

THE POLLARD REVIEW

**APPENDIX 11
VOLUME 1 OF 2**

ReedSmith

**RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH HELEN BOADEN**

1 MR MACLEAN: If you just look at this example of the list,
2 it starts with Vision.
3 A. Yes.
4 Q. BBC1. There is a whole host of BBC1 programmes. If you
5 go to for example page 009 --
6 A. Yes.
7 Q. -- just as an example, one of programmes on the list is
8 a space dive, about this fellow who recently jumped to
9 earth from the edge of space.
10 A. Yes.
11 Q. One of the risks identified there is a commercial risk
12 because of product prominence which is a long standing
13 concern of the BBC. Another concern of the same
14 programme is health and safety and a legal risk, all in
15 the same programme. If you go on, for example, to
16 0.11 -- 11, "Wikileaks: programme currently in secondary
17 development." What does that mean?
18 A. I don't know.
19 Q. And the number of episodes and the content were yet to
20 be agreed. You see that the transmission date was
21 fairly vague at this stage.
22 A. Yes.
23 Q. It was early 2012.
24 A. Yes.
25 Q. And there were reputational and legal risks and looks as

1 if BBC lawyers, but also Clive Edwards, Steve Mitchell
2 and Jeremy Adams were discussing that?
3 A. Yes.
4 Q. So that was still some way in the future, that
5 particular broadcast, wasn't it?
6 A. Yes.
7 Q. And those reputational risks would be -- would be what?
8 A. On that one, I think the reputational risks are simply
9 if you are taking the content of Wikileaks, which you
10 would find very, very difficult to second source, you
11 clearly have a reputational risk to the veracity and
12 accuracy of your journalism.
13 Q. So the reputation is to the --
14 A. Journalism.
15 Q. -- the reputation of your journalism if it turns out to
16 be copied off the internet?
17 A. Yes.
18 Q. If you go to 29.019, programmes can be on this list as
19 it were simply because of their controversial subject
20 matter, for example see the last one there, South-East,
21 which was an investigation into two priests alleged to
22 have abused children in Sussex?
23 A. Which one, sorry?
24 Q. 0.19.
25 A. Yes.

1 Q. Do you see? South-East.

2 A. The issue about this list is the person, the editor or
3 exec responsible for whatever programme it is, it is
4 their responsibility to decide if the risk is
5 significant enough to go on this list. It is quite
6 telling to me that since the Jimmy Savile issue, but
7 more especially the McAlpine Newsnight, I know because
8 I have checked that the number of contributions to this
9 list has gone up dramatically, because of course people
10 suddenly become hypersensitive --

11 Q. Risk averse.

12 A. -- to any kind of risk, and indeed you could argue,
13 I don't know if this is true, risk averse.

14 Q. Right. Say that it's, as it were, the responsibility of
15 the programme first of all to say -- ask themselves is
16 whatever you are doing, is that something for the
17 Managed Programme Risk List?

18 A. Yes.

19 Q. And if it is they put it on to their list at the bottom
20 of the chain?

21 A. Yes.

22 Q. That having been done for any particular programme,
23 is it possible for that programme then to fall off the
24 list, other than -- other than -- because of events
25 overtaking it, in other words being broadcast?

1 Obviously once it has been broadcast there is no point
2 having it on the list.

3 A. Things that could make you decide to take it off is
4 actually you have explored a story and it doesn't take
5 you any further, that's a possibility. If you've
6 misjudged the risk, which can also happen when you are
7 doing journalism, that is really also a possibility.
8 Most things, I think, that make certainly the News group
9 board list, the one that I see, stay on there until
10 transmission.

11 Occasionally we may hit a problem with transmission
12 so we may get injuncted or something else may happen,
13 something in the schedule may become problematic. So
14 you would see that sitting on the list but the
15 transmission date would look further and further out of
16 time as you wait for real life to catch up.

17 Q. I really am coming to the News group list that you see.

18 A. Yes.

19 Q. But is this right then: as a matter of course, save for
20 something out of the ordinary happening, such as you
21 just described, those programmes which are on the News
22 group list will be fed into the Editorial Standards
23 Board list?

24 A. Normally that would be true, yes.

25 Q. So if we look then -- let me just show you one more

1 before I leave this document. If you go to page 020,
2 there is another controversial subject matter, which was
3 about the [REDACTED] do you see, in
4 English regions, which was legal and controversial
5 subject matter. Those were the risks.

6 Presumably the risk of defamation action from the
7 subject of the piece, one assumes, and then Auntie and
8 the Miners, and that was a programme examining
9 allegations that the BBC had been biased in favour of
10 the Government at the time of the miners' strike. So
11 reputational and legal risks, the reputation there was
12 the reputation of BBC as a whole, not just its
13 journalists?

14 A. Absolutely.

15 Q. Controversial subject matter, reputational and legal
16 risk. It gets on the list and it has been put there by,
17 in this particular case, Radio Sheffield?

