

## The Leveson Inquiry

### Witness Statement for Part 1, Module 1

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Witness statement of Margaret Watson

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I, Margaret Watson c/o Collyer Bristow LLP, 4 Bedford Row, London WC1R 4DF will say as follows:

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1. I make this statement in connection with my role as a Core Participant in the Leveson Inquiry together with James Watson.

#### Background

2. On 10 April 1991 our much loved and now sorely missed 16 year old daughter, Diane Watson, was stabbed to death by Barbara Glover in the grounds of Whitehill Secondary School during morning recess. On 25 July 1991 Barbara Glover was convicted of Diane's murder. Barbara Glover was also found guilty of assaulting Diane the day before the murder on 9 April 1991. She received a sentence of 'without limit to time' and was committed to Kerelaw Secure Unit. She was released from prison on 26 January 2000.
3. Prior to the murder, Barbara Glover's boyfriend had falsely stated to her that he was going out with Diane. I understand he had done so in order to end their relationship and stop Barbara Glover calling his home. Outraged by this, Barbara Glover directed her anger towards Diane by calling her names and making threats. She told our 15 year old son Alan on 8 April 1991 that she would have Diane beaten up and would slash Diane's face. Following the assault of Diane on 9 April she also threatened to kill her. We deeply regret not taking these threats more seriously at the time. It is something that haunts us daily. On the day of the murder, Barbara Glover laid in wait for Diane to come out of class with a large kitchen knife. When Diane passed she cornered her against a car and stabbed her.
4. These facts were established in evidence at Barbara Glover's trial, the transcript of which I have since obtained.

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5. I cannot describe in this statement the shock and grief that my family and I felt following the tragic death of Diane. It was a harrowing and difficult time for us all. This was made worse by the way Diane's murder was portrayed in the press and in particular by certain journalists.

#### The 1<sup>st</sup> article

6. On 2 August 1991, just days after Barbara Glover's conviction, an article by Jack McLean was published in the *Glasgow Herald*. A copy of the article is attached to this statement in a bundle of documents marked "MW1". It gave a false account of the circumstances surrounding Diane's murder and contained a number of huge inaccuracies. I do not intend to list in detail here all the parts of the article my family and I take issue with but I will set out some examples. Overall, the article was extremely misleading, insensitive and overly sympathetic to Barbara Glover, down playing her responsibility for the murder and portraying her as the victim not Diane.
7. Particularly misleading and insensitive was the way Jack McLean framed his account in the context of class differences. He wrote *'Diane came from a background which was rather upper working-class. For years this class element determined that young Barbara was something of an object of the kind of snobbish disdain that occurs within the working-classes. Diane had the smart white socks of the daughter of the labour aristocracy. Barbara did not'*. My husband and I felt very strongly that social class was irrelevant and Diane was certainly not snobbish. In fact, Mr McLean's description of us was totally wrong. At the time of Diane's death my husband was a casual worker for Royal Mail which meant he never worked a full week and was on very low wages. I worked part time as a dining attendant in a local primary school. We certainly did not regard ourselves as the 'labour aristocracy' and there is no way that Diane would have looked down on anyone given her upbringing and our financial situation.
8. Mr McLean had little regard for the true factual position. For example, he said that Barbara Glover wet herself in the dock. I was in court throughout the trial and she certainly did not wet herself. Mr McLean also said that Barbara Glover committed the murder in a

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moment of madness. This does not match the evidence the court heard or the findings it made. Barbara Glover placed the knife used to kill Diane in her bag the night before the murder and hid in waiting for Diane on the day that she murdered her. There was simply no basis in fact for what Mr McLean wrote. It would have been easy for him to contact us to ask about our background and details of the trial but instead he chose to mislead his readers and portray Diane as the aggressor and Barbara Glover as the victim.

**The other articles**

9. On 26 June 1992 the *Glasgow Herald* published a second article by Mr McLean which compared Diane's murder with another murder case where the accused had been found not guilty. The comparisons it made again gave a misleading picture of the situation. Mr McLean used his article on this unrelated case to call for the murderer of our dear daughter to be released, something which we found extremely insensitive. A copy of the article is at MW1.

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10. Then, later that year, in September 1992, a feature by Meg Henderson about British children serving life sentences was published in *Marie Claire* magazine. A copy of the article is also at MW1. It gave a distorted account of the events leading up to Diane's murder. The girls' real names were not used but it was painfully clear that this article was about the murder of our daughter Diane. Like the McLean articles, this article was factually inaccurate. For example, Meg Henderson described an incident prior to the murder where 'Donna' (Diane) had pulled 'Jean's' (Barbara's) t-shirt off, leaving her standing in her bra in front of other children. This spurious statement published as fact in *Marie Claire* simply did not happen (it was not even part of the evidence given by Barbara Glover at the trial) nor had there been several skirmishes between Diane and Barbara. Unfortunately, the statements in *Marie Claire* have gone largely unchallenged as the families of murder victims have no legal standing when their deceased loved ones are defamed.

