <p><b>briefed</b> 3:10</p> <p><b>briefing</b> 3:18,20</p>	<p>4:2,4,13 6:7,15 6:16 7:3 30:13 30:14 45:15 53:9 54:7,22 56:23 78:14 87:18,23</p> <p><b>briefings</b> 27:7 53:3 77:21 78:8 80:16,17 80:22 82:4</p> <p><b>briefly</b> 9:16</p> <p><b>bright</b> 45:20 91:10</p> <p><b>bring</b> 65:6</p> <p><b>broad</b> 27:19 39:22 46:19</p> <p><b>broadcasting</b> 64:19</p> <p><b>broader</b> 26:14 42:21 49:24</p> <p><b>broadly</b> 13:21 47:19</p> <p><b>broadsheet</b> 66:17 68:14</p> <p><b>Brother</b> 87:10,10</p> <p><b>brown</b> 85:15</p> <p><b>brutal</b> 53:12</p> <p><b>budget</b> 13:10,15 86:20 87:4 91:13,14,15,16 91:18</p> <p><b>build</b> 26:22 37:10 83:7 85:21</p> <p><b>building</b> 82:3 83:5</p> <p><b>bulletin</b> 72:3</p> <p><b>Bureau</b> 16:18 68:25 75:25</p> <p><b>burglary</b> 71:21</p> <p><b>buried</b> 42:10</p> <p><b>bury</b> 41:9,12</p> <p><b>burying</b> 42:8</p> <p><b>business</b> 35:21 65:13</p> <p><b>bust</b> 62:20</p> <p><b>busy</b> 32:14 79:19</p> <p><b>butter</b> 26:10</p>	<b>C</b>	<p><b>calibrate</b> 22:14</p> <p><b>call</b> 9:6 22:9 50:19 58:6 70:5 87:9 92:2</p> <p><b>called</b> 3:23 84:13 90:10</p> <p><b>calling</b> 76:11</p> <p><b>calls</b> 70:23</p> <p><b>camera</b> 54:7 55:5 73:2</p> <p><b>capabilities</b> 6:23</p> <p><b>capability</b> 5:4 6:19</p> <p><b>capacity</b> 11:15 11:16 26:13,18</p> <p><b>capture</b> 73:5</p>	<p><b>captured</b> 33:19</p> <p><b>car</b> 5:21 84:15 84:17,18</p> <p><b>card</b> 53:18 89:8</p> <p><b>career</b> 11:23 44:21</p> <p><b>careers</b> 44:22</p> <p><b>careful</b> 21:10 52:4</p> <p><b>carefully</b> 52:8</p> <p><b>carried</b> 2:21 6:8 7:8</p> <p><b>carrying</b> 6:2,9 48:1</p> <p><b>cars</b> 5:5 6:23 84:13,25</p> <p><b>case</b> 2:19 8:23 13:16 15:6 17:7,8 20:7,7 20:22,23 24:9 25:14 30:20 34:10 40:17 44:4,4 48:10 49:9,9 77:16 79:18 88:20</p> <p><b>cases</b> 14:25 18:9 27:23,24 81:11 89:15</p> <p><b>cash</b> 53:18</p> <p><b>catch</b> 18:25 21:15,25 73:4</p> <p><b>cause</b> 74:13 89:23</p> <p><b>causes</b> 73:25</p> <p><b>caution</b> 22:6 23:10 46:6 59:13</p> <p><b>cautious</b> 23:15 78:1 87:11</p> <p><b>cease</b> 44:19 45:1</p> <p><b>ceased</b> 31:12</p> <p><b>celebrating</b> 84:3 88:21</p> <p><b>celebration</b> 84:19</p> <p><b>celebrities</b> 40:8 40:11</p> <p><b>celebrity</b> 70:1,4 70:22 71:20</p> <p><b>century</b> 16:16 52:25</p> <p><b>certain</b> 17:23 44:21 54:16 57:15 59:8,9 75:1 80:15 84:1,25</p> <p><b>certainly</b> 24:1,10 30:6 38:25 48:15 49:12,20 49:21 50:3,5 52:22 78:6,16 85:23 87:6 89:25 91:2 92:11</p> <p><b>cetera</b> 71:3</p> <p><b>chair</b> 50:12</p>
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<b>chairman</b> 11:16 12:5 26:19,22 47:10	57:16 <b>closely</b> 14:11 <b>clubs</b> 35:23 <b>code</b> 51:6,8,9,11 52:6 <b>coffee</b> 70:12 82:4 88:14 89:18 <b>colleague</b> 17:16 84:10 <b>colleagues</b> 7:5 90:8 <b>collective</b> 38:4 52:16 <b>colour</b> 38:16 <b>colours</b> 45:20 <b>come</b> 3:25 4:20 24:6 26:6 40:11 47:12 49:7 56:7 59:7 60:25 64:11 70:18 72:23 73:14 75:19 76:21,25 88:13 92:12 <b>comes</b> 70:4 <b>comfortable</b> 15:14,15 31:6 35:12 36:5 <b>coming</b> 17:4 18:9 27:25 30:13 81:10 83:10 <b>command</b> 30:4 <b>commander</b> 3:20 3:21,23 4:4 26:6 <b>commas</b> 13:1 <b>commenced</b> 4:25 <b>commendation</b> 45:11 <b>comment</b> 8:4 <b>comments</b> 44:5,8 <b>commissioner</b> 26:1,2,2 27:16 52:12 83:3 91:15 <b>commissioners</b> 26:16,17 29:15 <b>commit</b> 8:14 9:4 <b>commitment</b> 62:9,16,18 63:17 <b>committed</b> 9:9 <b>committee</b> 50:16 50:16 <b>common</b> 35:10 72:17 75:10 <b>communication</b> 45:20 76:5 77:9 <b>communications</b> 71:4 72:15 81:7 87:12 <b>communities</b> 12:22 <b>community</b> 46:18	<b>compared</b> 59:6 <b>compelling</b> 49:16 <b>competitors</b> 61:10 <b>complain</b> 58:3 <b>complaints</b> 64:25 <b>complementary</b> 48:1 <b>completely</b> 44:19 <b>concept</b> 50:1 <b>concern</b> 10:2 15:21,22 35:17 44:11,12 47:7 57:23 61:3 65:2 <b>concerned</b> 26:8 33:24,25 51:5 56:6,6 73:18 73:19,20 <b>concise</b> 69:1 <b>concluded</b> 42:25 <b>conclusion</b> 59:8 <b>condescending</b> 59:4,16 <b>conditions</b> 17:23 19:2 <b>Condon</b> 52:19 <b>conduct</b> 51:13 52:6 <b>conducting</b> 7:12 <b>conference</b> 58:17 58:17 69:3 76:11 77:13 <b>conferences</b> 16:20 77:8,10 82:19 83:12 <b>confidence</b> 39:25 40:5 <b>confine</b> 7:22 <b>confirm</b> 66:3 <b>confirming</b> 66:8 <b>confusion</b> 87:16 <b>conjunction</b> 55:4 <b>consequences</b> 13:9,11 22:3 <b>consider</b> 68:21 69:18 <b>considerations</b> 51:6 <b>constabulary</b> 3:11 4:15 <b>constantly</b> 45:13 <b>construct</b> 69:2 <b>contact</b> 16:25 29:2 37:22 44:13,14,15,19 45:1,12 47:5 56:9 70:10 75:21 <b>contacts</b> 15:25 16:3,21,22 17:4,6,8 41:9 46:24 51:3 86:7	<b>contained</b> 52:1 <b>contents</b> 66:9 67:14 <b>context</b> 7:22 25:24 27:13,20 33:5,16 36:23 42:20,21 60:10 68:7 <b>continue</b> 3:12 36:9 <b>continued</b> 14:16 26:24 <b>continues</b> 47:4 <b>contribution</b> 89:13 <b>control</b> 10:8 20:17 <b>convenience</b> 1:18 <b>convenient</b> 31:6 31:9 35:11 47:11 92:10 <b>conversation</b> 33:15 91:6,19 91:21 92:1 <b>conversations</b> 30:11 <b>conveying</b> 74:5 <b>convicted</b> 49:11 54:19 <b>convictions</b> 54:25 <b>convivial</b> 31:7 35:11 91:1,4 <b>cope</b> 19:19 <b>cops</b> 12:19 <b>cordial</b> 69:4 <b>core</b> 43:23 78:25 <b>corporate</b> 43:20 43:23 <b>correct</b> 3:7 4:7 4:10 7:11,14 12:3,7 16:8 25:4,11 33:6,8 60:5,23 67:15 <b>corrections</b> 66:7 67:14 <b>correctly</b> 33:11 58:12 <b>correspondents</b> 35:22 <b>corrosive</b> 19:7 <b>corrupt</b> 69:11 90:1,2 <b>corruption</b> 74:2 74:4 <b>couched</b> 44:2 <b>counter</b> 74:14 <b>counter-survei...</b> 6:23 <b>counter-terror...</b> 31:20 33:3,6 39:2 <b>counties</b> 79:2 <b>country</b> 52:22 79:10	<b>couple</b> 6:22 35:24 78:12,18 87:1 <b>course</b> 5:1 6:16 9:20 21:24 23:19 40:23 43:10 64:4,4,4 64:10 79:6 86:25 <b>court</b> 18:9 27:23 27:24 44:4 49:9,9 58:7 <b>courts</b> 14:24 15:1 <b>cover</b> 2:15 49:25 59:1 <b>coverage</b> 13:24 14:9,15 <b>covered</b> 59:10 <b>covering</b> 80:13 <b>CRA</b> 26:13,18 26:22 27:2 29:9,16,21,25 30:13,14 31:12 31:18 33:24 36:23 38:4 47:10 50:7 51:3,5,13,17 52:5 53:9 59:25 60:6,25 61:1,6 63:23 64:9,10,17 77:16,20 78:7 78:23 79:3,22 80:14,17,19,21 81:1,9 <b>create</b> 35:7 <b>created</b> 85:9 <b>credibility</b> 75:7 <b>credit</b> 89:8 <b>crew</b> 73:2 <b>crime</b> 2:6,8,12 2:13,14 8:13 9:3 11:15,17 11:24,25 12:1 12:5,10,13,21 12:23 13:21,24 14:1,3,4,11 24:21 26:10,14 26:21 31:22 37:7,23 38:11 40:1 42:10 45:6 47:12,17 47:19 48:16,16 49:3,5,22 51:25 52:4 56:15 60:1,24 62:9 67:5,6,7 67:10 68:6,8 70:17 76:13,20 77:18 79:11 80:2,11,13,21 80:23 82:1 86:12 90:10,12 91:23,24 92:5 <b>crimes</b> 79:9	<b>crime-related</b> 80:1 <b>criminal</b> 21:18 35:3 40:3,8 47:20 49:11 56:16 61:16,16 69:9 <b>criminals</b> 84:10 <b>critical</b> 15:9,24 25:10 42:3 45:23 56:10 <b>criticises</b> 59:3 <b>criticism</b> 45:11 45:12 <b>Cromwell</b> 23:4 <b>crosses</b> 85:10,10 <b>crowded</b> 32:12 <b>crucial</b> 37:24 <b>cultivate</b> 86:7 <b>culture</b> 15:2 68:19 <b>cup</b> 70:12 76:9 88:13 <b>current</b> 49:6 50:10 64:10 <b>currently</b> 50:24 86:13 <b>Customs</b> 2:21 <b>cut</b> 61:21	<b>dealing</b> 9:10 30:20 41:4 47:3 57:8 79:12 <b>dealings</b> 30:1 69:13,20 <b>deals</b> 68:17 <b>dealt</b> 72:6 76:22 <b>debate</b> 20:14 62:25 <b>debriefed</b> 6:21 <b>debriefed</b> 8:2 <b>decade</b> 16:16 52:15,24 <b>December</b> 2:24 3:5,18 6:15 <b>decent</b> 35:25 42:12 <b>decide</b> 20:18 21:7 37:11 <b>decides</b> 62:20 <b>decision</b> 20:7,10 22:9 55:6 56:20 58:4 74:16 <b>decisions</b> 23:17 57:16,24 58:6 <b>decline</b> 69:19 83:11 <b>decree</b> 20:6 <b>deemed</b> 22:24 <b>defeating</b> 92:5 <b>Defence</b> 35:22 <b>definite</b> 44:5 <b>degree</b> 63:17 <b>delay</b> 55:1 <b>delays</b> 56:3 <b>deleted</b> 81:19 <b>deliberately</b> 45:19 <b>delicately</b> 25:2 <b>delighted</b> 65:9 <b>delivered</b> 3:20 4:1 <b>demonstrate</b> 61:25 62:2 <b>department</b> 46:24 <b>departments</b> 91:17 <b>dependent</b> 47:6 <b>depends</b> 46:7 83:22 86:11 <b>deploy</b> 3:13 <b>deployed</b> 4:16 <b>deputy</b> 26:2,17 90:17 <b>describe</b> 12:12 <b>described</b> 28:18 38:14 60:2 <b>describing</b> 4:6 <b>designed</b> 6:23 <b>desired</b> 54:11 <b>desk</b> 24:11,15 72:3,6,9 <b>detail</b> 77:4