18 A. Yes.

19 Q. So some producer in Radio Sheffield has started the
20 process which ends with this?

21 A. It is both in this case. Because of course I actually
22 happen to know about this one, the journalism was under
23 scrutiny, as it were, the historical journalism was
24 under scrutiny. So it had reputational risk for the
25 journalism and therefore for the bigger BBC.

1 Uganda Child Sacrifice, one of the risks is taste and
2 decency?
3 A. Yes.
4 Q. That is just because of the particularly unpleasant
5 subject matter?
6 A. Indeed.
7 Q. One of the points that has been mentioned to us about
8 Jimmy Savile, to turn to that, was that there was
9 a taste problem or issue about Newsnight running the
10 piece. Is that something you remember discussion about?
11 A. No.
12 Q. The idea being that the man is only just dead and
13 buried, and therefore that was a factor in whether or
14 not a story might be done about him.
15 A. I had one conversation with Peter about -- as I have
16 said in my --
17 Q. Rippon?
18 A. Peter Rippon --
19 Q. Yes.
20 A. -- where I don't -- I mean, if you look through what
21 I said, when he first told me about the story which was
22 through an accidental meeting, I did actually get
23 through hold of the wrong end of the stick because he
24 said, "We're doing this investigation which might be
25 embarrassing for the BBC". He asked me if that was

1 a problem and I said it absolutely wasn't, we must
2 always do journalism about the BBC as if it was
3 a separate institution.

4 When I asked him what it was, he said, "Jimmy Savile
5 and teenage girls". And since this, I think, was about
6 three weeks after Jimmy Savile had died I thought it was
7 one of those slightly tabloid-esque stories involving
8 groupies.

9 Q. Hangers on, you mean?

10 A. Possibly, you often see them in the press when somebody
11 has died. Indeed there had been a story about Jimmy
12 Savile just prior to him dying, about someone claiming
13 he or she was their love child, [REDACTED]

14 [REDACTED]

15 And I said, "That doesn't sound like core Newsnight
16 territory", but Peter went on to suggest that it was
17 a very different story from that. It was about sexual
18 abuse, it was about sexual abuse of teenage girls. So
19 the taste issue for me wasn't critical. The thing that
20 was always critical for me in this very short
21 conversation was that because Jimmy Savile was dead was
22 not a reason for lowering what I regard as BBC editorial
23 standards.

24 Q. I'm going to come to that. Can I just go back to the
25 Risk List for a moment? If you take bundle 2, please,

1 just looked at, okay?

2 A. Yes.

3 Q. "Here is our list as promised." In other words this is
4 the programmes list?

5 A. Yes.

6 Q. "Hope it makes sense, Sara".

7 When we look at the list which is over the page, if
8 we go to page 70 and 71, those are the Newsnight
9 programmes, the BBC2 bit starts with Newsnight. Do you
10 see academies is the first one? By the time we get to
11 71 we have moved away from Newsnight, and by the time
12 you get to 72 we have moved away from BBC2 altogether
13 and we are on to BBC3.

14 What we don't see there, of course, is Jimmy Savile.
15 Why?

16 A. I don't know.

17 Q. It has obviously disappeared from the list. Does that
18 come as a surprise to you?

19 A. Um, at the time it didn't. I simply -- I mean if
20 I thought of it at all, I thought of it as something
21 must have happened, because I had already had the
22 conversation with Peter. But in retrospect it is -- it
23 is slightly surprising that it didn't go through.
24 I mean I -- you know, clearly in the post-mortem that
25 has gone on, it would appear someone was on holiday

1 during that period.

2 Q. Who was on holiday?

3 A. I think Sara may have been on holiday. I genuinely
4 don't know, but that's one of the things that appears to
5 have happened.

6 Q. But she says -- let me just read you what she's told us:
7 "I maintain and update a rolling document for news
8 programmes of any reports or investigations or projects
9 which carry a risk of any sort, be it editorial
10 reputational legal, et cetera."

11 Okay so far? Agree with that?

12 A. Yes.

13 Q. "The grid is kept in a drive which has limited named
14 access by certain members of the News programmes
15 management team".

16 A. Yes.

17 Q. "Once a week I request information from editors or their
18 deputies... "

19 I interpose in this case Liz Gibbons, yes?

20 A. Yes.

21 Q. "... In their department and they also send me entries
22 on the list as they occur. I update the list as
23 necessary during the week and use this document as the
24 basis for a weekly routine meeting with Stephen Mitchell
25 at which we discuss the content of the grid. Once

1 a month this list is sent to Stephanie Harris, head of
2 compliance, News, for her to compile the wider News
3 MPRL, which includes entries from other departments;
4 News gathering, regions and so on, and is seen by the
5 News group board."

