7th October 2011

PRIVATE AND CONFIDENTIAL – STRICTLY ONLY FOR THE ATTENTION OF THE LEVESON INQUIRY

I Neil Wallis will say as follows:-

Background

I was born and brought up in Skegness, Lincolnshire and attended the local Grammar School. I left education at 18 with four 'O' Levels, an 'AS' Level and an 'A' Level.

My first job was on the local newspaper the Skegness Standard which I left after six months to take up indentures (a kind of newspaper apprenticeship scheme) under the aegis of the National Council for the Training of Journalists with a weekly newspaper near Sheffield called the Worksop Guardian.

I completed my indentures there (it included two three-month block release study periods at Richmond College of Further Education in Sheffield) and passed my NCTJ exams before moving to the evening Leicester Mercury. From there I spent a year in the Durham City office of the morning daily Northern Echo, before moving to be a senior reporter at the Head Office of the Manchester Evening News in Manchester.

During my time at the Manchester Evening News I became a Crime Reporter. I also began to give talks to police officers on training courses about Police-Media relations, which I continued periodically throughout my journalistic career.

At about this time I also began freelancing, regularly, in my spare time for the Manchester-based desk of the national Sunday People before being recruited to the new national newspaper the Daily Star a month before to its launch.

I spent eight years at the Daily Star, initially based in Manchester Head Office but latterly moving to the London office. During this time I travelled extensively throughout Britain and the world as both a hard news reporter and as an investigator.

This included lengthy periods in the USA, the Middle East and Northern Ireland during the 'Troubles' – where I was hospitalised after being caught up in a particularly violent riot. I spent six months in Argentina during the Falklands War including spells in Buenos Aires and Commadorio Rivadavia, the invasion base of the Argentinean Junta. I also spent time in most countries in Europe and the Mediterranean.

My job title became Chief Investigative Reporter and I carried out investigations into murders, show business scandals, corruption, crime in general, drugs, spying and politics.

I was headhunted by The Sun newspaper in December 1986 and remained with the paper for the next 12 years working my way up through the ranks.

In turn I became Assistant Features Editor, Features Editor, Assistant Editor (Features), Associate Editor, Assistant Editor (News) and finally Deputy Editor.

For some of this time I also retained my reporting/investigatory role and accordingly I continued to travel extensively.

While at The Sun I covered major stories and investigations throughout Europe, the USA, Australia and New Zealand.

Newspaper Production

The content of a newspaper is divided between the Features, Pictures and News Departments which actively create or obtain material which is then fed into what is called "the back bench" to be effectively "processed" for publication. This is pretty much the standard method by which material is assembled in any mass media outlet.

There were perceived issues with the News and Pictures Department at The Sun which led me to take a very hands-on approach and this was coupled with the fact that I took a strong interest in the features section of the newspaper due to my vast experience in this discipline.

By way of background, the editorial team at The Sun (like most national tabloid and mid-market newspapers) comprised the Editor, Deputy Editor, Night Editor, Deputy Night Production Editor and Assistant Night Editor – the "back bench" of the newspaper. This is the production element of the newspaper. Thus, there is what might be termed the creative side (News, Pictures, Features) and the production side (back bench). I exhibit hereto marked NW/1a-c three flowcharts which may assist in understanding (a) the structure of a newspaper, (b) the progress of a story and (c) finance.

I was involved in both the creative side and the production side. The process operates according to the following procedure:-

Stories come from the creative side of the process, funnel through to the production side and then the editorial back bench put the stories to the Chief Sub-Editor and his team to edit the content, fit the material into the available space and put them in printable form. In any newspaper the news controls the publication – if a major event takes place the news takes over.

Features are more in the nature of commentary pieces, background, insight, entertainment – often a correspondent's interpretation of a news story which may happen to be in the news at that time, or a human interest story to try to give an insight into how people live their lives.

While at The Sun I conceived the idea and brought into existence, in conjunction with the Police Federation, the still-running and highly respected National Police Bravery Awards. Working together with The Executive of the Police Federation and with the active assistance of senior ACPO-rank officers, both around the country and at Scotland Yard, we inaugurated an Awards ceremony which is still highly acclaimed today.

It was, and continues to be, supported by the highest political echelons – then Prime Minister Tony Blair hosted a special reception for the first year's nominees and their families at 10 Downing Street, a tradition which continues to this day – and senior police officers nationwide. The awards still draw the current Prime Minister, Home Secretary and Government Ministers, other senior politicians, the Commissioner and senior officers of the Metropolitan Police and Chief Constables from most of the 42 forces of England and Wales.

In 1997 I was headhunted to become Editor of the Trinity Mirror Sunday national newspaper The Sunday People. When I became the Editor of the third-placed Sunday national tabloid this job introduced me to a whole new range of roles and responsibilities and challenges; it was a very different and demanding job. I continued in this role until 2003 when I was recruited and returned to News International as Deputy Editor of the News of the World.