---	---	--	---	---	--	--

<b>details</b> 54:5 55:4 55:20 77:2 91:8	<b>dispose</b> 8:13 <b>distant</b> 42:10 <b>dock</b> 12:18 <b>doing</b> 5:15 8:15 8:16,20 10:16 15:25 26:20 45:25 48:21 56:4 65:9,10 74:23 85:3 86:12	<b>effect</b> 44:16 54:11 <b>effective</b> 76:5 92:5 <b>effectively</b> 84:17 <b>either</b> 4:21 6:15 8:1 9:5 10:9 18:15 26:12 69:24 77:1 89:23	<b>establish</b> 70:8 <b>established</b> 18:11 82:10 <b>et</b> 71:3 <b>ethical</b> 41:5 43:11 51:5 <b>evening</b> 3:18 <b>event</b> 30:13 71:10 90:7 91:5 <b>events</b> 9:12 73:4 80:24,24 84:25 87:13	62:6,14 <b>explain</b> 7:20 15:2 28:24 46:18 72:20 <b>explained</b> 19:13 31:10 57:24 <b>explore</b> 75:20 <b>exploring</b> 57:2 <b>exposed</b> 15:18 <b>express</b> 11:16 12:2,9,10,16 13:8,11 14:1 15:11 24:22 25:9 35:17 38:12 39:8,15 45:14 46:25,25 48:20 49:12 58:12,14,18 65:2 67:19,21 68:1 80:25 90:14,22	<b>federation</b> 74:24 <b>Fedorcio</b> 28:22 29:14,19 30:2 41:23 83:6 <b>fee</b> 50:22 <b>feel</b> 33:21 37:25 39:15 54:4 55:3 <b>feeling</b> 57:14 <b>feet</b> 19:20 <b>felt</b> 18:12 27:2 74:10,25 77:24 80:12 <b>fertile</b> 88:17 <b>fiction</b> 49:14 <b>fictional</b> 67:11 <b>field</b> 68:8 <b>Filkin</b> 37:18 38:5 <b>Filkin's</b> 59:4 61:3 <b>find</b> 44:20 82:8 <b>fine</b> 88:11 <b>finish</b> 5:19 <b>finished</b> 27:25 <b>first</b> 1:8,12 2:6 2:25 3:17,21 4:1,6,8 7:5,7 9:12 11:15,17 11:22,23 12:8 12:9 13:19 16:16 24:12 29:9 52:24 55:16 60:5 64:11 66:9 67:1 75:22 77:22 83:18 85:18 91:25	<b>formal</b> 2:1 11:20 23:23 37:1 54:21 75:20 88:14 <b>formally</b> 16:12 16:17,18 43:2 <b>formed</b> 54:18 <b>former</b> 58:20 <b>forming</b> 89:1 <b>forms</b> 56:14 <b>forward</b> 49:7 54:12 <b>found</b> 30:2 36:11 74:21 79:14 <b>four</b> 5:6 19:21 46:25 <b>free</b> 9:20 <b>freely</b> 18:19 <b>freer</b> 33:22 38:23 <b>freezing</b> 44:16 <b>French</b> 53:13 54:19 56:1,5 <b>frequently</b> 30:10 <b>friend</b> 17:16 <b>friendly</b> 14:12 91:1 92:8 <b>frightened</b> 87:11 <b>front</b> 38:7 <b>frosty</b> 78:11 <b>frozen</b> 87:8 <b>frustrating</b> 78:3 <b>fulfilling</b> 10:9 <b>full</b> 1:12 11:11 15:24 66:3 <b>fuller</b> 78:7,14 <b>fully</b> 79:15 <b>function</b> 37:24 37:25 38:10 85:3 <b>further</b> 8:15 9:4 9:9 10:10 51:15 61:19 70:8 88:8 <b>future</b> 8:24 31:16 44:24 52:5 60:8 86:9	
<b>develop</b> 88:6 <b>developed</b> 80:11 <b>development</b> 17:17,25 <b>developments</b> 17:13 18:9 27:21 <b>devotion</b> 52:14 <b>dialogue</b> 20:13 45:21 <b>Dick</b> 29:14 30:2 83:6 90:17 <b>dictate</b> 20:6 <b>difference</b> 55:19 <b>different</b> 23:19 67:8 70:18 79:25,25 82:23 86:11 <b>difficult</b> 9:22 18:22,23 36:18 37:24 39:14 55:23 71:14 74:21 78:19 83:13 84:4 <b>difficulties</b> 81:14 81:15 <b>difficulty</b> 84:16 89:23 <b>dip</b> 62:15,15 <b>dire</b> 19:13 <b>direct</b> 14:17 57:9 <b>directed</b> 4:5 <b>directly</b> 32:4 43:3 72:6 <b>Directorate</b> 71:5 76:2 <b>disadvantaged</b> 80:12 <b>disclosure</b> 21:1 <b>discussed</b> 91:21 <b>discussion</b> 17:20 20:25 21:4,9 27:19,20 29:11 38:6 65:7 76:25 91:23 <b>discussions</b> 68:24 <b>dismayed</b> 48:10 <b>Dismore</b> 90:17	<b>domain</b> 33:11 69:8 <b>Donald</b> 11:9,12 <b>door</b> 29:10 <b>doors</b> 39:24 <b>dossier</b> 74:3 <b>double</b> 53:12,24 <b>doubly</b> 49:15 <b>Dowler</b> 81:20,25 87:7 <b>Dowler's</b> 82:11 <b>DPA</b> 14:19 <b>draft</b> 63:23 <b>draw</b> 76:17 <b>drawing</b> 57:10 <b>dream</b> 48:21 <b>dried</b> 18:19 <b>drift</b> 16:25 <b>drifting</b> 36:24 <b>drink</b> 35:13 70:11 84:3,11 85:14 89:18 <b>drinking</b> 34:9 <b>drinks</b> 83:18 84:1 <b>driven</b> 7:7 <b>drop</b> 10:12 <b>dropped</b> 10:7 <b>dropping</b> 7:9 85:15 <b>drug</b> 2:12 <b>drying</b> 19:25	<b>elect</b> 50:13 <b>element</b> 19:16 31:8 35:13 50:4 <b>elements</b> 76:16 <b>elite</b> 60:14,21 <b>Elizabeth</b> 37:18 38:5 59:4 <b>Ellis</b> 1:10,13 <b>embargos</b> 62:13 <b>embassy</b> 56:1,5 <b>embraces</b> 64:10 <b>embracing</b> 64:1 <b>emerge</b> 55:9 <b>emergencies</b> 52:15,24 <b>emergency</b> 27:1 34:2 <b>employed</b> 2:19 11:23 <b>employers</b> 6:9 <b>employment</b> 2:6 <b>encourage</b> 65:1,1 75:6 <b>encouragement</b> 34:16 <b>enduring</b> 52:9 <b>engage</b> 65:6 <b>engaged</b> 7:1 <b>England</b> 91:8 <b>enhanced</b> 28:9 <b>enjoyed</b> 80:22 <b>enormous</b> 81:21 82:2 <b>enquiries</b> 70:8 <b>ensure</b> 26:23,25 61:15 62:23,23 <b>entertaining</b> 89:4 91:14 <b>entirely</b> 2:5 23:16 25:12 34:15 37:16 56:16 64:8 71:24 85:9 <b>entitled</b> 9:21 59:18 <b>entrusted</b> 2:11 <b>envelopes</b> 85:15 <b>environment</b> 84:4 <b>equipment</b> 73:21 74:23 <b>era</b> 19:2 <b>err</b> 22:5 46:6 <b>error</b> 66:12 <b>essentially</b> 88:4	<b>examination</b> 32:24 54:5 <b>example</b> 13:3 14:7 27:14 28:20 40:8 49:25 53:8 58:4 70:3,21 <b>examples</b> 22:4 <b>exceed</b> 86:20 <b>excellent</b> 83:3 <b>excessively</b> 78:1 <b>exclude</b> 7:24 8:3 <b>excluding</b> 64:5 <b>exclusive</b> 13:12 42:3,12 <b>exclusively</b> 13:14 <b>exclusives</b> 60:25 <b>executive</b> 50:16 <b>executives</b> 72:7 <b>exercising</b> 25:1 <b>exhibits</b> 91:20 <b>existed</b> 82:16 <b>existing</b> 50:20 <b>expect</b> 12:10 28:7 36:4 <b>expecting</b> 90:25 <b>expensive</b> 32:6 32:12 <b>experience</b> 24:23 35:15 42:4 57:9,18 66:16 68:9 76:4,12 79:12 85:12 90:4 <b>experienced</b> 24:21 40:14	<b>expressed</b> 10:2 38:23 <b>extant</b> 81:13 <b>extent</b> 51:21 55:10 <b>extra</b> 74:16 77:1 <b>extraordinary</b> 53:19 <b>extremely</b> 84:4 <b>extremism</b> 80:10 <b>ex-employers</b> 6:10 <b>ex-special</b> 6:11	<hr/> <b>F</b> <hr/> <b>faced</b> 45:22 <b>facie</b> 74:4 <b>fact</b> 31:18 43:14 49:15 54:23 63:1 67:2 <b>factor</b> 43:15 <b>factors</b> 15:7 57:13 <b>fair</b> 23:16 51:18 57:19,20 59:2 61:9,23,24 66:24 75:15 <b>fairly</b> 39:15 42:24 76:19 89:3 <b>fall</b> 13:13 50:2 <b>familiar</b> 44:6 <b>famous</b> 70:2 <b>far</b> 26:7 31:18 33:24,24,25 41:15 45:10 77:7 85:16 <b>fashion</b> 38:22 <b>fatal</b> 55:2 <b>fatally</b> 81:22 <b>favouring</b> 47:2 <b>favouritism</b> 63:5 <b>fear</b> 47:4 <b>February</b> 1:23 11:18,18	<b>finished</b> 27:25 <b>first</b> 1:8,12 2:6 2:25 3:17,21 4:1,6,8 7:5,7 9:12 11:15,17 11:22,23 12:8 12:9 13:19 16:16 24:12 29:9 52:24 55:16 60:5 64:11 66:9 67:1 75:22 77:22 83:18 85:18 91:25 <b>fits</b> 1:16 <b>five</b> 3:3 5:6 19:21 86:17 <b>flak</b> 75:13 <b>fleeting</b> 89:18 <b>flexibility</b> 36:15 <b>flirting</b> 59:20 <b>floor</b> 90:25 <b>flow</b> 33:22 <b>flowing</b> 18:19 <b>focus</b> 34:10 <b>follow</b> 5:13 6:1 6:22 10:4 22:6 22:7 52:1,2 65:2 <b>followed</b> 8:3,16 8:19 14:6 45:21 <b>following</b> 19:5 49:8 80:6 <b>follow-up</b> 22:25 <b>food</b> 35:13 <b>forces</b> 6:12 42:15 43:22 74:20 78:21 79:14 81:11 <b>foreign</b> 56:2 91:17 <b>form</b> 86:7	<b>formal</b> 2:1 11:20 23:23 37:1 54:21 75:20 88:14 <b>formally</b> 16:12 16:17,18 43:2 <b>formed</b> 54:18 <b>former</b> 58:20 <b>forming</b> 89:1 <b>forms</b> 56:14 <b>forward</b> 49:7 54:12 <b>found</b> 30:2 36:11 74:21 79:14 <b>four</b> 5:6 19:21 46:25 <b>free</b> 9:20 <b>freely</b> 18:19 <b>freer</b> 33:22 38:23 <b>freezing</b> 44:16 <b>French</b> 53:13 54:19 56:1,5 <b>frequently</b> 30:10 <b>friend</b> 17:16 <b>friendly</b> 14:12 91:1 92:8 <b>frightened</b> 87:11 <b>front</b> 38:7 <b>frosty</b> 78:11 <b>frozen</b> 87:8 <b>frustrating</b> 78:3 <b>fulfilling</b> 10:9 <b>full</b> 1:12 11:11 15:24 66:3 <b>fuller</b> 78:7,14 <b>fully</b> 79:15 <b>function</b> 37:24 37:25 38:10 85:3 <b>further</b> 8:15 9:4 9:9 10:10 51:15 61:19 70:8 88:8 <b>future</b> 8:24 31:16 44:24 52:5 60:8 86:9
