

Witness: DCS Philip Williams  
Statement No: 2  
Exhibits Referred to: PW/1 and PW/2  
Date Statement Made: 20 November 2012

**The Leveson Inquiry into the Culture Practices and Ethics of the Press**

**Witness:** Philip Williams

**Occupation:** Detective Chief Superintendent

**Address:** Metropolitan Police Service, New Scotland Yard

1. I am providing this supplemental witness statement further to my statement produced for the purposes of the Judicial Review case brought by Bryant & Others dated 29.09.2011, which was provided to the Inquiry prior to my appearance before the Leveson Inquiry on 29.02.2012.
2. I have been asked by the Inquiry to provide further detail in respect of a number of particular issues, each of which I address below.
3. Firstly, I would wish to clarify what I meant at the conference with Counsel on 21 August 2006 when I characterised the material gathered during Operation Caryatid as amounting to "no evidence": I am concerned that my use of the expression "no evidence" has been taken

out of context. What was meant by these words was not that there was no evidence whatsoever, but rather that such material as there was, was insufficient in itself to rely on in a criminal trial to bring about a successful prosecution. There were a number of conferences held with Counsel both before charge and afterwards. Counsel had access to, and examined, all the material both used and unused. It was recognised by all concerned that considerable further investigation work and resources would need to have been devoted to the investigation to provide reasonable prospects of success at trial against additional defendants.

4. Secondly, I would like to explain what weight I placed on the appearance of a first name in the top left hand corner of a page in Mulcaire's notes, the "corner names". We were aware that names written on the corner of Mulcaire's notebook might refer to an individual involved in commissioning phone hacking, but proving it was another matter. When I used the phrase "no evidence" in this context, what I meant was that the existence of a name such as "John" on the corner of a piece of paper is a far cry from being able to prove beyond reasonable doubt in a criminal court (a) who John was, (b) whether John knew why his name was recorded in such a fashion, (c) whether John had asked for any particular inquiry to be done, (d) whether John was aware that the method of conducting that inquiry was unlawful. A significant amount of work would have to be done to move that potential

avenue of further investigation into something that might amount to convincing evidence to put before a court.

5. In addition, I would point out that the early decision log entry of 31/05/06 suggests a wider investigation and that was an issue which was revisited in the last recorded decision log entry of 10/08/08. DCS Surtees at his first meeting with John Yates [in 2009] suggested a fresh look/review/investigation. Both I and Keith Surtees knew that there were leads that were not followed because of the decision not to expand the investigation. The decision log illustrates that we were open throughout to this possibility and I attach as Exhibit PW 1 the relevant documents.
  
6. Thirdly, I address the issue whether the lack of decision log entries documenting the end of the Operation Caryatid had any impact on the decision taken in 2009. The lack of a specific recorded decision had no material impact on the 2009 decision. The same officers who were involved in 2006 were involved in 2009. Mr Yates had our decision logs in his office and had repeated and extensive verbal and written briefings from us. He knew why the operation had been closed down. My colleague, Keith Surtees was quite vociferous in suggesting to Mr Yates that he reopen the matter and even suggested that he ask the HMIC to have an independent look at it. I had no qualms about this as I was somewhat indignant at the suggestion by the Guardian that there had been a 'cover up.'

7. Finally, I would like to explain what documents I had to assist me in briefing John Yates on 9th July 2009. I did not have the case papers prior to briefing him. Instead, I briefed Mr Yates, to best of my ability, from memory. In fact, I do not believe that all the relevant material came to light until it had been scanned onto the Holmes system some months later. I ensured that material was disclosed to the Gold group. This included references to Tracy Temple. Mr Yates knew of this and I made a point of showing him all of the material as it became available.
  
8. This evidence is confirmed by the briefing to Mr Yates dated 09/07/09 given by DCS Timmons. That briefing concluded as follows "*Deputy PM John Prescott- PW and KS without reference to the exact documentation believe that Mr Prescott was not directly targeted although it is believed that members of his staff may have been. There has been no direct contact with Mr Prescott and he is not believed on the information available at this time that he was a "victim of interception."* At the time, the view of what constituted "interception" was narrower than it has become subsequently. Applying that definition Mr Prescott was not a victim I attach as Exhibit PW 2 the briefing document from DCS Timmons.

I believe

statement are true

Signature

Dated

20<sup>th</sup> November 2012