

THE LEVESON INQUIRY

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WITNESS STATEMENT OF  
GILES HUMPRHY CROWN

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I, **GILES HUMPHRY CROWN**, of Lewis Silkin LLP, 5 Chancery Lane, London EC4Y 9BY  
WILL SAY as follows:

1. I am a partner in the law firm Lewis Silkin LLP and head of the media, brands and technology department. I make this statement on behalf of Edward Bowles. The facts stated in this witness statement are true and within my own knowledge or are true to the best of my knowledge and belief. Where facts are not within my own knowledge I have stated the source of my belief (from Edward, unless otherwise stated).
2. I am a friend of Edward Bowles. We met when we were both at Bar School together in 1992, since when we have remained close friends. I have been assisting Edward and his family in relation to the matters set out in this witness statement on a *pro bono* basis. Edward has asked me to make this statement to the Inquiry on his behalf. In the circumstances, Edward does not feel able to give evidence to the Inquiry himself.
3. Edward is a British national who works for Standard Chartered Bank as Regional Head of Public Affairs for Europe, Middle East, Africa and the Americas. His wife, Ann, is a Belgian national. Edward and Ann's 11-year-old son, Sebastian, tragically died in a coach crash on the evening of Tuesday, 13 March 2012. They also have a 9-year-old daughter, Helena. The Bowles family relocated to Leuven from London in 2009 to be near Ann's family, with Edward commuting to and from the Bank's head office in London each week.
4. The crash in which Sebastian died killed 28 people in total, 22 of them children. Sebastian was the only British victim. The accident took place in a motorway tunnel near Sierre in Switzerland. The coach was returning to Belgium from a skiing trip organised for pupils at two Belgium schools, one in Lommel and the other, Sebastian's school, a Catholic school in Heverlee, a part of Leuven.
5. I was approached by the Inquiry solicitors on 23 March 2012 as to whether it might be possible for me to provide some additional factual background to a letter dated 17 March 2012 which I sent on behalf of the Bowles family to the Press Complaints Commission. The letter was sent for circulation to the PCC's member organisations and other contacts as well as being sent by me directly to various media outlets (the 'PCC Letter'). A true copy of the PCC Letter is exhibited hereto at GHC1. Prior to sending the letter I had discussed the matter with Ben Milloy at the PCC on their 24 hour emergency advice line.
6. The purpose of the PCC Letter was to try and protect the privacy of the Bowles family from unwanted media intrusion. In particular, and as referred to in the PCC Letter, this included journalists attending the family home in Belgium, the publication of a photograph of Edward and Helena grieving in a distressed state (the 'Helena

Photograph'), and the publication of the family's holiday photographs taken from Edward's Facebook site (the 'Family Photographs'). The unauthorised publication of these photographs by the media, including of their young daughter, caused Edward and Ann particular concern and distress.

7. The crash received extensive media coverage at the time. A few days after the crash, it emerged that there had been a British victim, a fact which also then received extensive media coverage. In particular:
  - a. The Sun published an article about Sebastian's death on the front page and continued on page five of its Friday, 16 March issue, a true copy of which is exhibited hereto at GHC2. It included on the front page under the headline "BRIT BOY KILLED ON THE COACH" a photograph of Sebastian in his skiing outfit taken from the online 'blog' set up for the trip (as explained further below), and on page five the headline "Dearest Mama, Papa, Helena and Flopsy. I can already ski quite well. We had hot dogs ... it's really great here", which was a quote taken from Sebastian's postings to his family just before he died also from the online 'blog'. The article also included a quote from a "family friend".
  - b. The Daily Mail published an article in its 16 March issue and online at [www.dailymail.co.uk](http://www.dailymail.co.uk). The online article, a true copy of which is exhibited hereto at GHC3, included the Helena Photograph (at page 14 of the online article marked 'HP'), the Family Photographs (at pages 1 and 3 of the online article marked 'FP') and the photo of Sebastian in his skiing outfit taken from the online blog (at page 2 of the online article). The article also included quotes of Sebastian's postings from the online blog (referred to in the article as "an online message to his parents"), named Helena as his sister, stated that "the shutters were down at their detached house on the outskirts of Leuven, near Brussels", and a quote from a neighbour in Leuven.
  - c. The Daily Telegraph published an article in its 16 March issue which included quotes of Sebastian's postings from the online blog and, I believe, the Helena Photograph. A true copy of the online version of the article is exhibited hereto at GHC4 (I have not, as yet, been able to obtain a copy of the hard copy version).
8. The accident occurred at 9.15pm on Tuesday, 13 March 2012. The families were informed of the accident in the early hours of the morning of 14 March. Edward travelled directly from London, by first plane at 6.40am, arriving at the Hotel des Vignes at around 11am on 14 March. The Hotel Des Vignes, which is located in a hamlet called Uvrier near Sierre, had been designated by the Swiss authorities as the centre for parents whose children had been involved in the crash. Whilst at the hotel, Edward was informed at 1pm on 14 March that Sebastian had not survived, whereupon he telephoned Ann, who was about to depart Belgium together with Helena and the other families by military flight arranged by the Belgian Government.
9. The following morning, Thursday, 15 March, whilst some families were taken to identify the bodies of their children, the others - including Edward, Ann and Helena - were taken to the scene of the crash. The Helena Photograph, which only came to