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11. Meg Henderson's article portrayed Diane as a bully and Barbara Glover as the victim. The article was clearly written to gain public sympathy for Barbara Glover. Meg Henderson was a journalist

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campaigning for young offenders (as shown by an article she did for Scotland on Sunday dated 2 May 1993 and a further article expressing concern for the wellbeing of a convicted rapist who had absconded from a young offenders institute and then been re-imprisoned). While I recognise the importance of journalists being able to write freely about such issues, I strongly object to them publishing untrue and defamatory material about the victims of crime in the process.

12. It later turned out (see below) that Meg Henderson had based her article on contemporaneous press cuttings of the arguments put forward by the defence at trial. It is important to remember that at the trial, the judge said that Barbara Glover had not been bullied by Diane and he ruled out any provocation. To this day, I simply cannot understand how such a serious crime could be reported in such an unbalanced and irresponsible way. Meg Henderson's article was utterly outrageous. In highlighting her concerns for young offenders, she defamed Diane's good character and damaged her reputation at a time when she was no longer able to protect it.
13. The articles published in the *Glasgow Herald* and *Marie Claire* had a devastating effect on our whole family, at time when we were struggling to come to terms with the murder of our daughter. It was extremely distressing and traumatic to read these misleading and defamatory accounts in the press.

**Alan**

14. Tragically, it was all too much to bear for our dear son Alan and he took his own life on 5 December 1992. He was found holding copies of the articles referred to above. We are in no doubt, that the way Diane's murder was misreported by Meg Henderson, Jack McLean and others contributed directly to his tragic death. Alan had expressed his justifiable anger at how his sister's good name and reputation was being unjustly damaged. We, like Alan, could not understand why the journalists had written about Diane's murder in this way. As a family we sought the advice of a solicitor, who explained that we could do nothing to hold the journalists or publishers to account given that Diane was deceased. Alan found

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this impossible to come to terms with.

15. The fact that Jack McLean had written about Diane's murder in such a terrible way was heartbreaking. To make matters worse, on the day of Alan's funeral, 11 December 1992, a third article by Jack McLean was published in the *Glasgow Herald*. It made scathing reference to a House of Commons debate which had taken place shortly after Alan's death and during which our local MP, Michael Martin, criticised Mr McLean about his insensitive articles. We never thought that he would sink to such a low and publish a further deeply offensive article at this time. It was an unethical and unforgivable intrusion into our grief.

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16. Mr McLean later denied any knowledge of Alan's suicide at the time of writing this third article. However, this is hard to believe given it was a prominent feature of the debate which Mr McLean attacked. There was no disputing the fact that Alan's death was mentioned by both our MP Mr Martin and by Lord James Douglas-Hamilton (Under Secretary of State for Scotland) during the House of Commons debate. I believe that Alan's death was precisely what Mr McLean was referring to in his article when he stated 'this was a tragic case and further tragedies have followed'.

**Action taken in respect of the articles**

17. My husband and I have done all we could within our limited power to take action in respect of the material published. We made considerable efforts to obtain retractions and apologies from the *Glasgow Herald* and *Marie Claire* and to seek justice for Diane but we were faced with obstacles at every step of the way. It was extremely difficult as we were not able to spend vast sums on legal fees and other than the PCC, there was no organisation that we could turn to for help.
18. In 1992 I wrote letters of complaint to Mr McLean and The Herald and so did my MP Michael Martin. Mr McLean responded personally saying he was sorry for what happened to Diane but ultimately he stood by what he wrote. The Deputy editor of the paper also replied asking whether I wanted a letter from me to be published in the paper. I did not think that either of these responses was good enough. I felt the newspaper should take full

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responsibility and admit that it had got the facts wrong. Only a full apology and retraction from the paper setting the record straight would have gone some way to repairing the damage that had been inflicted on our whole family. A full apology and retraction would have helped rectify the damage done to the good name and reputation of our dear daughter Diane and would have done something to ease the added trauma inflicted on our dear son Alan.

