

IN THE MATTER OF THE LEVESON INQUIRY

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WITNESS STATEMENT OF IAN EDMONDSON

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I, Ian Edmondson, in response to the section 21 (2) notice served upon me on 16<sup>th</sup> December 2011, say as follows:

1. Please bring to mind the Max Mosley litigation and the three emails dated 2<sup>nd</sup> and 3<sup>rd</sup> April 2008 referred to at paragraphs 81-83 of the Judgment of Eady J. Mr Neville Thurlbeck has claimed in evidence to the Inquiry that you had a hand in the drafting of one or more of these emails. Is this correct ?

I cannot specifically recall these emails.

As he made plain in his witness statement, and in his evidence before this Inquiry, Mr Thurlbeck has been a journalist for over 20 years. At the time of these emails he was Chief Reporter at the newspaper. I was not in the habit of telling Mr Thurlbeck what to put in his emails.

It would be standard practice in such a situation for attempts to be made to contact the women involved for them to tell their side of the story. I cannot say whether Mr Thurlbeck suggested contacting the women to me, or if I suggested it to him. I would have been aware that he was attempting to contact the women.

If not, do you have any comment on this aspect of Mr Thurlbeck's evidence which might assist the Inquiry?

No.

2. If so, please explain whether you agree that these emails constituted a threat to the women concerned and why you thought it appropriate to participate in their preparation.

Please see the answer to question 1 above.

3. The Inquiry has received evidence from a private investigator, Mr Derek Webb. In light of that evidence:-

- (i) On approximately how many occasions did you instruct him to carry out surveillance of targets ?

I instructed Mr Webb to carry out investigative work on quite a few occasions. While I cannot be precise, and there was no fixed pattern, I would estimate that as an average I might have sent him on a job per week or so. The financial records held by the News of the World should record the details.

- (ii) What was the purpose of such surveillance ?

I recall that Mr Webb was Neville Thurlbeck's contact and Neville had said that we should use him so that he did not go elsewhere. I regarded Mr Webb as similar in overall function to a photographer or even a quasi-journalist, in that it was his job to obtain information to prove a story and/ or to ensure that a story which was being run was true.

If the newspaper wanted to conduct surveillance it would generally use a reporter and/or a photographer. Reporters and photographers are not trained in surveillance, and so are sometimes unable to remain unobserved by the subject. In those circumstances, Mr Webb was a more suitable person to use.

**{iii) What was the public interest in such surveillance ?**

The public interest would be in the story, as opposed to any investigation that was carried out by Mr Webb. If it was decided that there was public interest in a story, then investigations would be carried out to ensure that the story was accurate and correct and Mr Webb was sometimes used as part of that process.

**{iv) Was Mr Crone aware of such surveillance ?**

Yes, any evidence obtained as a result of investigations which potentially were going to be published as a story or as supporting a story would be shown to both the editor and the in-house lawyer by myself and/ or my deputy. If we were not around, such evidence would be raised by a senior journalist.

Mr Crone (as the newspaper lawyer) would to my knowledge often know as much as the editor in relation to the evidence behind any legally sensitive story. It was important that they were both fully aware of all the evidence that was available prior to a story being published, where the story was important or legally sensitive.

**{v) Were your editors aware of such surveillance, and if so what discussions did you have with them about it ?**

Yes it was clear from my regular discussions with them that they were aware. We would often discuss the product of any investigation to see how it affected the story in question.

(vi) Did you instruct Mr Webb to undertake surveillance of two lawyers, Ms Harris and Mr Lewis (or either of them); and if so for what purpose? Who asked or instructed you to instruct Mr Webb?

I did, on the express instructions of Tom Crone, ask Mr Webb to investigate Ms Harris and Mr Lewis as Mr Crone was concerned to learn whether they were, or might be, sharing confidential information.

I recall that, at the relevant time, Tom Crone told me that he had a great story that he wanted me to investigate and went on to talk to me about Charlotte Harris and Mark Lewis. At the time I had to ask him who they were as I was not aware of them. He told me that they were lawyers involved in phone hacking cases and that he (Tom Crone) suspected that they were having an affair and that confidential information was being passed back and forth between them in breach of their professional conduct rules and/or in breach of Court rules generally.

My response to Mr Crone was to express very considerable surprise and to say that I could not begin to see why the newspaper would want to run such a story. Tom Crone's response was that he accepted that (namely that it was unlikely material for inclusion in the newspaper as a story) but told me that the main reason to investigate was that it could provide the newspaper with good leverage against the two individuals.

This concerned me and I asked Tom Crone outright whether the editor, Colin Myler, knew that he (Tom Crone) was asking me to work on this and to put Mr Webb onto it and Mr Crone's response was that he (Mr Myler) did know. I was still not entirely happy about this and so I said to Mr Crone that I wanted an email to confirm that Colin Myler was aware of this request. To the best of my recollection, I wrote an email to Mr Crone

asking him to confirm that Mr Myler knew about this instruction, and I received a response from Mr Crone saying that he did.