Press Complaints Commission

During this five year period I became a member of the Press Complaints Commission, working diligently and conscientiously in this role. I believed strongly in the PCC and

continued to do so throughout my career to the present day. I took my responsibilities very seriously attending all Commissioners meetings. I made a point of communicating with the Lay Members of The Commission to properly understand their attitudes and thought processes towards the operations of the print media.

The Commissioners' role was to consider the complaints made about print media behaviour by members of the public as The Directorate felt appropriate and in which they had been unable to mediate or resolve to the satisfaction of the complainant. The Commissioners comprised Editors who represented the national broadsheet, mid-market and tabloid press, Editors representing regional weekly and daily papers, a representative from Scotland, Wales or Northern Ireland plus approximately nine Lay Commissioners headhunted to achieve a balance professionally, nationally and in experience.

It seems to be me that at this time in particular, and in the wake of the tragic death of Princess Diana, national newspapers patently became much more careful and considered in their treatment of stories both legally and in regard to the PCC.

The so-called "Libel industry" among media Lawyers had withered very significantly but when the Labour Government, post 1997, brought in the Human Rights Act there was an explosion in Privacy cases. While Editor of the Sunday People I became involved in three well-known Privacy cases.

One was the first "Super-Injunction" type scenario, known as the A v B v C case. It involved a married professional footballer attempting to gag my newspaper from revealing his sexual liaisons with two young dancers. The case went to the Court of Appeal whose Judges, including the Lord Chief Justice of the day, pronounced unanimously in our favour. This was hailed at the time as a significant victory for press freedom, though other later judgments in other cases went the other way.

The second case involved a television and radio presenter attempted to suppress a story about him frequenting a sadomasochistic club and consumed various illicit substances. Photographs of him were taken during these antics. As a result of the legal battle which ensued I was given leave to publish the story on the condition that it was printed without the photographs. This too was seen as a victory for the right to publish.

The third case involved some photographs which were taken on honeymoon of a high profile radio presenter and DJ husband. The highly-regarded freelance photographer who took the photos led me to understand, prior to publication, that they had been taken from public property. However this proved to be incorrect and so I immediately attempted to rectify the position and printed an apology.

News of the World

I was asked to return to News International and become Deputy Editor of the News of the World in early 2003. I was approached by Mr Andy Coulson, who had succeeded Miss Rebekah Wade (now Brooks) as Editor of the title. Mr Coulson and I had worked together when I ran Features and was Deputy Editor of The Sun and he was a Show Business Reporter and later Editor of the Bizarre showbiz column. I also met directly with Les Hinton, Executive Chairman of News International, to finalise the terms of my employment.

As I was no longer an Editor I had to stand down from acting as a Commissioner on the PCC. However, as Deputy Editor of the News of the World, I was appointed as the representative for the tabloid national newspapers on the Code Committee of the PCC. This is the body which actually draws up the formal Code administered by the PCC and adhered to by those newspapers who are signatories to the PCC (the vast majority of newspapers nationwide). I assisted in drafting and amending on a yearly basis the Code of Conduct. I

exhibit as NW2 the PCC Code of Conduct for 2004, the first year in which I had active involvement in this process.

Other members on the Committee included Editors from national daily and Sunday broadsheets, the national mid-market, regional weeklies and dailies, magazines and periodicals. The PCC comprised a Secretary and the Chairman was initially Les Hinton and latterly Paul Dacre, Editor-in-Chief of the Daily Mail and Mail on Sunday. The Chair and Director of the PCC attended with observer status.

The Committee met approximately six times a year to consider suggestions, applications and complaints regarding the Code to decide what, if any, changes were required.

While on the Code Committee it was agreed that The Secretary should effectively write a Guide Book to the PCC and, alongside other committee members, I helped compile the draft. When it was printed I suggested to the then Editor of the News of the World, Colin Myler, that a copy of the PCC Guide Book should be sent to every journalist on the newspaper, which he agreed. In the same vein, after Mr Myler assumed the Editorship of the News of the World following the Goodman/Mulcaire phone-hacking court case, at his request I helped organise a series of Privacy Seminars for all staff to make clear to them their responsibilities in this area. Every News International journalist from around the country, whatever their job, was required to attend. The seminars included lectures from The Editor, the newspaper Lawyer Tom Crone and the then Director of the PCC.