19. In another letter to Mr Martin, Jack McLean again refused to admit what he had written was not factually correct. He said that his basis for the article was contact with the solicitors and counsel for both defence and prosecution as well as the doctors, teachers and local people involved with both families. However, statements from our doctor and the head teacher at Diane's school totally contradicted these claims.
20. After these letters, I tried to secure a meeting with Mr McLean and his editor. I waited outside the newspaper's offices most days for over six weeks with a placard demanding a meeting with Mr McLean. The editor of the *Glasgow Herald*, Mr Kemp, finally agreed to see us and a meeting was arranged with him and Mr McLean. Two solicitors were also present at the meeting. One was representing the newspaper and one was representing Mr McLean personally. We could not afford to have legal representation at the meeting but we requested to have the meeting tape-recorded which we were allowed to do. When the meeting took place, it quickly became clear that they were not willing to do anything properly to remedy the damage caused. It also became clear that Mr McLean was aware that his article was based on little knowledge of the actual evidence presented at Barbara Glover's trial. Mr Kemp stated very clearly that he did not edit Mr McLean's articles and he did not agree with Mr McLean's statements about Diane. Despite this, he seemed to continue to support Mr McLean, emphasising his right to free speech. While I fully endorse freedom of expression, it seems to me that journalists should have to behave responsibly when exercising this right, especially when they are intruding into the private grief of the families of victims of crime.
21. Before Alan's death, my MP Mr Martin and my solicitor also made complaints to *Marie Claire*. Meg Henderson claimed to have based

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her article on an interview and exchanges with Barbara Glover conducted during the filming of a TV documentary at the Kerelaw unit. The existence of a full interview and its proper authorisation has been denied by Strathclyde Social Work Department. It is possible that she did speak to Barbara Glover but it seems unlikely that a proper interview with the appropriate checks and balances was undertaken. Given the false statements in Meg Henderson's article we certainly have no reason to believe her over the Strathclyde Social Work department. We have always been outraged that she was able to publish material pretending to be fact on the basis of an 'interview' with Barbara Glover.

22. The magazine went on to make claims that the factual content of the article was based on the proceedings of Barbara Glover's trial and it suggested that a transcript had been available to it. This proved to be untrue. We know only too well how difficult and expensive it was (and still is) for anyone other than the convicted to obtain a transcript of a criminal trial. This is something we would like to see change. As it turned out, contemporary press reportings of the trial were the source material and annotated press cuttings which I was shown at a meeting at Marie Claire in London showed that Meg Henderson had based her article solely on arguments put forward by the defence.
23. In the end, we did secure an apology from *Marie Claire*. However, this did little to lessen the pain and suffering we had experienced. As a result, I strongly feel that there should be tighter controls and regulation over what the press can publish about serious crimes such as murder. The damage on families of victims of crime caused by misleading and inaccurate accounts in the media cannot be overstated. Stories should be subject to detailed restrictions and checking by editors and those who are likely to be affected should have the chance to comment first (an opportunity we were not given in relation to any of the articles published about Diane). I have been in contact with the organisation Victim Support Scotland, an information and support service for families and individuals who have been affected by crime. They have helped a lot of families deal with the portrayal of victims in the media and as a result have a wealth of knowledge about the issues involved and the possible solutions for the future. I attach at MW1 a report written by them

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which I would like the Inquiry to consider.

**The PCC**

24. My husband and I made a complaint to the Press Complaints Commission in September 1992 based on the Code of Practice as it then stood to the effect that the *Marie Claire* article had been inaccurate to the point of distortion and had intruded on our privacy with tragic consequences. The complaint was pursued through our solicitor until around March 1993 but unfortunately at this time we were unable to take matters further owing to the consequences of our trauma and ill health. Our solicitor, in error, wrote to the PCC saying that we were satisfied with the terms of an article to be published in *Marie Claire*.

25. In fact, we did not feel that our complaint had been dealt with adequately and so I contacted the PCC myself in around November 1993 when I was once again able to do so. I clearly remember the details of a telephone conversation I had with a Mr Tony Austin. He was unwilling to treat my complaint with the seriousness that it deserved and he used the fact that my solicitor had written to him accepting the *Marie Claire* apology as an excuse to do nothing further. I strongly feel that my family and I were treated extremely unfairly and the PCC should have taken an active role in investigating a situation where inaccurate and misleading reports had been published about a serious crime. It seems to me that if the PCC is either unwilling or unable to properly take action against press wrongdoing then there is absolutely no way it can adequately regulate the sector.

26. Further articles about Diane's murder and Barbara Glover were published following Barbara's release from prison. One such article appeared in the *Daily Record* in 2001. The article was written following an interview with Lord McCluskey, the judge at Barbara Glover's trial. I wrote to him about it and his letter in response is at MW1. It clearly shows the impression he formed of our daughter Diane at trial and it also suggests that some of his comments about people who commit crimes had been taken out of context in relation to Barbara Glover. There was also an article in the *Sunday Mail* in 2003. A copy is at MW1. The article portrayed Barbara Glover as a victim. Complaints about it made by me to the PCC did not yield a

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satisfactory response. I attach copy letters from the PCC and the newspaper at MW1.

