

NI Group Limited  
M. Linklater  
First Statement  
"ML1" – "ML2"  
29 November 2011

**IN THE MATTER OF THE LEVESON INQUIRY INTO THE CULTURE, PRACTICES AND  
ETHICS OF THE PRESS**

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**WITNESS STATEMENT OF  
MAGNUS LINKLATER**

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I, Magnus Linklater, c/o News International, Guildhall, 57 Queen St, Glasgow G1 3EN, will say as follows:

- 1 I am the Editor of the Scottish Edition of The Times and have written for The Times for 17 years.
- 2 I have been shown paragraphs 35 and 36 of the first witness statement of Richard Thomas and make this statement in reply.
- 3 I have read my article which was published in The Times on 1 November 2006 (Exhibit RJT23) and can confirm that I did not write it on the direction of Les Hinton or anyone in management at News International. As a commentator of long standing, I regard my independence as paramount, and would never accept directions from management as to what I should or should not write.
- 4 I have taken a strong interest in legal or policy matters relating to free speech and have frequently written about issues such as trial by media and contempt laws. Examples include "Treating the law with an open contempt" (20 December 2006, Exhibit ML1) and "Wellington was right. Resist the muzzle." (23 June 2011, Exhibit ML2).
- 5 I can say that I wrote the article out of my own personal interest in the subject matter as a result of following up on an interview in The Times on 28 October. I also talked to the in-house lawyer at The Times at the time, Alastair Brett, who I remember was very keen to increase awareness about the possibility of prison sentences being introduced for journalists. He would have informed me about the issue that The Sunday Times had encountered in 2003 as he, as the in-house lawyer for Times Newspapers, the publisher of both The Times and The Sunday Times, had dealt with the request I mention which had

been made by the ICO for the Editor of The Sunday Times to attend an interview following publication of details of Lord Levy's tax affairs.

- 6 My view on the proposals is reflected in the piece. The view was informed by the effect on journalists but also more widely on anyone carrying out legitimate investigations. As the interview had done, I identified the conflict between freedom of information and the tough penalty the Information Commissioner proposed.
- 7 I have been told that Mr Thomas may have assumed that the article I wrote was intended to criticise him because his report, "What Price Privacy?", published in May 2006, in which he first made the proposal to introduce prison sentences for breaches of the Data Protection Act, contemplated potential offences by newspapers. I can say that this was not the motivation for the article in any way.

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

Signed ..

Dated ..... 24/Nov 2011 .....