Due to my time with the PCC, and my later role on the newspaper industry's Code Committee which drew up the PCC Code, I was a stickler for abiding by the PCC rules and regulations. This was very well-known at the News of the World and, frankly, I was regarded as a bit of a "pain in the backside" for insisting that we stayed within the PCC Code. I took a similar interest too in newspaper legal matters. I recall a PCC adjudication against a News of

the World investigation which took place some time before I joined the newspaper in which the paper's reporters gained access, without permission, to the Artists' Christmas Party of a famous TV serial (Emmerdale). It transpired that they had attended purely on the off-chance of spotting celebrities misbehaving. The PCC said that this "fishing expedition" was unacceptable and adjudicated against the newspaper. After this ruling, at my instigation, the Editor instructed that there must always be a written memo spelling out the specific reasons for suspicion before we carried out any such investigation in future.

I maintained regular close links with PCC staff to ensure I was 'au fait' with their thought processes. We did not always see eye-to-eye, there would sometimes be a robust exchange of views with the PCC, but I believed in, and strongly defended, self-regulation. The same applied in the deliberations of the Code Committee. There were often strongly opposing views expressed during debate but the consensus reached received my strong and sincere support.

Corporate Governance

If I correctly understand the phrase in this context, Corporate Governance was essentially left to the individual newspaper, with Les Hinton discussing policy issues directly with the Editor, with very occasional input from Mr Rupert Murdoch in New York. As regards the affects on individual journalists, they were made very much aware that they should abide by both the letter of the law and the PCC Code of Conduct. As Editor, Andy Coulson made it very open and clear that he was strongly opposed to falling foul of both legal problems and PCC censure. In the main the responsibility for enforcement lay with the Executive Departmental Heads of the individual reporters and feature writers, with those Departmental Heads (News Editor, Features Editor, Night Editor, Pictures Editor etc) referring upwards where necessary to the Editor, Deputy Editor (myself), and Managing Editor (Stuart Kuttner). All stories and material gathered were read and subjected to the scrutiny of the newspaper Lawyer, Tom

Crone, mainly working in direct contact with the Executives involved in the individual projects. Occasionally on a major story there would be one-off legal conferences of the senior team - Tom Crone, the Department Heads involved in the project and sometimes even external Counsel to discuss the legal, ethical and PCC potential pitfalls. Responsibility for checking facts and how they were obtained lay primarily with Departmental Executives and the Legal Department. The News of the World was the biggest selling newspaper in the country; it regarded itself and its staff as the crème-de-la-crème of the tabloid world and its Executives and journalists were the most experienced and talented in the game – they knew what they were doing and what they had to do. At any one time there were literally dozens of stories, projects, investigations, features, "buy-ups" and ideas underway – as a rule-of-thumb, only one in three would be published. The job of policing the individual members of staff was delegated to these highly experienced and able Executives, upon whom reliance was placed. Occasionally an Executive would come to ask advice over a grey area, or we would call for a detailed briefing on a particular story – for instance on a Mazher Mahmood investigation into a high profile society figure, or when we inserted an undercover reporter to test prison security to see if it was possible to gain access to the Soham killer Ian Huntley (it was). But in the main we trusted expert Department Heads to ensure ethical, legal and PCC compliance.

Protection of Sources

It is a fundamental rule of journalism that where a source requests and requires that their identity remains confidential then this is scrupulously upheld. Frequently people are privy to information which they believe ought to be shared, and placed in the public domain but they fear persecution or personal damage if they are exposed as the source. There are many examples of whistleblowers losing their jobs, their livelihoods, or even their liberty by speaking openly. One notorious example of a newspaper reneging on a promise to protect a source occurred when a civil servant, who leaked vital information to The Guardian under the

promise of anonymity, was jailed under the Official Secrets Act. It is very common for journalists to refuse to identify their sources of information, even to their superiors. Plainly, not all journalists would receive the same response from their Editor if they refused to name their source of information. A junior reporter's unnamed source would carry far less weight than that of a highly regarded specialist with a proven track record for accurate reporting. It would be highly unusual to expect a top-ranking Crime Editor, Royal Editor or Political Editor to name their sources who have delivered them a multitude of accurate stories over the years. The established norm is that this would neither be asked or expected and such senior figures would assume that it is their right to refuse to divulge the source of that information even to their Editor. With hindsight, it may be that, over the decades, this has been misused by some.

It is important to remember that the essential question asked by the Editor of his Department Head concerns the *veracity* of the story and whether the source can be trusted to be correct. If the reply is that the source of Story D is the same source as that which produced demonstrably true stories A, B and C then this is regarded as highly significant.

As an example, take the recent Guardian story about murder victim Milly Dowler's phone being hacked by the private investigator Glen Mulcaire. I doubt The Guardian would have run that story without an assurance from reporter Amelia Hall that her source had a demonstrably good track record for stories in this area. Similarly, I doubt whether The Guardian Editor who published the story (or even the Department Head) required the reporter to specifically name or provide significant details of the police officer who allegedly provided the information. There was, rightly, a huge media furore about the Metropolitan Police's attempts to prise that name from The Guardian because of the itinerant breach of this fundamental principle of journalism.