27. I set out below some of the work my husband and I have done to try to change the law in relation to the reporting of serious crime in the press and what we would like to happen in the future. However, I should state here that as far as the PCC is concerned, I would like to see an entirely new and independent body (with an office in Scotland as well as England) established which could hear oral evidence from individuals either written about or affected by stories such as the ones I have described above. I think there should be a forum whereby individuals can put evidence and questions to the journalists and where the body established could make a fully informed determination. Further, if an article is found to be inaccurate or misleading an apology or correction should appear as a front page leader or should at least have the same prominence as the original article.

**Our campaign for change**

28. As a result of our experiences, my husband and I have campaigned for change in relation to a number of issues which are of importance for both families of crime victims that have been subject to press wrongdoing and the public at large.
29. We have been involved in various support groups including 'Families of Murdered Children' and 'Justice for Victims'. We took action to try to prevent criminals from profiting from their crimes by way of publishing material relating to them and, in the process, intruding upon the families of their victims once again. In May 2002 we submitted a Public Petition to the Scottish Parliament on this issue. A copy is at MW1. It went through various consideration stages with the Public Petitions Committee raising the issue with the Scottish Executive and the UK Home Office on a number of occasions over the years.
30. There are now provisions in The Coroners and Justice Act 2009 which allow the courts to make an 'exploitation proceeds order' in respect of offenders. This is a positive step forward, and while I had hoped that the legislation would have gone further I am pleased that

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some change has been brought about.

31. More importantly, however, is the issue of defamation of the deceased. There is currently no legal redress for families of the deceased when their loved ones are defamed or private information about them is published in the press. The Scottish Public Petitions Committee allowed us to increase the scope of our Petition to include this issue and the Committee has since considered defamation of homicide victims in this context. The Committee came to the conclusion that a Government consultation was the best way to take this forward. The Consultation Paper 'Death of a Good Name, Defamation and the Deceased' was published in January of this year. I attach a copy of the Consultation document at MW1.

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32. Written responses to the Consultation questions were required to be submitted by 4 April 2011 this year and a summary analysis of responses has now been published. A copy is also at MW1. I understand that the usual time frame for considering a consultation paper is 3 months. Until very recently we had not heard anything further and I had understood that it was on hold pending the outcome of this Inquiry. However, I have now been told that the Scottish Ministers may be in a position to announce their conclusions before the end of this month. Nevertheless, I think that rights for the deceased in relation to press intrusion and wrongdoing are something that it is extremely important for the Inquiry to consider.

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33. I understand that there are several European countries which have laws which allow families to protect the privacy and reputation of a deceased relative and I would to see similar legal rights for individuals in Scotland, England and Wales.

34. I understand that my case may seem somewhat unique to the Inquiry but my family and I are not alone in their experiences. Over the years I have tried to help other families who have had misleading or inaccurate stories published about their deceased loved ones. For example, I recall a story that was published about a boy that had been murdered by a group of youths. The newspaper ran a headline about a gang fight which suggested that the boy had been part of gang. This was not true and was very upsetting for his

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family.

35. The issue is also something that has recently been debated in the House of Commons in relation to the Hillsborough tragedy. I watched the debate with interest. Many MPs commented on how sections of the press insensitively reported on the reasons why a number of victims died (referring to them being too drunk or turning up without tickets). They condemned the papers for inflicting added pain and distress on grieving families when they were at their lowest ebb.
36. I have read the recent press coverage about the acquittal of Amanda Knox for the murder of Meredith Kercher and my sympathies go out to Meredith's family who are currently faced with the prospect of having to re-live the circumstances surrounding their daughter's murder again and again and have her portrayed in any way the media see fit. The case is likely to receive further press coverage and media attention and I understand that films, books and other such accounts will materialise. Like us, Meredith's family will have no control over the way their daughter is portrayed and they will have no legal redress if she is defamed.
37. I trust that my evidence will assist the inquiry in its consideration of the culture, practices and ethics of the press in relation to Module 1. As I have said, the damage on families of victims of crime caused by misleading and inaccurate accounts in the media cannot be overstated. Press behaviour towards ordinary families at a time when they are most vulnerable is an extremely important issue. I strongly feel that effective avenues of redress should be available to individuals or families if the press fall foul of the standards required of them.

Statement of Truth

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

DATED the 2 day of November 2011