Edward's attention some days after the family returned to Belgium, was taken while Edward and Helena were under the porch of the Hotel Des Vignes, on private property, waiting to get on the coach to take them to the tunnel. The flowers that Edward and Helena carried in this photograph were placed at the crash scene in the tunnel.

10. The photographers were not allowed onto the hotel property and had been kept at a distance of about 20 metres by police posted outside the hotel. Coaches had also been placed behind the hotel gate, between the families and the photographers, in an attempt to obstruct the photographers' view of the bereaved families. It is clear from the photograph itself that it was taken at a distance without the knowledge of those photographed. Edward has confirmed that he would never have given his consent for the publication of this photograph, of his 9-year-old daughter grieving over the death of her brother, in such terrible and distressing circumstances.
11. Edward was later informed by his neighbours in London and Belgium that around this time, whilst Edward and his family were in Switzerland, there were packs of Press outside their homes. In addition to journalists calling at neighbours' houses, they also followed neighbours in London along the street, asking them about the Bowles family. In Belgium, the numbers of journalists were so great that the neighbours had to call police to have them cleared away; and the police had had to return every half hour or so to move on those journalists that had returned.
12. The family returned to Belgium late on 15 March and, rather than go to their own home, they stayed with Ann's parents for the first night.
13. On Friday, 16 March, whilst Ann went directly to attend the first meeting with the civic authorities concerning arrangements for the State funeral that was due to take place (and did take place) on 22 March, Edward returned to the family home in Leuven with Helena by car. Waiting at their front door on their return home was a woman who Edward suspected was a journalist. Edward asked Helena to remain in the car while he spoke to the woman. She asked Edward if she could speak with him. Edward asked who she was, and she identified herself as Caroline Grant from The Sun. Edward told her that he did not have anything to say to her, but that she could leave a note in his post-box if she wanted to. She then left the property and returned to her car, leaving no note. Ms Grant was at all times polite and somewhat apologetic. The next day a police officer handed Edward a note from Ms Grant (a true copy of which is exhibited hereto at GHC5) together with her business card which she had handed in at the police station.
14. A neighbour also called at Edward's house, slightly later on 16 March, to say that a journalist from Blick newspaper was with him and had asked him to approach Edward on her behalf. Again, a note was left in Edward's post-box by this journalist (a true copy of which is exhibited hereto at GHC6).
15. As a result of these visits, and from this point in time until more than a week later, Edward's family lived with their external window shutters closed because they were concerned about media intrusion.