This it is not just for the benefit of the source – a reporter's currency, particularly in the national tabloid newspaper world, is to be able to bring in or "stand up" stories beyond the reach of others. Accordingly, were they to be headhunted or recruited to another title then part of their "value" would be their access to their own personal sources whom they have found to be useful and valuable and whom they take with them. It is also simply impractical for an Editor or his most senior team to be that intimately involved in every story. There are literally scores, hundreds of leads running at any one time. Many fall by the wayside – you cannot waste your time minutely dissecting every story/project which comes on the radar only for it to fail two hours or two days later. I do not believe the Editor of The Financial Times, The Guardian, Daily Mail or The Sun do this either - they hire Executives whom they trust to do this for them and then to deliver to them finished projects. Of course questions are asked, stories are picked over and closely examined, but very rarely with reporters themselves.

Ethics

Ethics can and do play a daily part in a newspaper's life. Is this story accurate? Is it "right" to print? Could someone be wrongly "damaged" by publishing? Is it even a "proper" area for investigation? However, ethics are subjective and there may well be stories which The Guardian and BBC publish, for instance on climate change and Europe - two obvious examples, which I consider to be highly dubious, ethically, whilst these organisations may consider that there are ethical issues about publishing a story of a leading British Hollywood actor and a prostitute.

The decision over whether to publish a story depends on its accuracy, whether it has been obtained in an acceptable way within the PCC Code, whether the Lawyer finds it legally acceptable both in terms of Libel and Privacy laws, and the likely effects of the story on those involved and whether this concern outweighs the desire to publish. There are, of course,

times when there is a grey area – such as when a News of the World undercover reporter used fake details to win a job as a prison warder to test the security around the Soham murderer Ian Huntley. Technically, it may well be that the newspaper risked breaking the law but we believed it was in the public interest so to do. The same applied to the Daily Telegraph obtaining, by paying money, the records relating to MPs' expense claims. This almost certainly broke the law, even if only the Data Protection Act, but again it was in the public interest so to do. There are too many instances to recall of politicians or celebrities who have built careers around a false public image when, in reality, their private life is starkly different. In this case many might believe that public interest overtakes the right of privacy.

Financial/Commercial Pressures

The financial/commercial pressure on an Editor is about producing a successful and profitable newspaper. The only real financial pressure I felt related to advertising volumes and budgets. I was only asked once by newspaper management to reconsider publishing a news story which impinged on an advertiser, refused, and I never heard another word about it. I was never pressed to publish a particular story or particular kind of story to increase sales by newspaper management.

To my knowledge, there was never a specific "financial incentive" for an Editor to print exclusive stories but there was plainly a financial incentive to a newspaper's owners for an Editor to be successful and achieve high circulation. This sometimes involved the Editor publishing exclusive stories but the brutal truth is that most sales gains came from marketing and promotions. It is very rare for one specific story to produce a distinctive and significant sales spike – something like a world famous footballer, with an apparently wholesome image, having an affair or pictures of the Soham killer Ian Huntley in his prison cell. However, plainly, having an exciting and groundbreaking newspaper always packed with exclusive, revelatory, impacting and entertaining material maintains the readers' interest and, therefore,

sales between those important sales spikes. Continuing solid sales maintains cover price income and advertising revenue which provides profits for future investments.

Budget

Very occasionally reporters were given a one-off bonus if they had done particularly well in successfully bringing in a big story, but it was quite rare (less than a dozen times a year across the whole newspaper) and in any event generally only amounted to a few hundred pounds, perhaps very rarely a maximum of, say £1,000.

It is true to say that, as in any significant business, performance-based bonuses were part of the remuneration package of the most senior Editorial staff- by which I mean primarily The Editor, Deputy Editor and Managing Editor.

The News of the World's editorial budget was central to its operations. In general this was discussed and decided upon by the Editor and Managing Editor after consulting the paper's Departmental Heads about their plans and needs. The draft budget would then be presented by the Editor, Deputy Editor and Managing Editor to the News International Executive Chairman (originally Les Hinton, then later James Murdoch) and the News International Board. The Board would generally consist of the Finance Director, Advertising Director, Marketing Director and other very senior commercial staff. The assessment would be based on the financial performance of the title, its projected circulation and advertising revenues, required profit performance and the previous year's spend. The budget would be considered both overall and department by department. Staffing levels, salaries and external editorial spend were all considered. I remember one year it was decided the Picture Desk spend was excessive in various areas and needed to be trimmed significantly. Another time the Editor wanted to spend extra funds on revamping the magazine and so was granted an increased budget. This overall budget, once agreed in London, was then presented to Mr Rupert