	<hr/> <b>E</b> <hr/> <b>earlier</b> 31:10 41:20 42:8 59:15 75:2 86:13 <b>early</b> 71:18 <b>easily</b> 10:11 <b>easy</b> 37:16 <b>eating</b> 34:9 <b>editor</b> 20:4,12 21:8,8 22:10 67:18,24,25 80:20 81:24 90:13,16,17 92:4 <b>editorial</b> 20:25 <b>editors</b> 19:9 24:23,25 31:24 64:18 <b>education</b> 80:10 <b>Edwards</b> 12:5 51:9 63:22 64:12 77:18	<hr/> <b>G</b> <hr/> <b>gain</b> 26:14 <b>gaining</b> 82:5 <b>garner</b> 56:14 <b>gather</b> 10:10 74:16 88:4 <b>gathering</b> 88:21 <b>general</b> 11:23 12:8 13:5 22:20 27:12,19 27:22 31:25 33:5,17 41:4 42:7 43:20 44:11,12 49:13 52:1 58:17 78:22 <b>generalise</b> 22:22 28:12 <b>generality</b> 41:6					

42:1 <b>generally</b> 3:24 22:19 65:10 <b>gesture</b> 89:2 <b>getting</b> 12:18 16:1 19:15,20 24:14 69:1 76:14 84:16 <b>gift</b> 52:13,18 <b>gifts</b> 52:19 <b>girl</b> 82:8 <b>girls</b> 3:3 <b>give</b> 16:22 27:4 38:16 44:17 50:7 52:3 53:8 54:5 55:4 60:15 61:22 65:18 76:4 77:24 79:16 85:23 88:12 <b>given</b> 2:3 27:9 54:8 69:24 78:4 82:19 <b>gives</b> 53:5 75:6 <b>giving</b> 7:15 28:5 57:8 74:22 77:1 <b>glass</b> 91:2,3 <b>glasses</b> 35:25 38:22 <b>go</b> 5:19 9:2,21 10:12 13:14 17:11,19,25 19:23,24 21:7 21:17 23:3 24:5,9,20 32:12 35:21 40:18 45:2 48:12 49:15,17 49:18 59:14 74:11,21 76:24 80:22 84:1 87:4 88:19 <b>goes</b> 23:10 32:21 35:21 42:7 88:7 <b>going</b> 1:17 13:20 17:25 18:24 20:11 22:8 24:16 32:1 34:17 46:14 55:24 56:5,6 56:24 62:20 64:16 70:24 71:16 72:19 73:21 77:5 80:24 <b>golf</b> 86:3 <b>good</b> 1:3 5:23 6:12 14:13 15:25 26:8 28:25,25 29:4 29:5 31:14 34:5 39:19 46:19 49:21 68:24 70:6	77:9 82:10 83:4,4 85:4 <b>gossip</b> 12:25 29:11 <b>gossipy</b> 78:15 <b>government</b> 74:22 91:17 <b>government's</b> 74:23 <b>grammatical</b> 66:12 <b>granted</b> 79:18 <b>gravity</b> 55:9 <b>great</b> 22:24 28:8 54:9 66:16 75:4 87:23 <b>greater</b> 58:7 79:9 <b>green</b> 59:14 61:16 <b>grim</b> 31:3 <b>grounds</b> 78:3 <b>group</b> 2:14 14:4 60:14,22 <b>grumbles</b> 73:18 <b>guarded</b> 37:6 <b>Guardian</b> 81:16 83:15 <b>guess</b> 19:17 42:22 <b>guidelines</b> 63:24 <b>guy</b> 5:6 91:4,10 <b>guys</b> 77:18 78:25 89:3 <hr/> <b>H</b> <hr/> <b>hacking</b> 81:18 <b>half</b> 4:1 <b>half-hearted</b> 42:24 <b>halt</b> 22:9 <b>handed</b> 4:3 <b>hands</b> 14:6 <b>handy</b> 59:11 <b>hang</b> 24:19 45:4 45:7 <b>happen</b> 17:10 20:21 48:9 85:17 <b>happened</b> 9:12 22:12,18 36:11 72:10,19 90:4 <b>happening</b> 12:25 35:18 40:22 42:6 <b>happens</b> 40:2 72:20 86:6 <b>happy</b> 17:22 18:8 44:22 69:16 <b>harassment</b> 12:23 <b>hard</b> 65:14 76:14 84:4 85:5 <b>harm</b> 7:20 23:25 <b>Harrison</b> 1:4,8 1:10,13,22	9:18,21 <b>Hayman</b> 33:1 38:21 <b>head</b> 29:1 32:18 32:20 33:3 86:22 <b>healthy</b> 45:8 <b>hear</b> 1:17 20:15 20:17 24:15 28:2,14 41:13 69:13 71:19 72:7 <b>heard</b> 13:5 20:16 21:24 23:20 24:4 38:7 41:20 48:5,7 48:25 51:1 61:14 72:8,24 <b>held</b> 37:21 <b>help</b> 29:17 35:7 38:20 49:6 65:17 69:2,16 <b>helpful</b> 68:8 70:13 82:6 <b>Hesketh</b> 1:6 <b>highlight</b> 15:5 <b>highly</b> 15:22 <b>high-profile</b> 27:1 <b>Hill</b> 81:17 <b>hindsight</b> 23:1 23:18 55:22 <b>historically</b> 8:10 <b>history</b> 50:8 51:22 72:16 <b>HMIC</b> 44:8 47:7 59:2 <b>hold</b> 38:1,10 77:7 <b>home</b> 53:16 60:2 60:6 71:20 79:1 84:12,13 84:16,18 <b>hope</b> 67:9 <b>hopefully</b> 49:10 <b>hoping</b> 42:11 <b>horse's</b> 24:2 <b>hospitality</b> 30:23 31:1,8 32:24 <b>hotel</b> 5:19 7:9 10:6,6,12 <b>hour</b> 3:12 73:3 91:22 <b>hours</b> 28:13 <b>human</b> 57:2 <b>hypothetical</b> 42:13 <hr/> <b>I</b> <hr/> <b>Ian</b> 82:25,25 83:9 90:6,7 <b>Ian's</b> 90:24 <b>ice</b> 87:8 <b>idea</b> 7:2 31:20 62:8 86:25 <b>identified</b> 5:14 43:1 53:23	<b>identify</b> 4:16 7:21 8:6 42:15 43:5 47:20 <b>identities</b> 6:8 <b>ignore</b> 41:9,12 <b>image</b> 43:20 85:8 <b>images</b> 39:23 <b>imagine</b> 7:19 54:10 <b>immediate</b> 73:7 <b>immediately</b> 61:22 <b>impact</b> 18:20 21:11,13 55:2 56:17 64:22 81:21 83:14 <b>imperative</b> 82:7 <b>importance</b> 54:22 <b>important</b> 22:2 23:8 37:10 45:9 46:16 61:13 63:13 <b>impression</b> 14:5 38:20 74:7 78:7 <b>imprisonment</b> 12:19 <b>improve</b> 26:25 29:18 34:1 35:1 83:7 <b>improved</b> 34:5 <b>incident</b> 72:8 <b>incidents</b> 72:10 <b>include</b> 88:5 <b>includes</b> 68:6 <b>incorporate</b> 65:7 <b>independence</b> 58:22 <b>independent</b> 61:2 <b>indicate</b> 25:17 <b>individual</b> 4:6 26:21 <b>individuals</b> 16:6 <b>inducement</b> 35:9 35:10 <b>industry</b> 64:20 81:21 <b>inebriated</b> 85:3 <b>inevitably</b> 34:12 56:2 <b>inference</b> 46:2 <b>inferences</b> 57:10 <b>inform</b> 38:16 55:8,9,11 73:25 <b>informal</b> 17:4,6 17:8 18:4 23:21 24:4 53:3 <b>informally</b> 16:12 16:17 18:14 40:6 <b>information</b> 4:19 16:7,11,20,22	17:2,4,7 18:5 18:14,18,24 20:1,12 21:1 23:21,24 24:2 25:23 26:10 27:3,4,8,13 29:7 33:22 36:19 38:13,15 38:15 40:20 42:16 43:9,14 44:18 54:8 69:2 70:17 71:1 72:7 74:3 74:6,16 75:9 76:6,13,14 77:25 78:3,4 78:22 80:20 81:10 86:10 88:2,5 <b>informed</b> 53:23 71:8 <b>inhospitable</b> 31:4 <b>initial</b> 46:5 <b>injury</b> 55:10 <b>inquiries</b> 17:14 18:9 42:20 57:16 69:10 79:20 <b>inquiry</b> 1:22 2:1 2:25 3:2 4:22 8:8 9:23 11:13 11:20 17:17 18:10,24 19:14 21:12,24 42:23 51:10 66:6 68:8 82:6 <b>inside</b> 6:12 <b>insight</b> 53:6 <b>insofar</b> 22:21 28:11 <b>inspector</b> 26:11 26:11 44:23 54:2 <b>instance</b> 10:6 45:5 57:16 70:23 <b>instantaneously</b> 76:10 <b>instigated</b> 2:14 <b>intelligence</b> 2:7 4:13 <b>intelligent</b> 91:10 <b>intend</b> 7:22 <b>intended</b> 9:4 <b>interaction</b> 80:23 <b>interactions</b> 14:19 <b>interest</b> 4:12 7:21 13:13,18 18:12,21 19:3 20:1,3,15,19 21:5 22:24 23:25 28:15,17 30:21 34:11	39:7,20 40:11 43:17 52:11 58:11,13,18 60:17 <b>interested</b> 10:16 36:12 43:11 48:8 <b>interesting</b> 17:17 17:25 28:2 48:18 70:19,24 91:9 <b>interests</b> 14:14 14:15 <b>interfere</b> 60:19 <b>internal</b> 75:12 88:3 <b>interview</b> 9:24 <b>interviewed</b> 7:10 43:2 <b>interviews</b> 13:12 79:16 <b>introduce</b> 17:18 69:5,5 <b>introduced</b> 36:16 44:25 46:5 64:22 <b>introduction</b> 61:23 <b>introductions</b> 91:19 <b>inverted</b> 13:1 <b>investigate</b> 2:11 40:2 <b>investigated</b> 8:12 <b>investigating</b> 12:14 54:1 55:3 79:17 <b>investigation</b> 2:16 3:9 4:21 27:1 49:8 61:16 80:3,9 81:18 <b>investigations</b> 21:25 28:1,3 49:5 67:25 80:1 <b>investigator</b> 2:7 <b>invitation</b> 39:13 <b>invitations</b> 39:16 39:21 <b>invited</b> 40:6 63:22 69:3 84:11 88:21 <b>inviting</b> 34:13 <b>involve</b> 40:7 46:17 <b>involved</b> 2:19 5:5 9:15 25:9 32:5 77:20 79:1 <b>involvement</b> 70:1 <b>Ipswich</b> 2:25 3:2 3:3 5:16,21,22 <b>irrationally</b> 57:3 <b>irrespective</b> 22:3 <b>Islamic</b> 80:3	<b>issue</b> 43:11 57:8 92:7 <b>issues</b> 25:2 26:14 41:5 61:17 <b>ITV</b> 72:2 <hr/> <b>J</b> <hr/> <b>James</b> 65:23 66:1,5 <b>January</b> 3:6 <b>Jay</b> 1:4,8,11,12 1:15,20,22 9:17 10:24 11:2,8,10,11 20:25 22:17 23:20 37:18 40:24 47:9,17 48:19 50:7 52:10 57:2 58:10 59:1,22 <b>Jeff</b> 51:9 63:22 64:7 77:18 79:1 <b>Jefferies</b> 25:10 <b>Jennings</b> 3:23 6:7 <b>jeopardise</b> 21:18 21:20 <b>jeopardised</b> 8:7 <b>jewels</b> 71:3 <b>Joanna</b> 23:7 <b>job</b> 5:16 45:10 45:25 46:16 71:1 84:9 <b>John</b> 11:9,12 77:18 78:25 <b>join</b> 61:6,7 62:5 <b>Joining</b> 14:4 <b>Joseph</b> 11:9,12 <b>journalist</b> 9:23 20:4 29:21 59:3 68:11 <b>journalists</b> 9:21 31:22 44:13,14 44:20 68:4 80:18,23 81:6 81:23 82:2 87:18 90:1 <b>journalist's</b> 38:10 <b>judgment</b> 25:5,6 25:7 <b>judicial</b> 12:12 <b>July</b> 2:20 81:16 <b>jurisdiction</b> 51:4 <b>justice</b> 1:3,7,9,15 1:21 9:20 10:1 10:15,19,21 11:1,3 12:21 15:17 19:23 20:16 21:22 22:11,14 23:3 23:6,10,13,15 34:8,23 35:1,3 35:7,14 36:1,8 37:3,9,16
