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Leveson Inquiry into the culture, practices and ethics of the press

1. I am Rebekah Brooks and I make this statement in response to a request by the Inquiry. I hope that my evidence can be of assistance stemming, as it does, from a wide perspective gained in a variety of roles in the newspaper industry.
2. There are two factors which hamper my ability to assist fully which I should mention at the outset. First, I am presently not in a position to provide any documentary material to the inquiry arising from my twenty two years of employment by News International, nor have I been able to refresh my memory from any material in providing this statement. In my role as Chief Executive I had, of course, access to the type of documentation that the Inquiry is now seeking. Secondly, the Inquiry is aware that on 15th July I resigned my position, and very shortly afterwards the police decided to interview me in connection with their criminal investigation. Therefore, I am necessarily inhibited to some extent about what I can say in relation to some of the issues that the Inquiry has raised with me.

My background

3. I joined News International in 1989. I began my career on the News of the World's colour supplement, Sunday magazine, while simultaneously attending a journalism course at the London College of Printing.
4. Since then I have been either a journalist or an executive on both The News of the World and The Sun. For almost a decade I was a national newspaper editor. In May 2000 I became the editor of The News of the World and in January 2003 I became the editor of The Sun.
5. In September 2009, I was appointed Chief Executive of News International. My responsibilities embraced all the newspapers and digital products of the five titles owned by News International: The Sun, The News of the World, The Times, The Sunday Times and the TLS. As I have stated, I resigned from this role on the 15th July 2011.

Corporate governance and ethics

(a) News International

6. The Inquiry will, I assume, have been supplied by News Corporation with its corporate governance policies, which applied to all its subsidiaries including News International. My recollection is that these were detailed policies, covering the full range of financial, legal and ethical expectations that the corporation had of its employees. The policies were not specific to the work of journalists. For example, the Standards of Business Conduct which were provided to the CMS Committee by News Corporation on 11 August 2011 are applicable to all employees.
7. On joining News International, staff members were given a company handbook and News International's ethical guidelines. These applied to all members of staff, not just journalists. The company also had a director of corporate affairs, with responsibility for the whole issue of corporate governance. They would have constant dialogue with other newspaper groups, representatives from Parliament and the Press Complaints Commission about changes to both the law and the PCC Code.
8. Beyond this, it became a contractual requirement for News International's journalists and editors to work within the Code of Practice issued by the Press Complaints Commission as well as a requirement to comply with the law. Significant breaches of either the Code or the law could result in disciplinary action, including termination of employment.
9. Each newspaper had its own legal team, part of whose function was to provide advice to editors and journalists on defamation, privacy, criminal law and any other aspects of media law. They, together with external counsel where needed, would deal with pre-publication issues and post publication legal complaints and proceedings.
10. A lawyer was always available in the newsroom and was present at most news conferences to advise on those legal issues, and the managing editor was usually present as well, with a remit which extended to the PCC

implications of proposed articles and investigations. In addition, the head of news and the lawyer on duty would have a dialogue throughout the day on any legal issues affecting the next edition. A night lawyer was always available in the newsroom until the last edition, to proof read the newspaper before publication.

11. In the case of both newspapers that I edited, journalists would have received training on the law and ethics while they were employed by us. The basic training will have been at college, a local newspaper, or a news agency. The legal department and managing editor's office made sure that journalists were up to date with best practice and complying with ethical and legal standards. As a journalist, I attended seminars at News International on the law and the PCC.
12. There was extensive training available through Human Resources to improve employees skills and career development, as well as on the job training, all of which was processed through the managing editor's office.
13. At The News of the World, while I was editor, there were regular seminars, usually on Tuesday mornings, which were attended by members of staff on a rolling basis and by one of the legal team. The seminars were designed to talk through and learn about the way to respond to legal and ethical issues which cropped up in practice. We aimed to cover all journalistic staff in the course of a six month period.
14. On The Sun the issues were more immediate and journalists had to "learn live". There was a mentor culture in the newsroom. In particular it was part of the responsibility of the senior reporters to help new recruits and to act as role models for everyone on their team.
15. At both newspapers, conference was an ideal opportunity to periodically discuss changes to the law and the PCC Code.
16. Apart from these arrangements, in both newspapers there was a good deal of informal discussion of difficult issues around the reporting of stories at reporter level and desk head level including detailed debate of the Code.