Murdoch for sanction, in New York. He too could subject it to intense scrutiny, though he would usually focus on the big picture, the major plans for the year ahead, rather than the specifics of a departmental analysis. Once agreed by senior management it was presented within the newspaper (usually by the Managing Editor) to the individual Department Heads. They would be given weekly/monthly spends in various areas, then expected to stick within those guidelines. Within reason they were pretty much left to their own devices to get on with the job of running their area both editorially and financially. All spending over £1,000 required two signatures – that of the Department Head and also the Managing Editor or his deputy. Under £1,000 only required the Department Head's signature but the Managing Editor's Departments would still monitor any such payments. All cash payments had to be sanctioned both by the Department Head and the Managing Editor or in his absence the deputy. Usually the Department Heads were given leeway into committing to spend on stories up to £2,000 - £3,000 (and as I have said, anything up to £1,000 could be paid on a Department Head's signature alone) but above that would have to be authorised by the Editor. Technically, the Editor was entitled to spend what he wanted but in practice he would inform the Executive Chairman if he planned to spend in excess of £50,000.

Private Investigators

I am aware that most major media organisations have from time to time paid private investigators to assist in gathering information – in particular locating people. As far as I was aware this was only done through perfectly legitimate means and methods. To my knowledge I have never specifically used, nor requested the use of a private investigator. It would be fair to say that I assumed that we would occasionally use/employ private investigators when we were struggling to locate someone, time was running short, or where necessary in view of their skills and experience in investigations. However, as even the BBC has acknowledged the usage of private investigators, I did not and still do not, believe this to be unusual.

I believe the use of private investigators escalated after my time as a Department Head – as I said, I do not recall even as a News Editor or Features Editor, never mind as a reporter, personally using or authorising the use of private investigators.

A private investigator, I presume, was far more likely, for instance, to gain access to the electoral rolls across the country, rather than a reporter. They knew their way around the Land Registry, knew how and where to access company records, how and where to chase and pin down County Court Judgments and many also ran debt-collecting services, which meant that they had other lesser-known but legitimate avenues of inquiry which they were extremely experienced and efficient at using. Many also had experience of surveillance work at far greater skill levels and access to equipment more superior than that possessed by the average reporter or newspaper.

With the drug of hindsight, as the use of the internet, mobile phones and digital technology became more highly skilled and more developed as an instrument of information gathering, I do now suspect that lazy journalists may have resorted to phone-hacking as a shortcut to obtaining information. I myself was oblivious to the fact that my phone was apparently hacked until told by police officers during the course of an interview on 14th July 2011.

However, I believe that in the main, such phone hacked information could only have been used as tips, as a starting point for a story in exactly the same way as being given a tip by a contact who could verify a story independently. The reporter would then have to go and stand up the story individually to a level accepted by the Department Head and newspaper Lawyer who, only once they were satisfied, would put it forward to be used in the newspaper. Newspapers and journalists receive tips about possible stories from a myriad of sources on a daily basis which then have to be checked out. If a reporter or specialist or freelance came in with a tip and the Desk Head was interested then they would be told to check it out. Only

when there was some clear, explicit progress to the satisfaction of the Desk Head would the story be put forward for publication.

There is an exception with gossip columns which, traditionally, run chatty snips of stories with lots of attitude and a reduced need for legal rigour, because of the lightness of the subject matter. It is this area which is much more likely to use "sources" and tips from experienced suppliers. Lawyers, while paying close attention to major column leads and obvious potential problems, are traditionally less heavy handed in the area of the gossip column. Any experienced journalist would have known that these snippets of gossip would not have attracted the same level of scrutiny by either management or the Lawyers.

Many stories make up a newspaper and many more are ditched before they are even considered, let alone actually reach, publication. In the main senior Executives would only get involved with stories of page lead size (i.e. the main headline story on a page) or bigger. These would be the stories which the Department Heads would be discussing in detail in conference or with the most senior Executives. Each time, before they were printed in the paper, they would have to have the imprimatur of the Desk Head and the Lawyer before publication.

In order to be published a story had to be presented to the Editor and "stood up" both in terms of the PCC and legally. This is why Lawyers are an ever present in national newspaper newsrooms.

However, of course, this is dependent upon the information and verification to which they, and the Desk Head, have access and the evidence which is revealed to them by their reporters and correspondents. The same applies when the story, feature or investigation is presented to senior Executives.

One recent example is a story in September 2011 about a new edition of The Times Atlas which claimed the polar ice-cap has shrunk by 15%. One newspaper ran a very critical story about the claims in the Atlas, based upon the views of "The Scott Polar Institute". I envisage that the senior Executive, when deciding whether to publish this story, would have asked the News Editor whether The Scott Polar Institute carried sufficient prestige to form the basis of such a swinging attack on the views expressed in the Atlas.