---	--	--	---	--	--	--

40:16,21 45:7	76:19 78:16	45:18 46:7,9	25:16 46:9,22	<b>lunchtimes</b>	67:7	<b>millions</b> 84:9
45:18 46:7,9	79:16 81:8	46:13 47:8,11	59:11	32:14	<b>measure</b> 35:17	<b>Milly</b> 81:20,25
46:13 47:8,11	82:15 84:23	48:4,14,18	<b>looked</b> 46:1,3		<b>media</b> 15:8,8	82:11,14 87:7
48:4,14,18	85:23 86:2,2,4	49:2,17,25	<b>looking</b> 5:4,8,24	<b>M</b>	19:4 56:14	<b>mind</b> 47:4 70:4
49:2,17,25	87:9,24 89:2	51:17,20,24	9:8 46:24	<b>MacPherson</b>	65:10 68:13,17	76:16 83:7
51:17,20,24	91:13 92:3	55:7,18 56:4,9	47:19 57:13	19:5	68:22	88:9,10 89:1
55:7,18 56:4,9	<b>knowing</b> 84:15	56:12,22 57:21	60:23 73:8	<b>macro-criminal</b>	<b>meet</b> 16:23 17:12	<b>mine</b> 11:1
56:12,16,22	<b>knowledge</b> 6:12	58:2,23 59:24	86:14	12:22	26:8,12 35:22	<b>minimised</b> 32:16
57:21 58:2,23	28:8,9 40:19	60:9,13 61:11	<b>Lord</b> 1:3,7,9,15	<b>main</b> 5:22,22	36:20 38:5	<b>minimises</b> 56:13
59:24 60:9,13	41:10,23 42:5	61:25 62:17,22	1:21 9:20 10:1	10:3 86:25	<b>meeting</b> 25:25	<b>minute</b> 24:19
61:11,25 62:17	61:14 62:1	63:4,9,12,15	10:15,19,21	<b>mainstream</b> 50:5	26:16,21 27:16	86:11,12 88:7
62:22 63:4,9	67:16 71:10	63:19,25 64:4	11:1,3 12:21	50:6	29:13,14 35:12	<b>Mirror</b> 6:18,25
63:12,15,19,25	<b>known</b> 8:10	64:8,14 65:4	19:13,23 20:16	<b>maintaining</b>	82:4 83:8,17	7:24,25
64:4,8,14 65:4	90:11	65:21,24 66:21	21:22 22:11,14	45:8	89:17 90:6	<b>miscarriages</b>
65:21,24 66:21	<b>knows</b> 85:25	66:24 67:8,11	23:3,6,10,13	<b>Majesty's</b> 2:21	<b>meetings</b> 41:19	15:17
66:24 67:8,11		71:11,13,15,17	23:15 34:8,23	<b>major</b> 14:25	75:6 83:10	<b>miscellany</b> 52:10
71:11,13,15,17	<b>L</b>	71:24 72:11,13	35:1,7,14 36:1	15:20 40:1	<b>member</b> 3:15	<b>misleading</b> 57:22
71:24 72:11,13	<b>lack</b> 73:20	72:20 73:8,11	36:8 37:3,9,16	76:13 79:8,11	26:18 70:16	<b>misled</b> 57:14
72:20 73:8,11	<b>language</b> 44:1	79:3,6,10 85:5	40:16,21 45:7	80:15	75:17 77:20	<b>mismatch</b> 20:5
79:3,6,10 85:5	<b>large</b> 31:3 33:15	85:8 88:19,24	45:18 46:7,9	<b>making</b> 35:20	79:21 80:13,21	<b>missed</b> 19:1
85:8 88:19,24	60:10 71:2	89:4,7,12,14	46:13 47:8,11	64:25	81:1,9	<b>missing</b> 82:8
89:4,7,12,14	<b>largely</b> 29:4	89:20 92:11	48:4,14,18	<b>man</b> 54:16 55:15	<b>members</b> 10:17	<b>mists</b> 51:21
89:20 92:11	<b>lasted</b> 84:19	<b>lid</b> 74:1	49:2,17,25	55:17 83:1	29:25 38:4	<b>mixed</b> 25:18
	<b>late</b> 16:13 84:12	<b>lies</b> 43:17	51:17,20,24	<b>management</b>	50:9,10,20	<b>Mm</b> 34:25 35:6
<b>K</b>	<b>Lawrence</b> 15:6	<b>life</b> 12:18 78:18	52:19,20 55:7	13:2 28:19	51:3,7 52:5,16	51:12 58:9,25
<b>keen</b> 35:15 73:24	<b>leadership</b> 52:13	<b>lift</b> 84:15	55:18 56:4,9	39:9	61:1,9 78:7,25	<b>Mm-hm</b> 28:23
<b>keep</b> 9:11 29:17	64:10	<b>lifts</b> 84:13	56:12,22 57:21	<b>Manchester</b> 79:9	80:17	30:8 60:12
34:1 58:21	<b>leading</b> 36:12	<b>light</b> 36:10 59:11	58:2,23 59:24	<b>manifest</b> 69:12	<b>membership</b>	<b>mobile</b> 30:9
76:19	<b>leak</b> 42:20,23	<b>likewise</b> 50:16	60:9,13 61:11	<b>manoeuvres</b> 7:9	50:19,22 59:25	<b>moment</b> 40:16
<b>kept</b> 63:9,15	43:15	85:23	61:25 62:17,22	7:17	62:4	47:11 81:5
64:2	<b>leaked</b> 43:9	<b>limb</b> 10:1	63:4,9,12,15	<b>March</b> 1:1	<b>memo</b> 38:3,8	92:10
<b>kettling</b> 50:1	<b>leaker</b> 43:12	<b>line</b> 36:22 66:14	63:19,25 64:4	<b>mark</b> 32:11	<b>memorable</b>	<b>momentum</b> 22:7
<b>key</b> 76:16	<b>leaks</b> 28:18 57:8	67:1,4 74:19	64:8,14 65:4	<b>marker</b> 31:15	49:16 85:4	<b>Monday</b> 1:1
<b>killer</b> 12:17	57:11	85:10,10	65:21,24 66:21	<b>Martin</b> 90:16	<b>memory</b> 82:12	<b>money</b> 13:6 71:2
<b>killing</b> 3:3	<b>learn</b> 33:5	<b>lined</b> 77:13	66:24 67:8,11	<b>Massive</b> 55:14	<b>men</b> 53:13 54:18	74:23
<b>kin</b> 53:23	<b>learnt</b> 49:19	<b>lines</b> 69:15 81:6	71:11,13,15,17	<b>matter</b> 21:22	54:20	<b>money-launde...</b>
<b>kind</b> 4:2 12:15	<b>leave</b> 27:9 92:12	<b>list</b> 46:24 50:9	71:24 72:11,13	33:8 39:2	<b>mention</b> 19:4	2:13
14:15 29:11	<b>leaving</b> 19:15	<b>listening</b> 72:4	72:20 73:8,11	45:10 46:1	88:9	<b>monitor</b> 46:14
32:10 36:23	<b>left</b> 10:6 82:24	<b>little</b> 32:20 59:18	79:3,6,10	56:5 70:14	<b>mentioned</b> 16:4	<b>months</b> 38:17
41:13 44:16	<b>legitimate</b> 8:17	68:10 69:16	82:24 83:2	77:19 81:4	38:22 83:8	82:9
50:5 55:13	58:3 65:16	70:11 75:4,19	85:5,8 88:19	89:19	86:13 91:7	<b>moors</b> 23:4
69:17	78:2	76:13 77:4,15	88:24 89:4,7	<b>matters</b> 27:23	<b>merely</b> 7:25 8:4	<b>moral</b> 43:6
<b>kindly</b> 84:14	<b>Leigh</b> 81:17	78:10,18 80:5	89:12,14,20	31:23 33:17	40:17 55:8	<b>morning</b> 1:3
<b>kinds</b> 18:4	<b>lengths</b> 48:13	81:10 82:12	92:11	61:6	62:23	33:20 48:5
<b>knew</b> 6:3,5 7:13	<b>lessons</b> 49:19	85:1 91:5	<b>lose</b> 10:12 16:25	<b>meal</b> 35:25 70:13	<b>merge</b> 58:4	65:13
34:7,7 77:17	69:17	<b>live</b> 61:5	36:14,25	83:20 84:11	<b>merger</b> 58:14	<b>morning's</b> 33:20
<b>knife</b> 53:20	<b>lettering</b> 59:12	<b>lived</b> 84:14	<b>lost</b> 9:9 10:4	85:13 88:7	<b>merits</b> 74:17	<b>mortally</b> 85:18
<b>knives</b> 53:21	<b>letting</b> 62:19	<b>living</b> 37:5	20:17	<b>meals</b> 83:18,19	<b>message</b> 19:12	<b>motivations</b> 57:3
<b>knocking</b> 35:24	<b>let's</b> 91:4	<b>load</b> 85:14	<b>lot</b> 23:17 58:20	86:20	19:18,18 35:4	<b>mouth</b> 24:2
<b>know</b> 2:9 5:4,24	<b>level</b> 20:25 22:10	<b>local</b> 14:23 68:12	60:7,7 78:24	<b>mean</b> 12:20	35:4 71:18	<b>move</b> 8:14 39:11
6:25 8:16	26:1,2 41:6	<b>lock</b> 5:18	<b>loyal</b> 30:3	16:16 18:8	74:5	47:9 86:11
10:19,20 13:16	42:1,14 44:21	<b>locked</b> 49:11	<b>lucky</b> 70:4 74:2	21:6 29:10	<b>messages</b> 81:19	90:5
17:16,16,19	53:19 54:6	<b>London</b> 3:25	77:17	35:23 37:6	<b>met</b> 29:19 45:15	<b>moving</b> 47:17
21:1,6,12 22:4	55:12 68:13	11:25 45:22	<b>lunch</b> 28:8 29:19	38:9,24 40:19	45:24 79:2,7	68:16 83:16
22:25 26:3,4,7	69:14 77:6	53:13,16 71:1	33:18 34:14	47:22,24 48:9	79:18 81:6	<b>MPS</b> 13:23 19:4
28:1 30:15	<b>LEVESON</b> 1:3,7	72:2 80:8	74:11 83:5	55:7 62:5 63:6	82:19 83:3	30:23 42:15
31:16 32:24	1:9,15,21 9:20	<b>London-based</b>	84:6 86:16	69:21 70:17	<b>methods</b> 23:20	43:21,22 53:5
36:6,7,15	10:1,15,19,21	78:23	<b>luncheon</b> 92:15	78:23 79:8	<b>Metropolitan</b>	<b>multitude</b> 68:4
40:10 41:21	11:1,3 12:21	<b>long</b> 18:10,11	<b>lunches</b> 27:7	80:2 85:1	13:2 19:19	70:18
42:9,24 53:2	19:23 20:16	41:22 42:10	28:11,14,22	87:13 88:6	37:18 68:18,23	<b>murder</b> 2:15,25
55:22,24 56:23	21:22 22:11,14	57:19 66:24	29:8,22 31:12	89:25	75:21 76:6	3:2 4:21 8:7,10
58:19 59:17	23:3,6,10,13	72:15 81:8,13	31:17,19 32:21	<b>meaningful</b> 19:8	77:24 90:15	23:7 53:12
61:20,21 65:15	23:15 34:8,23	82:15 89:6	32:25 33:4,22	<b>means</b> 62:12,12	91:11	54:19
65:16 66:25	35:1,7,14 36:1	<b>longer</b> 41:18	33:25 36:23	68:24 69:21	<b>middle</b> 82:21	<b>murderer</b> 3:5
69:19 72:7,19	36:8 37:3,9,16	<b>look</b> 9:2,2 20:22	39:9 73:16	76:10 87:20	<b>Mike</b> 77:18 78:9	4:9 9:13
74:24 75:8	40:16,21 45:7	20:22 21:11,13	75:19 88:16	<b>meant</b> 29:12	78:25	<b>murders</b> 9:5,10

12:13 23:4	28:17 33:20	<b>obvious</b> 5:20	57:14	<b>OTR/NFP</b> 87:18	26:19 28:15	<b>photographs</b>
<b>Murray</b> 65:23	39:17 55:15	8:25 35:5	<b>off-the-record</b>	<b>ought</b> 30:1 36:11	46:4 53:12	39:23 82:14
66:1,3,5 73:12	63:1,7 66:17	<b>obviously</b> 5:7	77:16	<b>outbid</b> 13:17	60:24 75:9	<b>phrases</b> 43:23
<b>museum</b> 90:9,10	68:14 72:24	7:13 8:16	<b>Oh</b> 40:23 41:16	<b>outcome</b> 49:10	<b>partner</b> 54:14	44:6
90:11 91:20,23	79:4 90:21	26:20 27:18	64:6 78:11	<b>outside</b> 5:21	<b>parts</b> 59:8,9	<b>piano</b> 69:17
91:24 92:12	<b>newspaper's</b>	55:12 56:6	79:19 85:12	60:24	<b>party</b> 36:22	<b>pick</b> 6:20,24 8:1
<b>Muslim</b> 80:9	4:11	69:12 71:11	86:17	<b>outskirts</b> 5:16	69:22 74:18	10:11 77:22