17. At a senior editorial level there were frequent discussions of these issues, and particularly whether there was a public interest justification for publishing particular stories. Often adjudications by the PCC changed our practices. As editor of both of The News of the World and of The Sun, I dealt in person with a nominated contact at the PCC and with the newspapers' ombudsmen, before that role became part of the managing editor's responsibilities.
18. The editor is ultimately responsible for what is published in the newspaper, the editor would share the role in ensuring relevant policies were adhered to with the most senior five or six executives on duty – notably the deputy editor, the managing editor, the night editor, associate editors, the lawyer and the various heads of department (news, pictures, features, sport, subs etc).
19. The nature of the work of our journalists meant that they often had to make immediate judgments without the opportunity to consult. They were expected to know and follow the Code and the law and to take responsibility for their actions. The newsrooms for The News of the World and The Sun had to operate on the basis of a high level of trust and an expectation that the good practice promulgated by the newspapers would be followed. A complaints process operated in both newspapers, overseen by the managing editor (or in earlier years the newspaper ombudsman) who dealt with complaints of any nature connected with the conduct of a journalist, either internally or externally, including PCC complaints. If mistakes were found to have been made by individuals then we took steps to avoid a repetition. In some cases that meant that further training was provided. In others, there was a disciplinary sanction, for instance, warnings, demotion or termination of employment.
20. Clearly, as is now known, there were failures from time to time. There were significant failures at The News of the World which have been a matter of intense concern and regret by News International. I do not minimise the importance of these. I was horrified when I learned of them and I was and am deeply sorry about the further anguish that was caused to Milly Dowler's parents in particular. But as far as my own knowledge is concerned, I believed when I was employed by News International and still believe that the company took corporate governance, including its responsibility to comply

with ethical and legal standards, seriously and took the action needed to make sure its policies were followed.

(b) The Press Complaints Commission

21. At the beginning of my career in journalism, the Press Council was replaced by the Press Complaints Commission and an Editors' Code of Practice was introduced in 1991 after the Calcutt inquiry. Over time, media practices have changed frequently, and the PCC Code has kept pace with and often influenced those changes. In particular, the Code has developed from different adjudications that are upheld or from the consequences of seismic events. The death of Diana, Princess of Wales, for example, was an event that changed the Code dramatically as did the incorporation of the European Convention on Human Rights into British law.
22. I set out some examples below:
23. In January 1998, following the death of Diana, Princess of Wales, the previous August, the Code was updated to include a prohibition on harassment, including persistent pursuit, and to protect the rights of children. This was relevant to the schooling and privacy of Prince Harry and Prince William. The clause on intrusion into grief was extended.
24. In 2003, a new clause was introduced banning payments to criminals but this, of course, included a public interest exemption.
25. In 2004, an annual audit of the Code was introduced. The clause relating to clandestine devices and subterfuge was amended to respond to changes in technology. Subterfuge could only be justified if there was no other way of gaining the information and its use was in the public interest.
26. In 2007, that clause was further amended to include accessing digitally held private information without consent, following the original voicemail interception convictions of Glen Mulcaire and Clive Goodman.
27. In October 2009, the public interest guidelines were outlined but their content still causes confusion and continues to be the subject of debate.

28. In January 2011, the Code was amended to introduce a new requirement that prominence is given to corrections due to inaccuracy, including front page corrections where necessary.
29. Over the years PCC adjudications have also caused changes of practice. For instance:
- o the pixellisation of photographs to remove details such as vehicle number plates which might affect the security or privacy of individuals;
 - o the practice of not reporting that an individual is pregnant if they have been pregnant for less than 12 weeks;
 - o the practice of minimizing the reporting of details of certain crimes; and
 - o pixellisation of photographs of children;

have all followed PCC adjudications. It is also right to say that the Culture Media and Sport Select Committee has over the years conducted a number of inquiries and made recommendations in its reports which have been factored into press practices.

(c) The law on privacy

30. It is important to note the impact of changes in the law concerning privacy as a result of the introduction of the HRA in 1998. The industry sees privacy laws as having slowly crept in through the back door – i.e. without a debate in Parliament. The conflict between Articles 8 and 10 of the European Convention on Human Rights is a source of constant debate within the newspaper industry. It is now a standard requirement for newspapers to put allegations to individuals before running a particular story concerning them. Invariably this has the consequence that they apply for an injunction preventing the story being published. In turn this has had a detrimental effect on newspaper reporting and freedom of speech. We are consequently in an unsatisfactory situation in which a newspaper and any digital media

connected to that newspaper might be silent on a particular issue concerning a prominent person, and yet a great deal of often inaccurate information is freely published elsewhere on the internet and social networking. Indeed, internet, twitter and other social media seem usually to be beyond any recourse from the law or the Code.