In these scenarios, the News Editor, based on his conversations with his reporter, will give his sincere view. However, the decision will almost certainly be based on this second-hand conversation, which itself is dependent on the veracity of the research of the initial reporter. Almost without exception, however, the Editor will not himself directly question the reporter or double check the source of his information e.g. by making his own enquiries about The Scott Polar Institute.

I had no knowledge of, let alone day to day involvement in, budgetary matters until I became Executive Editor of the News of the World in 2008 and assumed overall responsibility for the newspaper's budget. The main day-to-day control remained with Managing Editor Stuart Kuttner but, from then on, as we recast the annual budget I became aware of expenditure in this area in previous budgets. I took advice from the relevant Department Head and Mr Kuttner about the sums of money which they wanted/believed needed to be spent from their budget in this area. It is important to understand that News of the World Departmental Heads were granted great autonomy to run their departments and their budgets as they thought fit and to the best effect. Their jobs were to produce great, accurate, legally watertight, PCC-compliant stories and we trusted them to carry on and do that. These were top journalist Executives, at the top of their profession, and at the biggest selling newspaper. They were not micro-managed. Those most senior Executives believed that the Departmental Heads knew what was required from an external contractor so, providing that

they ensured that the stories met all the above criteria, it was left for them to hire and employ who they wished. We trusted them to do that.

Plainly we believed, and were entitled to believe, that proper oversight was conducted by the appropriate Department Head to produce publishable material on the criteria mentioned above.

Freelancers

All national newspapers and most other forms of mass media regularly and commonly use freelancers as "external sources of information" and, where appropriate, pay permitted expenses. With freelancers, their source would never be investigated; the simple criteria was whether the story was true and met the publication criteria.

Any protocol or policy relating to the financial controls of the company, and related to journalism, had to meet the criteria referred to above, i.e. be accurate, legally watertight, PCC-compliant.

It is a common misconception that most tabloid newspaper stories arrive from, or centre around, members of the general public. Indeed, in the main, the only stories which actually impact on the general public usually relate to court cases, crime or political/industrial issues.

The Sun newspaper was probably most successful for interacting with its readers and was renowned for the number of calls received from those purchasers into the very busy newsdesk – when I ran it there would be at any particular time between four or five other Newsdesk Executives working alongside me, dealing with staff reporters, freelancers, foreign correspondents, Public Relations professionals and readers.

However, my estimate would be that those readers contacted the newspaper and contributed a maximum of 5% of stories which appeared. At the News of the World the contribution was even smaller, probably down to 2%. From my experience, acquaintances and friendships with other newspaper Executives, I would estimate the reader contribution in directly volunteering and providing material was probably smaller still.

The vast majority of material was offered up by freelance journalists, agents, PRs and Special Interest groups. Specialists with their own narrow area and their own niche contacts – such as Crime, Royal, Political and Industrial Editors – would bring in their own stories too. A general reporter who brought in stories was particularly highly prized, but not common.

One example where a member of the general public may approach a newspaper is in the so-called "Kiss and Tell" area where they have an encounter with someone in the public eye. In my experience, the motive tends to be one of revenge when they feel they have been misused or wrongly treated in some way by the high profile individual. They feel bruised and then think they might as well get their own back and soften the blow by at least making some money out of the encounter.

Publication Criteria

The decision to publish a story involves consideration of various issues:-

First and foremost, is it true? Not just in the PCC sense, but especially also in the legal sense – no News Editor or Features Editor will last long if he is forever seen to be putting the newspaper on the wrong end of legal action; they will be sacked. Legal cases can cost a newspaper hundreds of thousands pounds in costs, usually regardless of the result because frequently the protagonist will be unable to repay those costs even if the court decides in the newspapers' favour on publication. This is a well-documented problem, particularly for less-

wealthy regional media. I recall cases which have been settled, despite the fact that the newspaper or periodical was convinced of the truth of the original material, because of the potential costs of fighting a court battle.

There is the ethical dimension; Is it intrusive? Is the subject sufficiently in the public interest or public domain to justify exposure?

Plainly this is a judgment call which Editors may get right or wrong. Lord Chief Justice Woolf decided I was entitled to publish in the A v B v C case but in many cases in recent years Mr Justice Eady and Mr Justice Tugendhat have refused to allow publication of stories relating to the extra-martial affairs of other professional footballers.

Other stories simply never reach publication.

Many Editors will speak of factually proven stories which have not been published because of circumstances surrounding the subject matter which render it inappropriate. This may well be the unforeseen impact on third parties such as children or gravely-ill relatives, private personal circumstances, or simply the impact on the subject.

