

THE LEVESON INQUIRY INTO THE
CULTURE, PRACTICES
AND ETHICS OF THE PRESS

WITNESS STATEMENT OF JOHN MULLIN

Independent Print Limited

2 Derry Street

London

W8 5HF

Tel:

Fax:

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WITNESS STATEMENT OF JOHN MULLIN

I, JOHN MULLIN of Independent Print Limited, 2 Derry Street, London, W8 5HF, WILL SAY;

1. I am the Editor of the Independent on Sunday, which is owned by Independent Print Limited ("IPL"). I confirm that the contents of this witness statement are true insofar as they are matters of my own knowledge, observation and impression. Insofar as this statement covers matters not within my own knowledge, I believe them to be true.
2. I make this witness statement in response to the letter to me dated 8 May 2012 from Khaleel Desai, Solicitor to the Leveson Inquiry into the culture, practices and ethics of the press. For ease, I have set out the questions in Ms Desai's letter below and respond to each question in turn.
3. Nothing in this witness statement amounts to, or shall be taken to amount to, a waiver of privilege in any legal advice given.

Question (1): Who you are and a brief summary of your career history in the media.

4. I am the Editor of the Independent on Sunday newspaper and have been in this position since January 2008.
5. I have worked in the media for approximately 25 years in total. I began my career in journalism at the Western Morning News in 1985. In 1987 I moved to The Independent as Business Correspondent. From 1990 to 2000 I was at The Guardian where I worked in various roles including reporter, Night editor and Ireland Correspondent.
6. Between September 2000 and January 2003 I was Deputy Editor of The Scotsman, before I returned to The Independent as Executive Editor. I held this position from January 2003 to January 2007. In January 2007 I became Deputy Editor of the Independent on Sunday, and since January 2008 have been in my current position of Editor of the Independent of Sunday.

Question (2) (a): In relation to the article and the Independent on Sunday's decision to publish it please confirm whether the Independent on Sunday had possession or sight of a copy of Mr Coulson's witness statement produced for the purposes of the Leveson Inquiry, or any draft of such a statement.

7. Since November 2011, we have been investigating Mr Coulson's settlement from News International in 2007, when he resigned as editor of The News of the World in the aftermath of the Clive Goodman and Glenn Mulcaire convictions. Our investigations began when a well-placed source – a former News International executive – intimated that Mr Coulson's compromise agreement was a document of considerable public interest. Our understanding from this conversation was that there was an ongoing financial relationship, but we were unsure what form it took. We began making further inquiries.
8. *The Independent on Sunday* ('the IoS') has also long been interested in what the Conservative Party in opposition had done to find out exactly what Mr Coulson's knowledge of phone-hacking was, and then when he went into Number Ten, what checks had been made on him. James Hanning, deputy editor at The Independent on Sunday, has made a statement to your inquiry which addresses some of this.
9. The IoS continued to make inquiries conscious that Mr Coulson was to appear as a witness before the Leveson inquiry on the issue of connections between the media and politicians.
10. The IoS last Wednesday learned from a confidential source that Mr Coulson's severance package included a NewsCorp shareholding. We were shown documentation that substantiated the source's information. The document shown to us did not form any part of a witness statement. We were then able to go to two further confidential sources to corroborate the shareholding angle. All of these involved are long-standing and trusted sources. None is a core participant to this inquiry.
11. The report published on Sunday was prepared without reference to any witness statement Mr Coulson prepared for the inquiry. As I have intimated, The IoS had several sources on this story all with the same information, and that is why we decided to publish. As editor, I took the view that the information that Mr Coulson had a potential conflict of interest between his shareholding and his position as an advisor to the Prime Minister was of public interest.
12. Late last Thursday, The IoS – and it is vital to emphasise we had confirmed the shareholding prior to this – received Mr Coulson's statement to the Inquiry. I cannot go into too much detail as to the identity of the source other than to say that the IoS was not shown the statement by a core participant or member of the Inquiry team, and to emphasise that the report came about as a result of separate journalistic inquiries.

Question (2) (a) (i) : If the Independent on Sunday had possession or sight of a copy of Mr Coulson's witness statement produced for the purposes of the Leveson Inquiry, or any draft of such a statement were you and/or the reporters

who wrote the story aware of Lord Justice Leveson's ruling dated 26 April 2012 (published on the Inquiry's website) prohibiting the publication of witness statements (in whole or in part) prior to their publication by the Inquiry?

13. The IoS is not a core participant at the Leveson Inquiry but was served with the order under s. 19 of the Inquiries Act 2005 on 26 April 2012. As I have explained, our story was put together without regard to Mr Coulson's statement – the shareholding had already been confirmed to us. The IoS was not choosing to publish any part of the evidence embargoed by the Inquiry as restricted by the order as the information had not come to us from that channel. No reference was made to any text from the statement, or to any exhibit, and no document was "published" by the IoS.

Question (2) (a) (ii) : If the Independent on Sunday had possession or sight of a copy of Mr Coulson's witness statement produced for the purposes of the Leveson Inquiry, or any draft of such a statement and you and/or the reporters who wrote the story were aware of Lord Justice Leveson's ruling dated 26 April 2012 why did the Independent on Sunday publish the story?

- **Why did you not consider the order to be a good reason not to publish;**
- **What public interest did you see in publishing information which the Inquiry was in any event going to put in the public domain this week;**
- **Why did you not seek to contact the Inquiry for permission to publish material contained in a witness statement before it had been made public?**

14. The IoS believes its story was in the public interest: we were revealing that Downing Street's communications chief, at a time when News Corp was bidding for BSkyB and was bound to be a political issue, held shares, and so had a financial interest in what the Government might decide.

Question (2) (a) (iii) : If the Independent on Sunday had possession or sight of a copy of Mr Coulson's witness statement produced for the purposes of the Leveson Inquiry, or any draft of such a statement and you and/or the reporters who wrote the story were not aware of Lord Justice Leveson's ruling dated 26 April 2012 why did the Independent on Sunday not give the Inquiry prior notice before publication of material contained in an unpublished witness statement submitted to it?

15. Because of the process by which the story was sourced and stood up, the IoS did not seek to contact the inquiry beforehand. I do not think our journalism caused us to breach the 26 April 2012 order because we had discovered it through our journalistic endeavour even if it was *also* contained in a witness statement.

Question (2) (b): In relation to the article and the Independent on Sunday's decision to publish it please explain to the fullest extent possible how the Independent on Sunday learned about Mr Coulson's shareholdings.

16. I should repeat that the IoS is not a core participant and not party to the confidential evidence to the Inquiry although we are fully aware of the orders which restrict the use of the witness statements and exhibits and have always abided by them. If we believed that a restriction on the use that could be made of evidence was disproportionate or unnecessary we would always apply to the Inquiry to vary the restriction rather than take any other action. I can confirm as editor that I and my journalists are always made fully aware of any orders made by the Inquiry.

17. I fully understand that the publication of the report could give rise to consternation on first inspection, which was most assuredly not at all our intention, and I apologise for that. The IoS, like the Inquiry, simply want the full facts to come out, and I will, of course, pay particularly close attention to the concerns raised by the s21 notice of 8 May 2012 going forward.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true.

Signed ...
JOHN MULLIN

Dated 9 May 2012