I also recall Tom Crone specifically asking me to arrange for Derek Webb to investigate the two lawyers. He said that he thought Mr Webb was "good". I specifically remember this because I recall that it sparked a brief debate between Tom Crone and me as to which budget the expenses of hiring Mr Webb should be allocated to. I asked whether this expense would be allocated to the legal department budget rather than the news desk budget. This was on the basis that this was a story that was being worked on for legal department reasons rather than because any story was ever likely to be published in the newspaper.

**(vii) What was the reason for Mr Webb being instructed by you to join the NUJ ?**

I do not recall whether I personally instructed Mr Webb to join the NUJ. Mr Webb's evidence to the inquiry was that it was Mr Thurlbeck who mentioned it to him. Mr Webb in some ways was moving towards more of the role of a journalist in that he worked for us and did jobs immediately surrounding a story. I vaguely recall discussing Mr Webb with Colin Myler and I recall that the view was taken that it would make sense for Mr Webb to join the NUJ. I cannot recall precisely what reasons were discussed but I believe that they included that Mr Webb was in effect carrying out an investigative journalistic role. I think that it reflected reasonably accurately what his job involved or included.

I would accept that there was also a feeling that the term "private investigator" had negative connotations at that time. I think that such a perception of private investigators was unfair on people such as Derek Webb.

Although Mr Webb was used on a freelance basis, he was invited to the Newsroom Christmas lunch. It was rare for any freelancer to be present: this was a lunch solely for journalists in the Newsroom. I only mention this to show he was seen by other journalists as "one of the team" by them.

**4. In relation to the McCann diary story (14/09/08):-**

- (i) To the best of your recollection, did you have any relevant conversation with Mr Clarence Mitchell in any occasion other than on Friday 12<sup>th</sup> September 2008 ? If so, give the date or dates of such conversation, the gist of what was said, and provide any transcripts of the same.**

In relation to the McCann diary stories, I did not have any other conversation with Mr Mitchell other than the conversation on Friday 12<sup>th</sup> September.

- (ii) Why did you record the conversation with Mr Mitchell on 12<sup>th</sup> September 2008 ?**

I was told to record this conversation by Colin Myler. It was standard practice to record conversations which might need to be relied on subsequently.

- (iii) During the course of that conversation, did you make it clear to Mr Mitchell that the News of the World had obtained a copy of Dr K McCann's personal diary from a source who had obtained it from the Portuguese Police, and that the paper intended to write a story based on that diary quoting verbatim from it ? If so, please identify with reference to the transcript of your conversation where you made it clear.**

I did not make this clear, on express instructions from Colin Myler.

I had been working on the presentation of this story for some days. Mr Myler was aware that we were obtaining the diaries. I had excerpted parts of diary which demonstrated that the McCanns were not involved in the disappearance of their daughter. This was the angle which we were interested in promoting. I believe that we had removed parts of the diary which were unnecessary to demonstrate their innocence, and were merely private or personal entries.

Prior to telephoning Clarence Mitchell, I was called to a meeting with Colin Myler and Tom Crone to discuss the possibility of running this story and the possible consequences. I recall Tom Crone advising Mr Myler, but understand that I cannot reveal the content of that advice as it is legally privileged. I believe I can say that Mr Myler did not seem particularly happy at the advice he was given.

I recall suggesting to Mr Myler that, given his access to Dr G McCann (he was the only one to have his mobile telephone number), that he telephone Dr G McCann and talk it through with him. Mr Myler disagreed with that suggestion. He decided to run the story. He told me to have a conversation with Mr Mitchell in which I should refer to us running a story about Dr K McCann's diary but in which I should not make the full position clear. He told me to make it plain that we had some sort of access to the diaries, and that we might run a story, but that I should not make it clear that the intention was to quote verbatim from it.

I was conscious that Mr Myler had good relations with Mr and Mrs McCann and Mr Mitchell and that he could easily have made this telephone call himself if he had wanted to. But, instead, he told me to do it. It seemed to me that this was to keep him one step removed from the situation so that he

was better placed to deal with any fallout (as in the event, he did, by apologising for the story).

I recall thinking at the time that this was not fair to Mr Mitchell or Mr and Mrs McCann. However, I felt powerless as I had been categorically told what to do by the editor and from my experience of working for Mr Myler, I did not believe that challenging him or disobeying him would achieve anything other than negative consequences for me.

I am aware that this is not the account given by Mr Myler. I would point out to the Inquiry first, if I was really acting contrary to my editor's instructions that I would not have recorded the phone call to Mr Mitchell and provided a transcript of it to Mr Myler a couple of days after publication, and second, if I had lied to the editor and the lawyer and that had been the cause of the distress to Mr and Mrs McCann, and an apology was then published in the News of the World to Mr and Mrs McCann, and also money was then paid out by the News of the World to Mr and Mrs McCann - had I lied to my editor in that way and with such consequences, I would have been instantly dismissed. This did not happen.

- (iv) **Did Mr Mitchell agree to the publication of such a story on that basis? If so, please identify with reference to the transcript of your conversation where he gave that agreement.**

I refer to my answer immediately above.

**STATEMENT OF TRUTH**

**I believe the facts in this witness statement are true.**

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**Ian Edmondson**

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**Dated**