	<b>newsworthy</b>	73:4 77:6 87:2	<b>okay</b> 10:23 13:19	<b>outstanding</b>	88:19	88:2
	70:20	<b>occasion</b> 5:12	39:11 59:14	21:14 52:13	<b>pass</b> 18:23	<b>picked</b> 7:7 10:5
<b>naive</b> 57:22	<b>nice</b> 34:13 84:11	71:7 81:25	62:17 63:19	<b>overheard</b> 32:15	<b>passed</b> 16:11	14:5
<b>name</b> 1:12 11:11	84:17 89:2	84:7	<b>old</b> 12:18 14:25	32:15	18:5,14,15	<b>picture</b> 73:7
32:17 66:3	<b>night</b> 85:4,4	<b>occasions</b> 5:12	72:1 77:7 79:1	<b>overnight</b> 88:12	51:22 72:16	78:23
75:8,11 88:10	<b>nonreportable</b>	5:25 17:10	83:25	<b>overregulating</b>	<b>patchy</b> 17:3	<b>PIN</b> 53:18
<b>named</b> 75:18	29:13 39:6	24:24 30:24	<b>older</b> 14:6	37:22	<b>patiently</b> 82:3	<b>pitches</b> 13:14
<b>naming</b> 74:9	<b>non-attributable</b>	33:14 39:4	<b>old-fashioned</b>	<b>oversee</b> 68:3	<b>patronising</b> 59:5	<b>place</b> 6:21 36:6
<b>national</b> 61:7	27:4,8 53:9	73:17 76:15	12:19	<b>overtaken</b> 60:2	<b>pay</b> 20:19 89:9	85:15
62:24 63:1,2,7	54:22 56:21	77:12,23 80:15	<b>omit</b> 66:10,19	<b>over-arching</b>	89:10,15,17	<b>places</b> 31:4 32:11
63:16 68:13	57:1 62:12,13	84:5 88:11	<b>omitting</b> 66:22	20:6	<b>payment</b> 5:6	32:13
79:3	<b>non-attributably</b>	<b>occurred</b> 33:13	<b>once</b> 5:3 20:16	<b>over-sensitive</b>	69:16	<b>planned</b> 8:20
<b>nature</b> 53:4	54:8 55:10	53:24 82:20,22	20:17 23:22	89:21	<b>pays</b> 89:19	<b>plastic</b> 92:2
85:25 89:22	<b>non-members</b>	<b>October</b> 12:1	29:20 37:8	<b>o'clock</b> 84:21	<b>PCs</b> 92:3	<b>platform</b> 64:24
<b>near</b> 6:6 14:24	78:8	<b>offences</b> 8:15	53:22 58:2	92:13	<b>people</b> 2:12 5:5	<b>play</b> 58:11 86:3,3
14:24 77:5	<b>non-reportable</b>	10:10	86:16		6:9,25 10:10	<b>played</b> 15:7,19
80:3 84:14	27:8 29:9	<b>offended</b> 85:18	<b>ones</b> 12:16 27:24		16:23 18:8	52:23
<b>nearby</b> 32:9	62:11,12	<b>offender</b> 18:25	27:25	<b>page</b> 7:5,20 53:8	23:18 26:4,12	<b>player</b> 79:6
<b>necessarily</b>	<b>normal</b> 78:19	<b>offenders</b> 12:14	<b>one-to-one</b> 29:22	66:14	31:4 32:1	<b>pleasant</b> 91:3,6
32:17 72:13	81:6 86:4	<b>offensive</b> 19:10	<b>online</b> 64:19	<b>paid</b> 89:13	33:17 34:6	<b>please</b> 1:6,8 2:6
74:18	<b>normally</b> 2:17	19:16	<b>on-the-record</b>	<b>painting</b> 45:19	36:7 39:22	3:1 8:9 11:8,11
<b>necessary</b> 30:25	13:23 26:17	<b>offer</b> 64:3,9	27:3	<b>paper</b> 13:24 14:4	40:3 43:2	11:22 14:19
30:25 31:2,8	83:20 86:19	<b>offered</b> 89:8	<b>open</b> 16:19 34:1	15:24 22:18	44:21 57:3	28:22 38:20
62:25 66:18	87:2	<b>office</b> 16:18 18:2	60:16,17 62:20	<b>papers</b> 13:11,15	60:21 62:9	53:10 57:7
<b>need</b> 30:6 32:17	<b>north</b> 91:7	30:9 31:5,21	62:24 63:15,16	13:17 63:16	72:1,4 74:5	66:4
35:1,2,2 37:10	<b>note</b> 76:23	34:22 56:2	75:5	<b>paragraph</b> 7:4	83:19 86:23	<b>pleased</b> 74:8,12
37:21 49:14	<b>notebook</b> 76:18	82:15 90:24	<b>opened</b> 29:10	13:19 14:17	87:3 90:14	88:20
61:15 64:1	<b>noted</b> 60:4	91:17,25	<b>Openly</b> 57:25	15:2 16:7,10	<b>people's</b> 33:19	<b>plotted</b> 5:25
86:9 87:24	<b>notes</b> 59:6	<b>officer</b> 2:7 8:21	<b>openness</b> 45:24	19:6 25:16	<b>perceive</b> 60:21	<b>pm</b> 92:14
<b>needed</b> 15:21	<b>notice</b> 2:4	17:21,21 30:18	<b>open-door</b> 76:8	27:11 28:24	<b>perceived</b> 60:14	<b>point</b> 5:17 8:25
27:2 53:24	<b>nuisance</b> 12:23	32:5 41:1,2,3	<b>operate</b> 57:18	30:5,23 31:11	<b>perception</b> 34:24	10:3 13:5
73:22	<b>NUJ</b> 64:19	44:4 45:25	<b>operated</b> 24:12	32:3 39:11	35:18 36:10	29:13 34:6
<b>needs</b> 21:7 37:20	<b>number</b> 13:6	54:1,9 55:3,6	<b>operates</b> 73:9	41:4 43:19	60:23 61:3	35:20 40:16
<b>nerves</b> 75:4	15:3 21:25	69:23,25 71:7	<b>operation</b> 4:2,12	50:18 51:2	82:18	47:8,18 54:21
<b>networks</b> 40:3	39:16 60:10	76:24 77:16	<b>operational</b> 3:18	52:11 53:8	<b>perfectly</b> 92:9	58:23 64:16
<b>never</b> 21:17	66:7,9 67:1,2	79:17 85:18	4:4 58:6 71:6	57:7 59:2 66:9	<b>period</b> 11:25	87:21
40:14,20 43:2	80:7 82:18	89:15	<b>operations</b> 33:6	67:1,4 68:11	82:16,20	<b>points</b> 52:10
48:25 62:2	83:11,19	<b>officers</b> 19:14	40:7 79:2	68:18 75:22	<b>Perry</b> 81:25	<b>police</b> 3:9 8:17
69:14,21 72:23	<b>numbers</b> 19:14	25:18 26:1,7	<b>opinion</b> 4:20	83:16 90:5	90:13	12:14 13:2,22
85:11	53:18	29:15 30:24	23:1 58:7	<b>paramount</b>	<b>person</b> 6:2 10:8	14:23 15:8,9
<b>new</b> 27:21 29:1	<b>numerous</b> 30:24	31:12 34:12	75:10 76:4	21:16	21:14,15 45:5	19:19 20:17
36:16 44:12	<b>nutshell</b> 2:10	35:22 36:19	85:19	<b>parents</b> 82:11	70:2,19	21:1,15 23:23
64:17,21,22		37:3,23 38:1	<b>opportunity</b> 26:9	<b>Parliament</b>	<b>personal</b> 41:8	31:3,23 33:6
83:1 91:4		39:13 40:18	56:13 77:9	35:21	42:4,5 85:11	34:18 35:3
<b>news</b> 4:15,18	<b>O</b>	44:7,13,16,18	<b>opposed</b> 37:12	<b>part</b> 2:24 4:13	91:14	36:20 37:18,23
7:21,23 8:5,7	<b>object</b> 5:2	46:4,22 47:6	<b>orally</b> 38:7	15:7 34:13	<b>persons</b> 6:2	39:12,19,23
11:23 12:1	<b>objective</b> 9:1	50:12 57:15,18	<b>order</b> 1:16,18	37:25 38:6,9	<b>perspective</b>	40:5,12,17,24
21:8 24:10,15	38:11,12 74:13	58:21 69:4,12	50:1 82:8	45:10 46:16	26:14	41:1,3,11
24:23,25 33:18	<b>objectives</b> 7:25	73:16,24 75:6	<b>ordinarily</b> 2:15	49:20 59:15	<b>persuade</b> 41:11	43:10 47:21
66:17 67:18,24	10:9	77:10,11,13	<b>organisation</b>	79:10 91:25	<b>persuaded</b> 41:8	49:3,7,21,24
72:2,3,6,9 73:3	<b>obligation</b> 43:6	78:17 79:13,13	26:23 30:3	<b>participation</b>	<b>Peter</b> 52:12,23	51:7 52:22
80:20 81:19,24	<b>observation</b>	80:7,17 84:14	37:19 62:16	56:15	<b>phenomenon</b>	54:13 55:16,21
<b>newspaper</b> 8:18	13:25	84:24 86:1	78:24	<b>particular</b> 13:23	14:8	56:13 57:18
19:9 20:11	<b>observations</b>	87:17 88:1	<b>organisations</b>	14:2 15:6	<b>phone</b> 18:15 30:9	61:6 62:8
21:4 24:14	7:23	89:10 90:2	47:2	20:23 28:18	68:24 70:5,23	68:18,23 69:10
48:6,12 49:12	<b>obtain</b> 21:1	<b>officer's</b> 32:10	<b>organised</b> 2:8,11	29:6 30:21	76:11,23 78:8	69:24,25 70:1
61:7 62:24	<b>obtained</b> 4:18	47:4	2:14 29:8	58:16,20 76:20	81:18,20 87:9	70:15,16 71:7
63:2 83:15	23:22	<b>official</b> 16:21	90:12	81:12 86:7,8	<b>photographers</b>	71:9,20 72:5
<b>newspapers</b>	<b>obtaining</b> 23:21	17:1 18:1 24:5	<b>original</b> 7:3	<b>particularly</b>	40:12 71:21	72:18 73:13

74:18 75:22	16:18,18,20	<b>promote</b> 14:12	<b>publishing</b> 55:19	<b>R</b>	15:19	90:24
76:7 77:24	18:2 22:19,20	49:20 74:1	<b>pubs</b> 41:19	<b>radio</b> 55:14	<b>recur</b> 15:19	<b>remind</b> 3:1
81:23 82:4	31:21 40:12,18	<b>promoted</b> 16:1	<b>pudding</b> 87:1	<b>radio/telephone</b>	<b>red</b> 59:12,12	<b>remit</b> 50:2 68:6
85:13 90:15	41:1 44:2,3,7	26:4	<b>pull</b> 46:6 77:14	72:15	61:17	<b>removed</b> 85:16
91:12	45:9 46:17	<b>promoting</b> 29:16	<b>pulling</b> 76:14	<b>raided</b> 71:2 80:7	<b>redeployed</b>	<b>repeated</b> 43:24
<b>policeman</b> 56:7	54:9 55:6	<b>promotion</b> 44:24	<b>pure</b> 60:1	<b>raids</b> 39:13 40:7	57:17	<b>repeating</b> 39:3
69:14 72:14	58:17,17 60:10	45:2	<b>puritanical</b> 34:8	<b>rang</b> 30:12 79:16	<b>reduced</b> 82:19	<b>replace</b> 19:15
<b>police's</b> 39:13	65:9 68:25	<b>proper</b> 19:18	<b>purpose</b> 25:25	<b>range</b> 13:13,18	<b>reduction</b> 82:20	<b>reply</b> 75:12
<b>police/media</b>	69:3 71:22	30:2	26:19,21 30:17	18:7 57:13	<b>refer</b> 7:16 16:7	<b>report</b> 19:5
64:23	73:22 75:24	<b>properly</b> 34:15	33:4 87:25	<b>rank</b> 32:5,10	70:19	44:14 47:7
<b>policing</b> 27:23	76:11 77:7,9	45:25	<b>pursuant</b> 2:3	54:3	<b>reference</b> 51:10	59:4,8,15 61:4
62:10	77:10,12 79:13	<b>property</b> 70:25	43:15	<b>ranked</b> 25:18	<b>references</b> 33:12	61:5
<b>policy</b> 76:8	82:14,19 83:2	<b>proportionate</b>	<b>pursue</b> 61:18	<b>ranks</b> 26:22	66:10	<b>reported</b> 71:21
<b>polite</b> 69:4	83:11	32:4,10	76:21	<b>rashly</b> 22:25	<b>referring</b> 16:3	87:14
