

Statement made on behalf of the Claimant
Witness: Mazher Mahmood
Date of Statement: 4 July 2006

Court of Appeal Reference: A2/2005/1093

IN THE COURT OF APPEAL (CIVIL DIVISION)
ON APPEAL FROM THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

Lower Court Reference:
Claim No. HQ03X03360

ALIN TURCU

Claimant/Appellant

- and -

NEWS GROUP NEWSPAPERS LIMITED

Defendant/Respondent

WITNESS STATEMENT MAZHER MAHMOOD

I, Mazher Mahmood of 1 Virginia Street, London E98 WILL SAY as follows:

1. I am the journalist who wrote the article published in the *News of the World* on 3 November 2002 and complained of in this case. I have on previously given statements both as part of the police investigation into the plot to kidnap Victoria Beckham and in relation to the subsequent libel claim brought by the Appellant against my employers, News Group Newspapers Limited, the publishers of the *News of the World*.
2. I have recently read the witness statement relied upon by the Appellant given by Florim Gashi dated 21 September 2005. The purpose of this statement is to answer various allegations raised by Mr Gashi in his statement. This is intended to be a brief statement in response and if this appeal progresses any further as the Appellant wishes then I can produce a fuller statement in due course if required.

3. By reference to the paragraph numbers in Mr Gashi's witness statement where he makes specific allegations about me, my brief response is as follows:

Paragraph 3 – The references to the payments made by the *News of the World* to Mr Gashi about the drug dealing traffic wardens and the fake passports stories are inaccurate and untrue. On publication of the Beckham kidnap article (3 November 2002) I gave Mr Gashi a cheque from News Group Newspapers Limited in the sum of £10,000. This was a combined payment for his assistance not only in relation to the kidnap story but also the two other stories to which he refers in this paragraph. I refer to the confirmation of this given in my trial witness statement and also the witness statement of the *News of the World's* legal manager, Tom Crone, given to the police dated 13 May 2003.

Paragraph 4 – Mr Gashi says that my “*attitude*” was that because the gang which Gashi had infiltrated “*were already involved in crime*”, then it “*did not matter*” if Gashi (at my request) “*could get these people to talk about kidnapping Victoria Beckham*”. I refute any suggestion that the expose of the gang's plot to kidnap Victoria Beckham was some sort of “*set-up*”. I also refute the suggestion that I did not care if this so-called “*set-up*” meant that others, including the Appellant/Claimant “*got dragged in*”. I explain in the statement I produced for the libel trial how the gang's various plots developed including how it was Mr Gashi who told me (after having infiltrated the gang) that the gang were developing a plan to kidnap Victoria Beckham. This was not my idea but rather something reported to me by Mr Gashi. I did, of course, tell Mr Gashi that if the gang members were plotting to kidnap Victoria Beckham, then we would need evidence of this on audio/video tape.

Paragraph 10 – It is untrue for Mr Gashi to say that I knew that he had a replica gun or that I said that we needed to see one of the gang with a gun for any story for the paper. It was Mr Gashi who told me that one of the gang members, Adrian, had a handgun. Adrian was subsequently recorded on video producing this gun to show it to Mr Gashi and our other undercover gang-member, Mr Qureshi.

Paragraph 11 – It is untrue for Mr Gashi to say that it was my “*idea*” for Luli to be “*presented*” as the “*boss*”. Neither I or Mr Gashi could have any influence over the interaction between the gang members as recorded on tape.

Paragraph 12 – It is also untrue for Mr Gashi to say that I was “*continually pushing*” him to get one of the gang to go to the Beckhams’ home in Hertfordshire. It was Mr Gashi who informed me that part of the developing plot would involve visiting the Beckhams’ home address to see where they lived.

Paragraph 13 – It is untrue of Mr Gashi to say that I asked him “*to buy some alcohol for Jay to loosen his tongue*”. I did not ask or require Mr Gashi to buy “*a bottle of Vodka*” or other alcohol in the sense of getting gang members drunk so that they would not appreciate the seriousness of what they were saying (if that is what Mr Gashi means by “*loosen his tongue*”).