16. On Saturday, 17 March, Matt Sandy from The Mail on Sunday arrived without prior warning at the Bowles' home. He carried a bunch of flowers. Edward opened the door, not knowing who he was, as there were quite frequent deliveries of flowers to the family home. Edward was in tears at the time. Mr Sandy explained who he was. Edward relayed to him the same message as he had to Ms Grant and the other journalists, thanked him for the flowers and then closed the door. Mr Sandy left a note (a true copy of which is exhibited hereto at GHC7).
17. Later on that Saturday, Edward was advised by members of his family that personal family photographs had been published on The Mail's website. These photographs could only have been taken from Edward's Facebook site. Edward is certain that he had placed all of his Facebook privacy setting on 'friends only'. Edward has no 'Friends' in the media on his Facebook site. In any event, he did not give, nor would have given, anyone permission to use or publish these photographs which were obviously of a private, personal and family nature. Once Edward found out that these photos had been obtained by the media, he first altered the settings to only allow access to the site to him alone and later deactivated his Facebook account altogether. It remains deactivated to this day. It was the publication of these photographs, together with the other media intrusion outlined above, that caused Edward to contact me around lunchtime on Saturday, 17 March 2012 to see whether I could help him in protecting his family's privacy at this exceptionally difficult time.
18. The PCC Letter was sent directly to (amongst others) Paul Dacre at The Mail by email on the afternoon of 17 March 2012. There was no response or acknowledgement. A follow up email was sent on 18 March which resulted in a letter in response dated 20 March 2012 from Julian Darrall, Group Legal Advisor, a true copy of which is exhibited hereto at GHC8. This letter acknowledged that the Family Photographs had been taken from Edward's Facebook page on the Friday after the accident, without permission, but sought to defend the unauthorised taking and publication of these photographs on the basis that "they were openly accessible". It continued "the page's privacy settings have now been increased and, as per your request, we have removed those photographs from the website". The letter also stated that the newspaper had no wish to add to the family's distress and "accordingly, we have circulated an internal warning detailing the issues raised in your letter of 17 March and setting out your clients' concerns". Although the Family Photographs were removed from the Daily Mail website the Helena Photograph was not removed and remains on the website still, to Edward and Ann's great disappointment and concern. A true copy of the article currently on the website is exhibited hereto at GHC9.
19. The PCC Letter was also sent directly to (amongst others) Tony Gallagher at The Daily Telegraph by email on 17 March 2012. This resulted shortly afterwards in an email from Tony Gallagher enquiring whether the letter related specifically to The Daily Telegraph or was just a general warning letter to the media, and if the former leaving a number for me to contact him on. I followed up with a telephone call to Mr Gallagher and explained that Edward and Ann specifically objected to publication of the Helena Photograph. Mr Gallagher said that as I was "late to the party" in relation to this matter he would explain the background. He said he had known that there had been a UK victim some days before it had become public but he had held off publishing anything because he knew Edward. Mr Gallagher asserted that it was legitimate to publish the

Helena Photograph as it was now in the public domain and had been taken in a public place. I disagreed with him, because of Helena's age and the circumstances in which the photo had been taken. I said that if he was a friend of Edward's he should know that Edward had specifically complained about the Helena Photograph. He said that he did not want to cause additional distress to the family and would check that the photograph was not available on The Telegraph website. I do not believe that the photograph was ever published on that website. I subsequently learned from Edward that Mr Gallagher went to the same church in Muswell Hill as Edward did when his family lived in London, and was a Governor of the school that Sebastian and Helena went to in Muswell Hill. Ann was also a Governor at the same time. Edward does not claim to 'know' Mr Gallagher, but knew of him, although they have never spoken to each other. Edward is aware that Ann has spoken to Mr Gallagher in the past, but only in the course of Governor meetings.