Legal Advice

Throughout this process legal opinion is constantly available and it is always utilised on a number of different levels. A newspaper Lawyer is an immensely powerful and influential figure, particularly on tabloids. A lawyer is on hand twenty four hours a day - all daily national newspapers employ a night time lawyer.

The Lawyer's role is particularly important in regards to criminal issues and dealing with the police. Many investigations have to break the law to work – in my time I have overseen

investigations involving hard drugs, jockeys, councillors, MPs, firearms, fake marriage, people smuggling, illegal immigrants, pornography, paedophiles, child-trafficking, vice and child prostitution.

You have to ensure that you, or your investigators, have the very best advice regarding how to deal with the law. You check with your office Lawyer at every step of the way. However, long experience has shown that it is only once the law has been broken and the hard evidence obtained that you have a strong enough story to publish and hopefully stop the wrongdoer progressing with their plans.

Police

This process is often only possible by very close liaison with police. In a case known as the "News of the World Dirty Bomb Plot" we worked for many weeks alongside Scotland Yard anti-terrorism detectives to arrest alleged terrorists trying to purchase illegal radioactive material. Similarly, a prostitute auctioning her 12 year old daughter's virginity was only arrested and the child taken into care because the newspaper worked hand-in-glove with police and Social Services to stop the outrage. In these instances, and on many others, the newspaper liaised closely with the police in order to obtain precisely the evidence which was required both to enable the printing of a legally sound story but also to enable the authorities to successfully prosecute.

One News of the World reporter, Mazher Mahmood, has proved instrumental in securing the conviction of more than two hundred criminals, inevitably working closely alongside the police to achieve such successes.

Other newspapers have similarly distinguished themselves in working closely with police to good effect. For instance, in the late 1990s the Daily Mirror ran an extremely successful

nationwide knife amnesty campaign directly in conjunction with the police nationwide. They took many thousands of deadly weapons off the streets – police said at the time that lives were saved as a result.

These successes resulted from long standing, established relationships between police and journalists, usually at senior levels and with a substantial element of trust. Reporters on the ground, as well as lower-level police officers, were often initially mistrustful of such cooperation. However, as successes followed, and this liaison was approved at senior levels, the trust and the enthusiasm for such professional co-operation developed.

Inevitably too, on a major crime, when both police and journalists are heavily on the ground in the same area for long periods of time, personal relationships grow between officers and reporters at all levels.

Politicians

Relationships with politicians follow a similar pattern. Frequently politicians and the press have very different interests and instinctively clash. However, both realise that it makes sense to work closely together at times. The so called "Sarah's Law" (the publicising of the names of paedophiles in light of the Sarah Payne campaign) is a prime example of the extent to which journalism can bolster a campaign and, by dogged lobbying and constant coverage, bring about a change in the law that suits the politicians because it brings them in line with public opinion. Similarly, The Guardian phone hacking scandal shows how effective lobbying on both fronts can work to create an enormously successful joint campaign. Journalists and politicians, and members of the legal profession, have worked together to maintain the momentum of the story and the investigation even at a time when, prior to the revelations surrounding the Milly Dowler and Soham families, there appeared to be little or no interest from the general public.

This arises from common interests and constant behind-the-scenes lobbying. By definition politicians wish to get across their message and they constantly speak to the press in order to achieve this goal.

This is not simply with political staff or columnists; politicians seek to influence those who themselves influence or contribute to newspaper editorials, who can support/back/initiate campaigns which fit with their hopes and aspirations.

Accordingly, usually under Chatham House Rules, they wish to talk at great length to those perceived opinion formers in the press. This has been the case for as long as there has been a free press and it will not change – particularly as Election time approaches. This applies both in the national media but also in the regional press.

Most senior and experienced Executive journalists I know have had many behind-the-scenes interactions with politicians of every hue.

In my time I have met with, had drinks or broken bread with, both formally and informally on many occasions politicians from all parties and many other public figures.

They include John Major, Tony Blair, Gordon Brown, David Cameron, Michael Howard, William Hague, Jack Straw, David Davis, Alan Milburn, Charles Clarke, John Smith, John Reid, David Blunkett, Ian Duncan Smith, Peter Hain, Tom Watson, Alistair Campbell, Alan Johnson and many others.

This does not just apply to national newspaper journalists but also to senior journalists from national network TV, magazines, bloggers and so on.

Politicians are anxious for opinion formers to know – and reflect in their reports to the British public – the intricacies and background to their thought processes. This is why politicians do not confine themselves to meeting journalists at press conferences or in the House of Commons but invite them into their homes, to private dinners and to share thoughts over a bottle of wine or two. I do not believe this will change. If a politician wishes to "hammer home" his message in a General Election campaign he has to do it via the media – and this will not occur by attempting to persuade journalists to broadcast uncut, or publish unedited, their speeches.