Paragraph 16 – Mr Gashi alleges that two or three undercover recordings from the pre-publication investigation into the plot to kidnap Victoria Beckham “*were destroyed*” by me and that they “*never [saw] the light of day*”. This is untrue. As an investigative journalist, I have secured numerous convictions as a result of my investigations which involved undercover video and audio footage. It would be completely contrary for that aim and also seriously prejudicial to my own journalistic reputation if I were to destroy or tamper with such evidence. I did not do such a thing in relation to the Beckham kidnap plot and Mr Gashi’s allegation that two or three recordings were destroyed by me is untrue. In the Beckham investigation, I was assisted by Conrad Brown on the technical side of the recordings. My and Mr Brown’s statements (both given to the police and for the purposes of the libel trial) explain our procedure in terms of the safe custody of the undercover recordings. I have never been aware of any conversation from the night of 24 October (2002) which Mr Gashi says was “*recorded*” at the Claimant’s home after the earlier (recorded) meeting at the Brixton pub that day. I am certainly not aware of that or any other tape or disc (video or audio) from this

investigation having been destroyed whether by me, Mr Brown, Mr Gashi, Mr Qureshi or anyone else. My recollection is that neither Mr Gashi nor myself was left with any recording equipment by Mr Brown at the outset of the investigation on 24 October; this only happened a couple of days later when Mr Brown was unavailable.

Paragraph 17 – As explained above, Mr Gashi was not paid £10,000 for the Beckham kidnap story. It is also untrue for Mr Gashi to say that I told him “*to downplay*” how much he had been paid and that he should “*pretend*” that the £10,000 was split as explained above between the Beckham kidnap story and the parking warden and fake passports stories. Mr Gashi was not paid in cash for the parking warden and fake passports stories. I did not promise Mr Gashi a further £5,000 if the men in the kidnap gang were convicted. I confirmed in my statement dated 4 February 2003 to the police that Mr Gashi was paid £5,000 by cheque in respect of the Beckham kidnap information. That is correct. Mr Gashi refers to how the parking warden story was published on 1 September 2002. In fact the parking warden story carried over from 1 September 2002 also into the next week’s edition of the *News of the World* on 8 September 2002. Moreover, the fake passport story was published on 27 October 2002, the week before the article complained of and the combined payment to Mr Gashi. I was aware that Mr Gashi was still owed payment for his assistance in the other two stories when arranging the combined payment of £10,000 for those and the Beckham kidnap story.

Paragraph 18 – It is correct for Mr Gashi to say that he continued working on stories with me until around the middle of last year. I have never sought to hide this or to suggest otherwise and, from memory, I confirmed this in my evidence to the court during the libel trial.

Paragraph 19 – It is untrue for Mr Gashi to say that the *News of the World* gives me “*large amounts of cash*” for which I do not have to account. I account for my expenditure just like other journalists at the *News of the World*. I confirm that I did speak to Mr Gashi on a few occasions while the libel trial was ongoing in 2005. Mr Gashi telephoned me and I would call him back so

that he did not have to pay for the call. It is untrue, however, to say that I told Mr Gashi to "keep [his] head down". I have asked my mobile telephone company to let me have copies of my itemised telephone bill from this period of last year. However, there may be some difficulty in recovering this itemised bill as the company says it no longer has this detail. That is the present indication from the mobile company in question but if the itemised bills do become available, I will obviously inform the court. How the libel case was presented to the court was not a matter for me and this was not something I discussed with Mr Gashi. I recall that Mr Gashi asked me in these few conversations how the libel trial was going but it is untrue of Mr Gashi to suggest that I expressed worries to him about him (Mr Gashi) being summoned to attend court. I said nothing of the sort.

Paragraph 20 – As explained above, although Mr Gashi says he was "earning good money in cash", in fact for the Beckham story and the other two stories, he received a cheque for £10,000. I do not understand why Mr Gashi now says he feels "very bad" or "particularly guilty" about two cases. I understand his reference to a man who was jailed for four years to be a reference to a man we uncovered selling cocaine and forged passports. This man subsequently pleaded guilty. So far as the reference to a girl being taken into care is concerned, I understand Mr Gashi to be referring to another story where the parents (who are drug addicts) had offered to sell their daughter. In both cases Mr Gashi assisted me in the investigation but there was no basis for him feeling guilty about the outcome.

4. The contents of this witness statement are true.



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Mazher Mahmood

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4th July 2000

Dated

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