(d) Application of the public interest in practice

31. There are numerous examples of situations, over almost a decade as an editor, in which I refused to run a story because I did not think that the public interest justified the intrusion into the private lives of people that it would involve. There are also a number of examples of my newspapers coming upon criminal conduct and referring it immediately to the police to investigate, even though it meant that we could not run a story. I have previously given one such example to the CMS committee in which I referred to a paedophile ring that had been uncovered in which a mother was prostituting her own daughters. This was reported to police and consequently no story could be published at that time. It is quite wrong to believe therefore that the press simply publishes what it can get away with irrespective of the ethical requirements of any given situation.
32. The PCC Code of Practice allows considerable latitude to editors to make judgments about when it is acceptable to intrude into an individual's private life without consent. In terms of my own responsibilities I took this extremely seriously. I could illustrate my point with many examples of when I did not run stories, but I do not expect that the Inquiry will require me to do so since the effect would be to give publicity to material that I have previously decided should not enter the public domain.
33. I can however give one example where because of a change in circumstances I reversed my original decision not to run a story.
34. Lord Prescott has talked about his dealings with The News of the World and The Sun and said that he and his family were dealt with in a 'very reasonable and professional' manner and the story is now in the public domain so I feel I can use it as an example.

35. While I was editor of the News of the World, the news desk received information from a source that a teenage Pauline Prescott had a baby boy who was adopted almost immediately by another family. The boy went on to become a senior figure in the British military. After discussions with the Prescott family directly and therefore understanding the sensitivities around the private information we had been given, I felt that the public interest exemption did not apply and I agreed not to publish the story despite the accuracy. However I came to an agreement with the Prescott family that if the sensitivities were dealt with and if they wanted to 'go public' that they would call me. Almost two years later, the Prescott family approached me and said there had been an incredibly happy ending to the story and that we could now publish the story.
36. I can also provide an example which runs in the other direction. When I was at the News of the World we learned that Saddam Hussein was intending to smuggle anthrax into the UK in perfume bottles. We came under pressure from Government not to run the story and we were told that an all ports warning about the possibility was being posted. I took the view that this of itself demonstrated that the issue was being taken seriously and that the public had a right to know what was happening. We therefore went ahead and published the story.

Policy and practice concerning sources of information

37. The confidentiality of all sources is closely guarded by all newspapers. News desks at News International would have a standard source book of contacts that were publically available, but journalists would also have their own sources which they would keep to themselves. Usually the provenance or accuracy of a story would be the responsibility of the triumvirate of the desk head, the reporter and the lawyer. Many seasoned and experienced reporters never reveal their sources but their reputation for integrity and accuracy, won over many years, is enough to validate their information. The editor or senior executives may know the area in which the source came from but not the identity. On occasion, the editor, the deputy editor, the managing editor or the newspaper lawyer might require the identity of a source before publication, particularly if there was a threat of litigation or a complaint to the PCC, however in my experience this would be extremely rare.

38. When I was Editor of The News of the World, I had editorial control of the paper and was involved in all significant issues affecting its content. This would include the major stories and investigations, but would not extend to detailed scrutiny of the factual basis for the articles, or scrutinizing the accuracy and provenance of every story. This would not be possible, especially on a daily newspaper.
39. The majority of the material for a daily newspaper is dictated by the news agenda. Major investigations or exclusive stories or photographs are not an everyday occurrence. Specialist journalists use a variety of methods to collate information and they cover the domestic, foreign, business, political and sport news. Included in the mix would be press conferences and public relations officers, the wires, news agencies and their own contacts in their particular field. In addition, increasingly information comes in from the public and reader-generated content has got ever more sophisticated as personal technology has developed. It is now not unusual for video and photographs as well as stories to be sent to the news desk, often not for payment. The responsibility for ensuring that the material selected for publication is fair, accurate and legitimate is the responsibility in the first instance of the reporter, then of the news editor, then of the night editor, and then the lawyer.
40. As editor I was concerned that the story or photograph did not breach the strict code of the PCC and the laws of libel and privacy. It follows that I did not ask news editors about the sources of every story for which they had the direct responsibility, except in the very rare occasions described above. It would, in fact, be highly unusual and not practical for an editor to know the identity of the source of every story.