Recommendations:-

1. Disclosure of sources. It may be that, while sources must continue to be kept confidential from outside organisations, internally all sources must be made available either to the Editor, when required, or possibly the newspaper's office Lawyer- a break with decades of tradition.

   Another option may be to appoint a Compliance Officer, independent from both Editor and journalist. This person would have to report to the newspaper management as distinct from the Editor, and would have to be sufficiently insulated to feel able to do this job without pressure.

2. Private Investigators. Traditionally, newspapers accounting in relation to tipsters and outside sources can be quite loose. The outside supplier (such as a private investigator) will have discussed verbally or even by email what the newspaper Executive's request is, for instance, about Mr X. A fee will have been agreed, so when an invoice comes in it simply states words to the effect of "Smith Inquiries, agreed fee £XXX". The invoice rarely spells out the actions which were required to get that information, i.e. Land registry inquiries, County Court Judgment checks, electoral role searches. If it did there would be far greater transparency and it would become much more difficult to conceal any alleged wrongdoing.

3. Invoices. In a similar vein, all newspaper invoices must be similarly detailed, not just for private investigators. Freelance agencies' too should be asked to make their modus operandi more transparent as they seek to make a potentially lucrative story work for a newspaper.

4. PCC. It is vital that self-regulation continues, so it may be that newspapers and magazines should accept that the PCC in future takes on an investigatory role and arm. This will require more funding from within the newspaper industry, which will not be welcome from media companies already struggling to make ends meet. This investigatory arm should be entitled to proactively initiate inquiries in much the same way a House of Parliament Select Committee can initiate inquires. A consequence may be that a whole plethora of special interest groups, and self-interested individuals, bombard the PCC with demands but this is an operational issue.

5. PCC Information Gathering. A logical move is to give the PCC Investigation the right to effectively subpoena all information required rather than, as at present, to wait for the volunteering of such information.

6. PCC Membership. It should become compulsory for all registered newspapers and magazines to be members of the PCC and to abide by its code, regulations, investigations and requirements.

7. Formalising political/police meetings with the press. It has been suggested in some quarters that all meetings between politicians or senior police officers and the media should be formally registered, minuted and published. I find this to be wholly impractical.

Most meetings between politicians and the media, which are not currently documented, and which are not currently attended by civil servants, are what could be termed "politically based". Their object is to promote a view, an attitude, a cause. In other words, they are meetings aimed at promoting a partisan "political policy". By definition civil servants ought not to be involved in party

politics. Who decides when the line has been crossed? It is one thing for a Permanent Secretary to be present during a brief about quantitative easing and its mechanics, but he should not remain present when the poltician is seeking to persuade the journalist to embrace the polticial merits of the policy by presenting his own partisan view of its merits/demerits. This applies whether the meetings concern the goings on in the House of Commons or the Local Council, bearing in mind the huge sums of tax payers money expended by Local Authorities in recent years on the publication of free council newspapers designed to project their message to the electorate in suitably glowing terms.

In my experience over the past twenty years at the party conferences of the three main political parties, every cabinet or shadow cabinet minister would spend practically every breakfast, lunch and dinner in dining privately with journalists to promote their outlook on the world and the message which they hoped that the media would broadcast to the general public. I recall one Labour conference when a top Labour politician was seen to have three separate breakfast meetings with three separate newspapers in the same room, my newspaper being one of them. Post 1997, Labour party conferences were particularly theatrical in the way in which Pro-Blair and Pro-Brown ministers briefed viciously against each other. The same would apply periodically at Conservative party conferences involving the Europhile and Euro-Sceptic camps. Furthermore, in Westminster this in not confined to politicians. High ranking civil servants are also keen to develop and maintain contact with the media, as a counterbalance to their politically excitable masters.

In relation to police officers, like civil servants, they ought publically to stay out of policy areas. However, they are human beings with opinions, some of which they are anxious to convey and communicate. On occasions, for political reasons, they

may feel that the elected politicians chose to ignore, conceal or distort an issue in such a way as their genuine concerns are not aired. As a consequence, they seek their own forum for expressing their views through the media.

With all these meetings, politicians, civil servants, police officers alike, the informality generates a healthily robust, frank and honest exchange of views, which would not be the case if the meeting was being publicised. At present, such meetings or dinners take place in an open environment. I have frequently dined with politicians or such figures in restaurants where virtually every table is occupied by journalists from other media with other politicians or public figures. This applies throughout the democratic world. Any attempt to legislate against such social behaviour would inevitably have the impact of forcing underground or behind closed doors such meetings. The craving to influence public opinion and perception is such that this predisposition to hold such meetings will never change. The alternative to such behaviour is far worse. I do not have faith in a system of press communication by bland civil servant-sanctioned communiqués, though some may prefer it that way.