20. Geraint Vincent of ITN News also called at the house in Leuven on Monday, 19 March, but Edward was out and his brother-in-law answered the door. Mr Vincent was also civil and left a note dated 16 March in the post-box (a true copy of which is exhibited hereto at GHC10).
21. I have been told by Matt Newton, of Finsbury PR, who act for Standard Chartered Bank, that he also had contact with the media in relation to Sebastian's death and the media's coverage of the accident and in particular the involvement of Edward, a senior employee of the bank. Mr Newton told me that he dealt on Standard Chartered's behalf with a number of media enquiries in relation to the story. He asked all members of the media to whom he spoke to respect the family's privacy and in particular not to publish any photographs of the children or to reveal their names. He was told that a journalist from The Sun had shown up outside the family home in Belgium and he then left a message on The Sun's newsdesk asking them to make sure their journalist left the premises and respected the family's privacy. In a subsequent conversation with The Sun he spoke to one of its news editors and it transpired that they were going to run a story about Sebastian's death. Mr Newton was firm in expressing the family's clear desire not to participate or talk to any member of the media, and he asked them in particular not to publish any photographs of the children. The Sun told him that a photograph of Sebastian was already available online and therefore they were going to run with it in the paper. Mr Newton made clear that in his view a photograph appearing somewhere online was very different from publishing it in The Sun, and repeated his request not to publish any photographs. The following morning The Sun published a large photograph of Sebastian on the front page. Mr Newton called the journalist and asked him not to take the story any further, and stressed the family's desire to be left alone.
22. For the sake of completeness, the Inquiry should be aware that the Helena Photograph also appeared in the Belgium media, including on the front cover of the 16 March 2012 issue of Het Laatste Nieuws, a Belgium newspaper, and in the 24-30 March 2012 issue of Moustique magazine, a weekly magazine for the French-speaking community (a true copy of which is exhibited hereto at GHC11). Edward saw the Moustique magazine in a supermarket whilst with Helena, as it was prominently displayed beside the narrow entrance to the main body of the shop, and they were both very upset by it. As they passed it, another member of the public pointed to them both.

23. I understand that the Belgian Journalist's Council (Raad) is investigating certain aspects of the reporting of the accident by the Belgium media particularly in relation to "people in vulnerable positions, such as minors and victims and their families" and that "any identification must be weighed against the social importance of reporting".
24. As mentioned above, the reporting of Sebastian's death by the UK media made prominent use of personal messages from Sebastian to Edward, Ann and Helena, as well as a photograph of Sebastian in his skiing outfit. Both were taken from the blog of the skiing trip that was posted through a website set up for this purpose, not linked to the school website. Neither Edward nor Ann gave permission for the publication of any material from the blog. This website was not protected by any password, but it was clearly intended only for the parents of the children on the trip, so that they could communicate with their children and see what they had been doing each day. Once it became known that the media had taken information from the website, it was shut down. This, in itself, caused distress to Edward, Ann and the other parents because it was the only available record of their children's final days and hours. The school has now been able to make that information available to the parents by another means.
25. Following the PCC Letter, the level of media activity at Edward and Ann's home greatly reduced and there was no apparent media presence at Sebastian's private funeral service which took place in Leuven on Saturday, 24 March 2012, for which Edward and Ann were very relieved. Charlotte Dewar at the PCC sent me an email on 26 March 2012, following up on my call with Mr Milloy, in order to check how the service had gone and whether there were any ongoing concerns which the PCC may be able to help with.
26. Edward would like to make clear that he did not object to the media's reporting of the accident in itself, as he recognises it was a tragedy of national significance for Belgium, and also Switzerland. He also acknowledges that the fact that his son, Sebastian, was the only victim with a UK nationality provided the UK media with a reason to focus on the story more than it otherwise might, and to draw attention to Sebastian's death in doing so. Edward observes that the reporting of Sebastian's death had the effect, almost certainly unintended, that he had no need to contact anyone to inform them about Sebastian's part in the tragedy. However, Edward did and does object to the nature of the media coverage and intrusion as set out in this witness statement.
27. Edward has agreed to provide this evidence to the Inquiry, on request, solely for the assistance of the Inquiry, and because the incident occurred whilst the Inquiry was under way. Edward and his family are not public figures, but have through personal tragedy been caught up in a public event. The Bowles family have not made and will not be making any public statement to the media in relation to these matters. Their agreement to provide this evidence to the Inquiry in no way should be taken as waiving their right to privacy or their desire to be left alone by the media to continue to grieve over their son's tragic and untimely death.

I believe that the facts stated in this Witness Statement are true.



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**GILES HUMPHRY CROWN**

**25<sup>th</sup> June 2012**

**THE LEVESON INQUIRY**

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**WITNESS STATEMENT OF  
GILES HUMPHRY CROWN**

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