<b>political</b> 13:1,1	<b>presumably</b>	<b>prosecution</b> 8:23	<b>pursuing</b> 69:10	<b>reaches</b> 87:2	22:18 27:12	<b>reporter</b> 11:15
50:4	12:25 15:11	20:8 21:20	<b>put</b> 5:21 17:8	<b>reaction</b> 46:4,5	36:24 44:1	11:24,24,25
<b>politicians</b> 74:11	33:4 50:22	83:24 84:8	18:1,3 19:18	<b>read</b> 1:5 12:11	59:20	12:1 21:7
<b>politics</b> 75:13	52:15 88:20	88:22	28:4 30:18	12:16	<b>reflect</b> 43:23	24:21 26:10,21
88:3	<b>pretty</b> 5:20,23	<b>prosecutions</b>	32:5 33:10	<b>readers</b> 12:10,16	60:17 63:21	38:12 47:20
<b>poor</b> 28:19 81:5	<b>previous</b> 44:7	28:4	44:15 47:18	49:13 58:19	<b>reflected</b> 38:6	49:4,5 50:3
<b>portion</b> 33:14,15	<b>previously</b> 2:20	<b>protect</b> 10:10	48:25 52:8	<b>reading</b> 47:7	61:3	62:6,14 73:3
<b>position</b> 9:5	16:24 90:11	<b>protected</b> 73:23	83:13 86:15	<b>ready</b> 16:22	<b>reflecting</b> 19:25	80:21 82:1
21:19 26:13	<b>price</b> 32:18	<b>proved</b> 88:17	88:9 90:2	17:24 61:17	35:14	<b>reporters</b> 11:17
53:2 80:25	<b>prima</b> 74:4	<b>provide</b> 30:25	<b>putting</b> 15:22	<b>real</b> 19:18 20:5	<b>reflection</b> 21:10	12:6 13:21,24
<b>positions</b> 5:15	<b>prime</b> 38:11,12	<b>provided</b> 1:22	33:16	<b>realise</b> 8:11 24:7	<b>regard</b> 20:2 53:1	14:1,3,5,11
<b>positive</b> 68:20	<b>principles</b> 52:6,8	11:13 30:23		37:6	53:6	16:12 31:22
71:25 83:1	62:18	43:14 45:11	<b>Q</b>	<b>really</b> 4:24 18:8	<b>regarding</b> 27:13	36:18 37:8,23
<b>positively</b> 65:1	<b>print</b> 21:11	47:10 50:9	<b>quantify</b> 18:23	21:25 26:13	43:12 70:3	41:8,11 42:10
<b>positives</b> 46:17	<b>printed</b> 17:13	61:12,25 66:6	<b>question</b> 12:9	33:13 34:9,10	<b>registers</b> 32:25	42:16 45:6
<b>posse</b> 40:12	<b>prior</b> 76:16	91:11	18:3 20:9	48:12 57:17	<b>regret</b> 81:4	47:13,17 48:15
<b>possibilities</b> 4:23	<b>private</b> 80:10	<b>providing</b> 16:6	36:15 56:17	58:18 59:1	<b>regular</b> 64:21	48:16,17 51:25
<b>possibility</b> 60:15	<b>privilege</b> 84:24	25:23	59:1,24 60:9	60:16 61:5,19	<b>regularly</b> 14:24	52:2,5 59:17
64:1	<b>privileged</b> 29:6	<b>proviso</b> 61:13	60:20 62:3	79:1 85:16	30:9 75:23	60:6,15,24
<b>possible</b> 6:8 8:23	<b>privy</b> 56:20	<b>pub</b> 14:21,23,23	63:4 70:22	87:23 89:19	<b>regulates</b> 51:6	61:5 67:6,7
27:6	<b>pro</b> 33:21	18:15 31:5	71:19 77:2,3,4	92:1,5	<b>reinforced</b> 39:25	<b>reporting</b> 13:7
<b>possibly</b> 16:14	<b>probability</b>	84:1,1	83:10 85:9	<b>reason</b> 48:10	<b>relate</b> 46:16	49:9,10 60:1,3
21:18 27:3	10:15	<b>public</b> 7:20	89:1	54:4 55:3	<b>relating</b> 28:19	62:10
50:3 53:15	<b>probably</b> 5:20	10:14 18:20	<b>questions</b> 1:11	56:19,20	<b>relation</b> 3:9 13:8	<b>reports</b> 49:5
55:1 79:19	6:11 12:12	19:3 20:1,3,14	9:17 11:10	<b>reasons</b> 4:3 14:8	59:8,25 70:22	<b>representative</b>
<b>postgraduate</b>	13:10 14:22	20:18 21:5	12:8 59:22	15:3 24:6,7	84:8	63:2
53:14	15:25 17:3	22:25 23:8,25	66:2 76:18,22	<b>recall</b> 28:21	<b>relations</b> 15:7	<b>representatives</b>
<b>post-mortem</b>	18:12 19:2,11	29:1 32:7	76:24,25 77:2	52:19 54:2	34:6 68:17,20	64:19
54:5	24:22 26:8	33:11 38:10	79:15,15	92:7	82:3 83:7	<b>represented</b>
<b>potential</b> 3:12	27:22 28:13	39:20 43:16	<b>quick</b> 89:18	<b>receive</b> 33:23	<b>relationship</b>	50:10 63:7,8
10:14 89:25	29:23,23 32:19	49:13 50:1	<b>quicker</b> 34:5	85:22,24	26:23 29:1,5	<b>request</b> 38:8
<b>potentially</b> 9:22	32:19 36:21	52:14 57:14,23	<b>quickly</b> 14:6	<b>received</b> 4:14	37:9 45:9	64:11,12 79:17
81:8,22 89:23	41:2,16,17	58:7 60:17	27:5 53:25	39:16 52:12	68:22 69:22	85:22,24
<b>potentials</b> 5:8	44:25 52:3,23	69:8 70:17	54:25 73:2	53:3	81:24 82:11	<b>requested</b> 82:14
<b>pounds</b> 84:9	55:23 59:18	71:5 75:16,17	<b>quid</b> 33:21	<b>receiving</b> 23:24	85:20,21 86:8	<b>require</b> 44:13
<b>Power</b> 37:20	60:7 61:7	76:2 84:20	<b>quite</b> 15:16	43:9 70:5 74:3	89:22	49:17
<b>powerful</b> 37:19	63:12 64:2	<b>publication</b>	17:10,22 18:8	<b>reception</b> 78:11	<b>relationships</b>	<b>requires</b> 35:8
<b>practice</b> 16:11	78:6 81:16	17:24 19:5	32:13 33:9	<b>recognised</b> 65:17	14:18 19:8	60:17
23:22 38:1	85:24 90:20	23:25 87:19,24	34:19 43:19	<b>recognising</b>	28:19 35:1	<b>reservations</b>
<b>precious</b> 76:12	<b>problem</b> 10:24	87:25	44:22 47:19	45:24	51:4,6 64:23	92:4
<b>predecessors</b>	20:5 35:8	<b>publicity</b> 15:19	48:9,10,11	<b>recognition</b>	81:5,22 83:3,5	<b>resignations</b>
29:3	75:11 84:22	19:7 39:19	54:3 57:2	52:13	<b>release</b> 44:3	31:11
<b>prepared</b> 25:1	<b>problems</b> 15:18	54:10,10 55:13	59:14 62:21	<b>recollection</b> 25:8	78:22	<b>resolved</b> 11:4
65:4	24:13 45:22	55:14	65:14 68:1	<b>recommendati...</b>	<b>released</b> 76:12	<b>resources</b> 3:10
<b>preparing</b> 59:6	46:18 56:25	<b>public's</b> 39:25	69:15 71:18	44:9	<b>releases</b> 44:2,7	9:6
<b>presence</b> 39:1	<b>process</b> 20:8	49:22	72:18 74:7	<b>record</b> 44:13	<b>relevant</b> 43:25	<b>respect</b> 32:11
41:11,13	<b>production</b>	<b>publish</b> 21:5	76:13,23 77:17	54:7 55:5,25	<b>relied</b> 73:1	75:15,16,18
<b>present</b> 30:14	90:18	22:2 47:22,23	82:8 84:2 89:6	57:4 74:12,21	<b>reluctant</b> 19:1	83:14
90:8	<b>professional</b>	55:10,11 74:14	91:9	75:3 87:13,19	<b>rely</b> 13:23 86:9	<b>respects</b> 8:6,9
<b>preserve</b> 62:7	30:3 46:23	<b>published</b> 17:13	<b>quo</b> 33:21	<b>recorded</b> 46:11	<b>remarks</b> 59:16	78:24
<b>president</b> 50:13	68:10,20 69:6	23:1 80:6	<b>quotes</b> 44:4	<b>records</b> 64:1	<b>remember</b> 3:2	<b>respond</b> 79:15
<b>press</b> 10:16,17	71:25 85:3	81:16		<b>rectified</b> 15:18	31:18 89:1,8	<b>response</b> 53:5

77:1 78:12 <b>rest</b> 92:8 <b>restaurant</b> 31:6 32:4,6,9 34:18 <b>restaurants</b> 32:17 35:23 <b>restraint</b> 25:1 <b>restricted</b> 37:2 62:25 79:3 <b>Restricting</b> 37:22 <b>restrictive</b> 62:4 <b>result</b> 85:6 <b>resulted</b> 54:9 <b>resulting</b> 39:19 <b>retired</b> 52:12 <b>retirement</b> 12:4 <b>return</b> 8:12 14:13 42:3,11 <b>reveals</b> 45:15 <b>review</b> 64:21 <b>reviews</b> 68:3 <b>revisions</b> 83:15 87:7 <b>right</b> 1:15,19 2:22 3:6 10:21 11:2,14 13:5 15:10 16:9 18:12 25:13 27:10 15,15 30:16 32:22 37:15 44:3 46:10 48:4 49:2,10 50:17 50:24 52:3 54:15 62:22 65:20 66:11 67:2,3 68:14 72:22 79:21 85:12 89:7 92:11 <b>rightly</b> 51:2 84:2 <b>ring</b> 44:6 70:10 72:9 88:13 <b>ringing</b> 24:18 76:16 <b>rise</b> 60:15 <b>risk</b> 10:14 60:13 62:19 <b>robber</b> 12:17 <b>robberies</b> 12:13 <b>robbers</b> 12:19 <b>robbery</b> 73:6 <b>role</b> 2:21 15:20 47:19 48:2 49:3 52:23 73:14 <b>room</b> 77:15 <b>roots</b> 91:7 <b>roundabout</b> 5:22 6:1 <b>route</b> 5:22 <b>ruin</b> 85:20 <b>rule</b> 29:9 39:5 44:24 <b>rules</b> 36:16,16	50:19 62:11 <b>rumours</b> 48:23 69:13 78:15 <b>run</b> 61:17 <b>rung</b> 30:14 <b>running</b> 42:3 76:20 <b>rushing</b> 21:10 <hr/> <b>S</b> <b>safe</b> 21:20,21 <b>safely</b> 49:11 <b>safety</b> 10:14 24:16 <b>sat</b> 5:14 <b>saw</b> 5:25 <b>saying</b> 24:19 32:22 54:15 70:21 74:17 82:5 91:4 92:2 <b>scan</b> 72:14 <b>scandalous</b> 75:9 <b>scanner</b> 72:9,23 <b>scanners</b> 72:2 <b>scene</b> 8:12 9:3 73:5 <b>school</b> 80:3,7,10 <b>Scotland</b> 13:22 14:24 29:2 34:19 36:5,20 74:20 75:24 76:9 90:9 <b>Scott</b> 1:5 <b>screen</b> 10:25 <b>second</b> 8:25 9:1 9:14 10:1 11:16,18 13:5 17:21 41:7 50:8,18 67:4 <b>secret</b> 37:20 <b>secretary</b> 50:13 <b>secrets</b> 28:5 29:11 38:24 <b>section</b> 59:10 68:16 <b>secure</b> 55:13 <b>security</b> 31:23 <b>see</b> 5:10 8:22 12:20 20:8 35:10,19,20 39:22 40:19 46:23 47:24,24 49:7,18 50:10 60:23 73:2 74:16 81:8 83:8 85:7 <b>seeds</b> 89:23 <b>seeing</b> 5:23 45:13 46:24 50:25 <b>seeking</b> 29:6 58:6 <b>seeks</b> 41:24 <b>seen</b> 8:1 40:21 45:5,14 51:13 51:20 <b>selection</b> 45:2	<b>self-explanatory</b> 29:4 <b>send</b> 65:8 <b>senior</b> 14:18 16:3 25:25 26:7,12 26:13,18,22 29:15 31:12 34:12 37:3,21 45:25 54:9 55:5 57:15 73:16 