Use of external sources, including private investigators

41. Private investigators have been used throughout the industry for many years and were the subject of a report by the Information Commissioner, "What Price Privacy Now?" They were also the subject of an investigation by the CMS committee. These events led to tougher guidelines by the PCC and the industry cracked down on the use of investigators until I believe their use is now virtually extinct.

42. As an editor, I would rarely commission private investigators or external providers of information, though I did so during The News of the World campaign for Sarah's Law in order to trace convicted paedophiles who had broken their probation conditions. I have addressed this issue in the past, including in my evidence to the Information Commissioner and, most recently, the Culture, Media and Sport Committee on 19th July 2011.
43. The relevant department head would be in charge of making use of external providers of information (by which I mean not just private investigators but also individual sources, news agencies, local reporters and press conferences) and senior reporters would have access to them. In terms of payment, where this was an issue, the department or desk head would negotiate the rates of payment and the payment process would be through the managing editor's office. The managing editor has ultimate operational management responsibility for the newspaper, including budgetary responsibilities. These responsibilities extend to the approval of payments to private investigators and the monitoring and auditing of such payments.
44. For large, one-off payments, for example a set of exclusive photographs, the editor would be made aware of this figure, particularly if this would break the weekly run rate determined by the managing editor. Since 2007, we considerably tightened up on the practice of cash payments, to the extent that they were a small percentage of the budget. However, the Pakistani cricketers' story is a good example of where, when I was called by the editor of The News of the World and informed of the detail, I authorised the use of a large amount of cash.
45. In terms of the practices followed by outside providers of information, all of them would be expected to work within the law and within the PCC Code. I have been specifically asked by the Inquiry whether I or the newspapers where I worked ever used or commissioned anyone who used "computer hacking" in order to source stories or for any other reason. I did not and I was not aware of anyone at either The News of the World or The Sun who did.
46. Paragraph 10 of the Code governs the use of clandestine devices and subterfuge, and the Editors' Codebook gives guidance on the use of agents

and undercover methods to obtain material intended for publication. Its central statement is as follows:

“Consideration of the public interest, a core theme through much of the Code, is seldom more important than here. There is often a fine line to be drawn at the point where genuine investigative journalism ceases and intrusive reporting begins. The public interest is crucial in judging whether the ends justify the means and deciding whether undercover was merely underhand.”

47. Though the PCC attaches considerable importance to the public interest exemption, the Code itself contains only a partial definition. Because it is not exhaustive, the debate on the scope of the public interest exemption and its application to particular circumstances— genuine public interest or just of interest to the public - continues in every newsroom to this day.

Ethics, commerce and the media

48. It is beyond question that ethical standards should be applied to the treatment of news stories both in the print and broadcast media, and breaches of those ethics should be punishable. The more complex issue concerns what those ethics amount to and how to ensure that they are followed. Currently the PCC has the central role in defining the ethical considerations which should affect journalistic practice, but overlaying that are legal obligations to which all journalists are subject. The PCC has a responsibility to give clear guidance since its Code and rulings are the touchstone for journalists as to what is permissible. As I have explained, over the years its guidance has changed. The principles set out in the Code are well understood.
49. In the ten years that I was a national newspaper editor, I never experienced or felt any negative pressure either financial or commercial from the proprietor. In fact the opposite is true. There was always constant advice, experienced guidance and support available from the proprietor and the CEO. Every editor concentrates on the successful circulation of the newspaper and latterly digital traffic or sales. It is one major way of receiving positive feedback from the readers. At The Sun and The News of the World the readers were the main responsibility. The commercial decisions on

advertising, marketing, technology and operations were taken by the CEO in consultation with the editors. The CEO set the editor an annual budget for the newspaper and this was distributed and overseen by the title's managing editor's office.

50. It follows that as an editor I did not feel financial or commercial pressure on me to deliver particular results, nor was this an incentive to print exclusive stories. Professional pride was the biggest incentive. Editors at News International had a base salary and a bonus at the discretion of the CEO. As Chief Executive, I did consider that some criteria should be specified since otherwise the bonus could not operate effectively as an incentive to good performance, however that was defined. I felt that having been an editor myself, and fully alive to questions concerning editorial independence, I could refine the bonus system in a way which would help to improve performance without compromising the decisions of editors about content. It follows that remuneration was not based on the publication of exclusive stories.



Rebekah Brooks

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