76:24 77:11,15 78:17 79:13 80:17 83:17 84:5 86:8,15 87:17 <b>sense</b> 28:25 29:4 34:8 35:11 39:14,22,24 48:20,22 53:2 <b>sensed</b> 78:4 <b>sensible</b> 35:5 45:20,21 46:13 75:10 <b>sensitive</b> 20:7 <b>sentence</b> 41:7 <b>separate</b> 47:9 <b>sergeant</b> 25:19 30:19 <b>serial</b> 3:3 12:14 12:17 21:12 <b>series</b> 22:8 <b>serious</b> 2:8,11 12:21 13:7 19:18 40:1,8 72:8 <b>seriousness</b> 59:15 <b>servants</b> 37:21 38:10 <b>served</b> 90:23 <b>service</b> 52:14 76:7 <b>servicing</b> 58:21 <b>set</b> 50:8 53:22 <b>setting</b> 18:17 <b>seven</b> 90:20 <b>sex</b> 12:14,17 21:12 <b>shame</b> 36:25 <b>share</b> 39:8 <b>shocking</b> 48:9 55:13 <b>shooting</b> 73:5 <b>short</b> 1:22 11:6 11:24 47:12,15 53:15 54:14 70:9 <b>showbusiness</b> 68:3 <b>showing</b> 62:16 <b>shyness</b> 75:1 <b>side</b> 22:6 46:6 74:15 <b>sides</b> 14:15 27:19 31:18 <b>sights</b> 9:14	<b>signed</b> 1:25 62:11 <b>silly</b> 85:22,24 <b>similar</b> 34:2,3 <b>Simon</b> 3:23 <b>simple</b> 76:19 <b>simply</b> 16:24 33:10 40:1 <b>single</b> 83:20 <b>SIO</b> 24:3 <b>sir</b> 47:5 65:23 71:14 79:8 82:25,25 83:9 90:6,7,24 92:10 <b>sit</b> 5:15 52:7 <b>situation</b> 81:13 90:3 <b>situations</b> 40:10 <b>six</b> 38:17 82:9 86:18 90:20 <b>skiing</b> 61:18 <b>slightly</b> 1:16 60:14 74:21 <b>slopes</b> 61:16 <b>small</b> 34:13 50:22 52:25 68:1 <b>smashing</b> 39:23 <b>smuggling</b> 2:12 <b>SOCA</b> 2:7,9,9,18 2:24 3:8,24 4:19,22 <b>social</b> 18:17 33:14 39:4 80:24 91:5 <b>society</b> 9:20 40:4 56:10 64:18 <b>sold</b> 13:14 46:7 47:6 <b>soldiers</b> 6:12 <b>solely</b> 90:22 <b>solicitor</b> 86:14 <b>solitary</b> 84:5 <b>somebody</b> 24:18 37:13 46:23 47:3 58:3 59:5 62:14,19 70:19 71:8,9,10 76:21 78:5 <b>somebody's</b> 40:15 70:6 <b>Something's</b> 66:13 <b>sorry</b> 24:16 39:3 <b>sort</b> 6:19 8:4,22 12:10,13 20:13 20:14 22:21 25:20 28:16 32:18 33:22 34:15 35:9 40:7,21 48:1 48:23 52:18 54:21 56:9 58:10 62:15 63:23 64:21	72:22 74:1,6 78:15,25 79:20 87:9 91:18 <b>sorts</b> 79:25 91:20 <b>sought</b> 19:8 <b>sounds</b> 6:2 <b>source</b> 7:2 24:4 40:25 43:5 70:10,15,16 71:8 75:8 88:17 <b>sources</b> 23:23 42:16 61:2 70:18 71:16,18 <b>south</b> 53:12,16 <b>so-and-so</b> 17:15 <b>so-called</b> 42:20 <b>SO15</b> 33:3 <b>speak</b> 14:17 30:5 59:17 77:11,14 79:17 85:11 <b>speaking</b> 13:21 16:24 <b>Special</b> 58:4,14 58:21 <b>specialised</b> 31:23 <b>specialist</b> 45:3 <b>specific</b> 70:3,21 <b>speech</b> 37:2 <b>spent</b> 72:4 82:2 <b>spill</b> 80:2 <b>spoke</b> 38:21 75:24 91:10 <b>spoken</b> 82:18 <b>spokesman</b> 74:24 <b>sponsored</b> 50:20 <b>stab-proof</b> 73:22 <b>staff</b> 57:17 68:1 68:25 71:6 75:24 90:18 <b>stage</b> 4:5 14:20 16:13 81:9 <b>stamina</b> 84:20 <b>stamp</b> 43:23 <b>standard</b> 32:3 <b>standards</b> 46:23 <b>stands</b> 50:24 <b>start</b> 1:4 49:8 58:2 <b>started</b> 60:5 67:24 80:9 84:21 <b>starter</b> 86:25 <b>statement</b> 1:5,23 1:25 3:17 6:14 7:4 11:17,19 11:19 13:19 14:17 16:8 25:17,24 31:10 39:12 47:9 50:18 51:1 52:6,8 66:6 67:15 68:16,19 75:23 82:12	83:8,16 86:19 90:6 <b>statements</b> 11:13 43:22 57:15,22 59:7 <b>station</b> 14:23 34:18 54:13 55:16 <b>stations</b> 31:3 36:20 <b>status</b> 77:17 87:12 <b>statutory</b> 2:4 <b>stay</b> 5:21 <b>step</b> 13:16 85:14 <b>Stephen</b> 15:6 <b>Stevens</b> 19:13 52:20 82:24 83:2 <b>stick</b> 25:6 86:6 <b>stock</b> 43:23 <b>stood</b> 5:6 <b>stop</b> 8:19 9:5,6 <b>stories</b> 12:15,20 14:14 15:16,21 15:24 18:20 20:2 21:23 22:8,23 23:1 25:10,14,20 28:16 32:2 38:13 39:20 41:9,12 42:8 42:11 49:23 68:3 73:21 78:17 80:13 88:17 <b>story</b> 12:10,13 15:23 17:22 21:17,19,22 22:2 23:7 24:12 37:12 38:17 42:3 49:24 50:6 58:11,16 69:2 69:8 70:6,9 75:7 76:20 78:10 80:5,11 80:11 81:16,17 86:12 88:5,10 <b>straightforward</b> 92:9 <b>straight-laced</b> 35:17 <b>straits</b> 19:13 <b>strategy</b> 19:4 <b>straying</b> 24:19 <b>stream</b> 18:18 <b>Street</b> 23:4 <b>streets</b> 92:4,6 <b>stress</b> 88:1 <b>strict</b> 36:17 39:5 <b>strictly</b> 19:3 43:24 <b>structure</b> 88:14 <b>stuck</b> 36:4 <b>students</b> 53:14	<b>stuff</b> 87:22 <b>style</b> 54:7 <b>subject</b> 9:9 33:8 36:25 42:23 67:14 <b>subjected</b> 53:19 <b>subjects</b> 33:18 <b>subsequent</b> 54:24 <b>subsequently</b> 54:15,19 <b>successful</b> 28:3 83:24 84:8 88:22 <b>sufficient</b> 61:14 <b>Suffolk</b> 3:9,11,19 4:14,21 <b>suggested</b> 85:19 <b>suggesting</b> 45:18 85:12 <b>suit</b> 65:2 <b>Sullivan</b> 77:18 78:9 <b>sum</b> 71:2 <b>summarise</b> 8:8 <b>summarised</b> 38:7 <b>summer</b> 30:6 31:12 <b>Sun</b> 46:25 47:1 <b>Sunday</b> 6:18,25 7:24,25 67:18 67:21 68:1 80:6,25 90:14 90:22 <b>superintendent</b> 17:15 25:19 26:5,11 30:19 <b>superior</b> 20:5 <b>suppose</b> 22:16 42:22 <b>sure</b> 24:12 25:12 48:19 52:7 58:18 59:5 62:22 <b>surprise</b> 48:14 48:16,17,19,23 71:23 <b>surprised</b> 71:19 <b>surprising</b> 37:4 85:6 <b>Surrey</b> 82:4 <b>surroundings</b> 31:7 36:6 <b>surveillance</b> 2:24 3:10,12,13,19 3:25 4:15,25 5:2,3,7,9,10,18 6:3,4,5,10,13 6:18,19 7:6,12 7:13 8:17,21 9:1,7,8,11 48:6 48:25 49:1 <b>suspect</b> 3:13 4:6 4:8 6:17,20,24 7:7 8:1 9:12,14
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9:23 10:5 <b>suspects</b> 8:10 39:24 <b>suspiciously</b> 80:4 <b>sworn</b> 11:9 66:1 <b>sympathetic</b> 74:8 <b>system</b> 56:16 59:11	68:21 75:22 77:23 78:11 83:17 86:19 87:5,12 90:3,6 90:12,23 91:5 <b>telling</b> 77:2 87:20,22 <b>ten</b> 67:21,23 84:2 86:18 <b>tend</b> 17:8 28:11 <b>tense</b> 30:7 <b>tension</b> 24:24 <b>tensions</b> 25:5 39:8 <b>term</b> 40:24 59:5 <b>terms</b> 8:4 13:1 19:14 31:25 39:16 41:5 42:7 50:12 79:5 87:16 <b>terribly</b> 55:12 <b>territory</b> 24:8,20 <b>terrorism</b> 27:17 27:17,24 31:25 <b>terrorist</b> 27:1,13 27:20 28:3 34:2 52:14 53:4 <b>texture</b> 38:16 <b>Thames</b> 72:2 <b>thank</b> 1:7,9,14 1:21 2:15 3:5 9:17,18 10:21 10:24 11:3,4 11:22 47:13 65:21,22,24 70:13 73:11 92:13 <b>Thanks</b> 70:7 <b>thawing</b> 78:13 <b>theft</b> 70:25 <b>themes</b> 77:22 <b>theoretically</b> 38:1 <b>they'd</b> 8:20 42:25 72:8 77:14 <b>thing</b> 5:18 10:16 21:16 31:14,15 34:24 40:21 41:14 46:11 48:23 58:20 79:20 91:18 <b>things</b> 22:21 28:14 39:8 45:23 49:18 67:8 68:2 73:20 74:22 76:19 79:25 86:4 88:6 <b>think</b> 7:25 9:15 10:3 12:12,15 13:10 14:8,10 14:22 15:16,20 18:7,17 19:11 19:11,12,13	20:10,18 21:6 21:9,11 22:4,5 22:8,11,17 23:13,17 25:4 25:4,12,12 27:18 28:13 29:24 31:2,2 31:15,17,20,21 31:23 32:8 33:12,13 35:10 35:16,19,19 36:3,6,8,9,13 36:14,14,21 38:3,23,25 39:22 41:16 42:23 44:20 46:3,21 47:5 48:4,15 49:11 51:8,9,24 52:3 52:6,20,21,25 53:22 54:1,3 54:15,21,25 55:1,15,24 57:12,18 58:10 58:16 59:10,16 59:18 60:21,22 60:22 61:4,4 63:6,22,22 65:3,4,5,12 67:10 68:19 70:3,21,23,25 71:24 72:17 74:10,20 75:1 76:2,15 78:9 78:21,24 81:3 82:9,11 83:5 83:13 84:7,8 85:2 88:12 89:8,9,13 90:10,16,18,19 91:22 92:4 <b>thinking</b> 82:24 <b>third</b> 66:14 91:3 <b>thought</b> 8:15,18 45:8 52:4 67:11 77:25 78:2 <b>threat</b> 27:14,21 53:4,5 <b>three</b> 19:21 32:25 45:5 46:25 52:21 61:8 62:11,18 76:18,22 77:4 77:13 87:3 <b>thrown</b> 64:9 <b>tied</b> 53:17 <b>tighter</b> 13:10 <b>time</b> 14:3 24:18 26:3,3,8,9 27:5 27:5 41:22 45:13 46:15 51:13,18,21 52:3,20 53:15 54:14 70:10 81:8 82:3,9,16	82:20 83:4 89:6,17 90:17 <b>times</b> 46:25,25 85:1 86:18,18 <b>timescale</b> 82:23 <b>tips</b> 73:1 <b>tipsters</b> 72:5 <b>tip-off</b> 69:24 72:23 <b>title</b> 67:20 <b>title-tattle</b> 29:12 <b>today</b> 1:5 82:16 <b>toeing</b> 36:22 <b>token</b> 52:25 <b>told</b> 4:11 5:3 6:7 6:11,16,17 9:13 24:3,7,15 37:18 60:1 87:14 <b>tomorrow</b> 88:13 <b>topic</b> 39:11 <b>topics</b> 91:20 <b>tortured</b> 53:17 <b>touch</b> 17:9 30:18 <b>touched</b> 75:2 <b>touching</b> 82:13 <b>tour</b> 90:8 <b>Townsend</b> 90:16 <b>trade</b> 7:16 <b>trade-offs</b> 42:2 <b>tradition</b> 14:10 34:19 36:3 <b>traditional</b> 15:23 <b>traffic</b> 59:11 <b>trafficking</b> 2:13 <b>tragedy</b> 53:24 <b>trains</b> 84:12,22 84:23 <b>transforming</b> 15:7 <b>transparency</b> 60:18 <b>transparent</b> 75:5 <b>transpired</b> 4:9 <b>transport</b> 84:20 <b>treading</b> 24:8 <b>treasurer</b> 50:13 <b>treated</b> 39:15 <b>trial</b> 21:21 <b>trials</b> 80:15 <b>tricks</b> 7:15 <b>tricky</b> 90:3 <b>tried</b> 38:3 42:17 42:18 54:17 62:7,7 <b>true</b> 13:7,8 23:24 23:25 24:17 25:9 51:8 55:12 67:15 <b>trust</b> 25:5,6 34:7 36:7 37:10,12 46:10 81:24 82:5,15 85:21 <b>trusted</b> 37:7 <b>truth</b> 1:25 11:19 66:8 78:15	85:16 <b>try</b> 8:13,14,14 9:7 32:8,12 34:1 42:15 69:7 74:13,14 74:15 86:6 88:1 <b>trying</b> 5:16,17 9:11 20:6 29:17,18 40:3 68:7 69:1 71:14 73:4 85:21 89:14,21 <b>tucked</b> 84:10 <b>Tunbridge</b> 80:4 <b>turn</b> 17:14 18:10 89:16 <b>TV</b> 39:23 77:14 <b>twice</b> 29:24 <b>twist</b> 18:10 <b>two</b> 3:13 5:12,25 6:15 8:6,9 11:13 12:8 28:13 29:25 32:25 38:22 47:2 50:20 52:19 53:13,17 54:12,19 60:6 61:8 77:3 83:23 86:24 87:3 90:2 91:2 <b>Twomey</b> 11:8,9 11:12,22 13:20 13:25 23:16 25:17 29:20 39:12 41:4 47:17 50:7 51:2 52:10 55:18 59:2,23 64:9 77:19 <b>type</b> 12:23 62:3 <b>types</b> 38:13	<b>understanding</b> 45:22 46:19 69:6 <b>understood</b> 33:11 58:12 <b>unethical</b> 43:8 <b>unfair</b> 23:11 <b>unfavourable</b> 41:9,12 42:8 42:11 <b>unguarded</b> 37:4 38:21,24 <b>uninformed</b> 73:14 <b>unimportant</b> 45:16 <b>unit</b> 45:3 <b>unmediated</b> 14:18 <b>unnecessary</b> 81:3 <b>unsubtle</b> 45:19 <b>unusual</b> 52:18 <b>upset</b> 59:19 <b>upshot</b> 15:8 17:1 <b>urged</b> 59:13 <b>use</b> 30:7 35:15 40:24,25 <b>useful</b> 25:23 88:2 <b>usual</b> 89:15 <b>usually</b> 29:21 75:24	<b>W</b> <b>wait</b> 5:19 <b>walk</b> 76:9,9 <b>want</b> 9:22 10:7,9 15:24 24:15 28:6 31:4 34:10 36:4 37:3,11,13 45:1,3 49:13 49:13 56:12 61:6 62:1 65:16 82:5 85:22,24 87:23 <b>wanted</b> 10:13 15:23 17:7 28:16 30:15 31:21,25 33:23 34:3,4,4,5,21 38:4 55:14 58:21 64:6 73:21,23,24,25 <b>wanting</b> 75:2 <b>wants</b> 62:15 87:8 87:9 <b>War</b> 50:8 <b>wasn't</b> 18:12 25:9 30:14 34:14 57:4 64:5 74:2 84:23 <b>watched</b> 7:6 <b>water</b> 82:17 <b>way</b> 16:2 22:15 24:11 25:10 33:21 34:11 35:8,12 36:11 38:23 46:22 48:7 54:17 62:1 69:22 70:13 72:15,25 75:14 80:12 86:15 91:3 <b>ways</b> 37:20 70:18 <b>weakened</b> 9:7 <b>weakens</b> 8:23 <b>week</b> 51:10 80:6 <b>weeks</b> 78:13,18 <b>weigh</b> 43:16 <b>welcome</b> 4:2 65:19 <b>Wells</b> 80:4 <b>well-known</b> 72:18 <b>went</b> 33:8 48:24 90:24 91:23 <b>weren't</b> 10:8,16 19:15 28:15 29:6 32:13 74:1 80:19 90:25 <b>we'll</b> 2:18 11:3 18:1 47:12 61:4 75:19 79:20 88:13,14 92:11
<b>T</b> <b>table</b> 27:9 <b>tables</b> 32:13 <b>tabloid</b> 66:17 68:14 <b>take</b> 6:24 8:2 9:23 10:11 12:21 19:20 40:3 48:19,22 58:6 62:3,7 64:3 74:13 76:23 83:20,21 84:5 88:16 <b>taken</b> 1:16,18 10:5 23:19 48:15 56:20 61:15 71:2 84:9 86:15,17 89:9 <b>talk</b> 18:9 23:6 27:11,22,23 31:24 33:17 43:20 44:17,22 54:17 77:3 <b>talked</b> 23:4 92:2 <b>talking</b> 16:13 28:17 32:18 37:7 39:1 61:21 62:9 71:4,5 84:19 <b>target</b> 9:2 <b>tasks</b> 68:5 <b>taught</b> 80:5 <b>tea</b> 76:10 <b>team</b> 2:25 3:19 4:15,21 5:11 5:18 6:18,19 7:1,6,8 8:17 83:23 <b>teams</b> 3:13,15,25 5:9 9:8,11 48:6 48:25 49:1 <b>technical</b> 10:24 <b>techniques</b> 6:13 <b>teeth</b> 76:15 <b>telephone</b> 18:16 30:10,17 <b>telephoned</b> 75:23 <b>television</b> 55:14 66:11,16,18,21 72:25 73:9 <b>tell</b> 6:14 7:4 13:20 18:13 24:10 37:12 53:10 68:10,18				<b>U</b> <b>unattributably</b> 56:4 <b>unauthorised</b> 21:2 43:10 <b>unbelievable</b> 48:12 <b>uncritical</b> 13:24 14:9 <b>underhand</b> 69:18,22 <b>underlined</b> 54:23 <b>understand</b> 23:16,21 25:2 25:20 34:23 35:2,4 36:1,1 37:9 43:12 47:8 53:4 55:8 55:18 61:18 65:13,14 66:7 66:10 79:21 89:20,21	<b>V</b> <b>valuable</b> 65:5,5 <b>value</b> 31:17,17 53:9 81:9 <b>values</b> 43:24 <b>valve</b> 24:16 <b>varied</b> 86:14 <b>vastly</b> 37:24 <b>vault</b> 84:9 <b>vaults</b> 71:1 <b>vehicle</b> 5:25 <b>vehicles</b> 5:6,13 <b>veracity</b> 70:9 75:7 <b>versions</b> 92:3 <b>vests</b> 73:22 <b>victims</b> 21:13 53:13,18,22 <b>view</b> 5:17 12:22 18:18 20:19 38:4 48:8 52:16 54:1 74:14 75:10,15 75:16,17,18 83:1 <b>views</b> 65:8 74:18 <b>violence</b> 53:20 54:6 55:12 <b>vis-a-vis</b> 39:16 <b>vital</b> 73:6 <b>voluntary</b> 2:5 <b>volunteered</b> 2:4 <b>vulnerable</b> 75:1	



<p><b>we're</b> 1:17 10:8 16:13 56:24 61:21 73:18,19 77:5 87:20 <b>we've</b> 13:5 21:24 23:4,20 60:1 62:6,7 <b>whichever</b> 54:4 <b>whilst</b> 8:15 72:25 80:20 <b>whistle-blower</b> 58:5 73:15 <b>whistle-blowing</b> 73:18 <b>wide</b> 62:20 <b>widely</b> 33:10 <b>wider</b> 33:9 36:23 <b>wide-ranging</b> 27:22 <b>willing</b> 79:14 <b>wind</b> 23:10 <b>wine</b> 31:5 35:25 38:22 85:2 87:1 <b>wires</b> 72:5 <b>wish</b> 12:16 66:10 66:19 75:17 77:3 <b>wished</b> 18:23 76:17,20 <b>wishing</b> 30:12 <b>withholding</b> 78:3 <b>witness</b> 1:8,18,23 11:8,13 49:6 53:25 54:7 55:2,5 59:6 65:23 66:6 67:15 68:16,19 75:23 83:16 90:5 <b>witnesses</b> 13:6 35:16 49:7 <b>women</b> 59:17,17 <b>wonder</b> 87:21 <b>word</b> 46:15 66:19,21 83:25 <b>wording</b> 52:7 <b>words</b> 8:8 44:11 53:10 55:16 88:14 <b>work</b> 2:15 5:19 14:21 15:25 17:6 24:3 49:21,23 50:6 61:6 65:15 68:4,8 76:14 80:12 82:6 84:3 87:24 88:14 89:14 <b>worked</b> 14:11 28:10 57:19 68:12,13 71:9 72:2 82:10 85:5 <b>working</b> 2:25 28:25 29:5</p>	<p>64:25 65:14 69:25 72:24 82:1 86:13 <b>works</b> 65:15 89:14 <b>world</b> 4:15,18 7:21,23 8:5,7 28:9 35:21 50:8 81:19 <b>worry</b> 61:11 89:16 <b>worth</b> 75:12,13 <b>worthwhile</b> 45:9 <b>worthy</b> 45:11,12 <b>wouldn't</b> 6:6 8:16 15:19 18:13 21:10 24:10,10 27:9 28:5,6,6 30:11 31:7 32:15 35:10 36:22 43:5 45:7 46:3 46:21 50:5,6 64:24 77:19 85:23 <b>write</b> 12:11 17:22 18:20 21:19 24:4 25:14 28:16 38:17 74:8 76:18 <b>writers</b> 67:5,10 <b>writing</b> 24:14 25:21 32:1 72:3 <b>written</b> 15:16,21 38:3 67:4 78:16 <b>wrong</b> 18:24 22:21 25:8 43:1 45:23 46:20,21 49:18 49:18 66:13 <b>wrote</b> 81:17 <hr/><b>X</b> <hr/><b>Y</b> <hr/><b>Y</b> 71:20 88:3 <b>Yard</b> 13:22 14:24 29:2 32:9 34:19 36:5,20 69:4 74:20 75:24 76:9,12 78:21 80:24 81:10,11 84:13,18 90:9 <b>yeah</b> 23:5 27:15 40:23 46:12 51:19 70:16 84:7 86:21 <b>year</b> 1:23 29:20 29:24 30:6 38:17 53:15 81:17 82:22</p>	<p><b>years</b> 17:11 19:21,21,21,21 23:3,18 24:22 26:3 30:24 34:20 39:18 41:17 42:18,22 45:5 51:9,18 53:3 67:21,23 68:9,12 88:17 <b>Yeates</b> 23:7 <b>young</b> 53:13 54:3 <hr/><b>0</b> <hr/><b>07128</b> 53:8 <hr/><b>1</b> <hr/><b>1</b> 66:9 68:11 <b>10.00</b> 1:2 <b>10.22</b> 11:5 <b>10.35</b> 11:7 <b>10041</b> 7:5 <b>11</b> 19:6 67:23 <b>11.30</b> 84:22 <b>11.36</b> 47:14 <b>11.42</b> 47:16 <b>12.58</b> 92:14 <b>15</b> 25:16 <b>18</b> 3:18 <b>19</b> 1:1,23 6:15 51:2 <b>1980s</b> 13:20 72:17 <b>1983</b> 11:24 <b>1987</b> 12:1 <b>1990s</b> 16:13 <b>1999</b> 19:6 <hr/><b>2</b> <hr/><b>2</b> 66:14 92:13 <b>20</b> 6:15 41:17 <b>2005</b> 34:3 82:25 <b>2006</b> 2:20,24 3:6 3:18 <b>2007</b> 3:6 <b>2008</b> 2:20 52:12 <b>2009</b> 12:4 <b>2012</b> 1:1 <b>21</b> 27:11 31:11 <b>21st</b> 16:16 <b>23</b> 28:24 <b>24</b> 3:12 24:22 30:5 51:17 <b>25</b> 23:4 <b>26</b> 52:11 <b>27</b> 67:4 <b>28</b> 11:18 30:24 <b>29</b> 30:23 <hr/><b>3</b> <hr/><b>30</b> 32:3 50:24 68:12 <b>300</b> 80:6 <b>34</b> 39:11 <hr/><b>4</b></p>	<p><b>4</b> 13:19 68:18 <b>40</b> 86:24 <b>400</b> 35:24 <b>46</b> 53:8 <b>47</b> 50:9 60:9 <hr/><b>5</b> <hr/><b>5</b> 14:17 75:22 <b>50</b> 41:4 <b>52</b> 57:7 <b>58</b> 43:19 <hr/><b>6</b> <hr/><b>6</b> 15:2 67:1 <b>60</b> 32:19 <b>61</b> 59:2 <hr/><b>7</b> <hr/><b>7</b> 67:2 83:16 84:21 <b>70</b> 32:19 <hr/><b>8</b> <hr/><b>8</b> 11:18 16:7,10 50:18 67:1 90:5 <b>80</b> 32:20 86:20 86:22,22,24 87:2</p>			
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