6 By you right? You are nodding --

7 A. Sorry, yes, I agree, that is the way the system is meant
8 to work.

9 Q. "I believe this list is then added to a corporate list I
10 save the monthly programmes list and keep it in my
11 files. I add information to the News programmes list
12 but would not remove entries pre-transmission unless
13 I was instructed by Steve or an editor or their deputy."

14 Is that right? Do you know that -- how that works?

15 A. Yes, I know that's how it works. I'm not sure how often
16 that actually happens.

17 Q. She says:

18 "This is not an infrequent occurrence. Material and
19 programmes which are being investigated do not all make
20 it to air ..."

21 And so on.

22 So from what you said a moment ago, you used the
23 expression, "At the time", did I understand you to be
24 saying that you, as it were, noticed the absence of
25 Jimmy Savile --

1 A. No.

2 Q. -- at the end of November?

3 A. No, I didn't notice the absence of Jimmy Savile.

4 I didn't -- I just simply didn't register it. I was

5 looking at what's on the list, not what was not on the

6 list.

7 Q. So by this time you had had this -- we will come to this

8 conversation. You had had this conversation with

9 Mr Rippon. You may have got initially the wrong end of

10 the stick in the conversation, but you had had

11 a conversation with him. I think he said on what was in

12 effect a walk through by -- you were on the way home

13 or --

14 A. Yes.

15 Q. -- you were just literally passing through the office,

16 is that right?

17 A. Pretty much, a five to ten-minute conversation.

18 Q. It was a walk by rather than a meeting?

19 A. It was absolutely not a formal meeting.

20 Q. And that was at some point before -- that was at some

21 point before the end of November?

22 A. Yes. I think it was 21 November.

23 Q. Right. So since you mention 21 November, if we take

24 bundle A2, if I use the expression, "Vision issues", to

25 you in relation to Jimmy Savile, would you know what

1 I was talking about?

2 A. Not really.

3 Q. All right. What do you think Vision issues might have
4 been for the Jimmy Savile piece? Vision with capital V,
5 obviously?

6 A. Yes, as in television, to use proper English.

7 Well, it could have been, as we now know, the issue
8 of the Christmas special, or specials. It could have
9 been television's entertainment history. There could
10 have been many issues for Vision around Jimmy Savile.

11 Q. Right.

12 A. But I'm speculating.

13 Q. Okay. Look at page 276, please. This is -- if you look
14 at the bottom, 21 November, from Liz Gibbons to
15 Sara Beck, do you see? If you go over the page, there
16 is Jimmy Savile on the list. If you go to 277, in the
17 middle, okay?

18 Then if you go back to 276, on 22nd, Sara Beck
19 emails Liz Gibbons about two things, one of which is the
20 MPRL:

21 "Just so you know, have taken Jimmy Savile off for
22 now and will put back on when its imminent. The
23 document goes quite far in Vision et cetera and we
24 thought it might be best to keep off just for now."

25 Does that make sense to you as a step to have taken?

1 A. Not really. I mean it's -- you know, clearly I don't
2 know what Liz was thinking of when she was writing that
3 in.

4 Q. Clearly?

5 A. I have no idea what she meant.

6 Q. One might think that if ever there was a piece which
7 needed to be -- that Vision ought to have known about,
8 it would be a piece accusing somebody of being
9 a paedophile when that person was a BBC star and in
10 circumstances where, as it happened, the programme had,
11 by this stage, gathered information that some of the
12 unpleasant abuse had taken place at the BBC. So this
13 would be a paradigm -- one might have thought this was
14 a paradigm story to be on the Managed Programme Risk
15 List, wouldn't one?

16 A. Yes, yes.

17 Q. So of course you can't account for what's in these two
18 ladies' heads, I'm not asking you that. But you can't,
19 as it were, account for this decision? It doesn't seem
20 to add up to you, is that fair?

21 A. Well it is always -- yes, it doesn't add up to me.

22 Q. Okay. Look at the email above, the same day,

23 22 November:

24 "I know Peter [that must be Peter Rippon] and Steve,
25 [that must be Stephen Mitchell] talked about the Vision

1 issues surrounding Savile, so that sounds sensible,"
2 Obviously you were not party to that discussion.
3 But that discussion, we think, took place on 21 or 22
4 between Mr Rippon and Mr Mitchell.
5 A. If you say so.
6 Q. Which was the same day, I think, you had your brief
7 discussion with Mr Rippon.
8 A. Yes.
9 Q. In the evening?
10 A. I think the 21st -- the reason I remember it is that
11 looking through the diary I know that I was meant to go
12 to Oxford to do a lecture, or to attend a lecture, and
13 the meeting overran so I literally didn't have enough
14 time to get on the train and get there.
15 Q. So do you remember being put in the picture, if I can
16 use that expression, by Mr Rippon about Vision issues as
17 such?
18 A. I can't remember in my conversation with Peter, or if it
19 was a later conversation with Steve. My memory is that
20 it was Steve who told me we needed to alert George to
21 the Savile investigation.
22 Q. And that would be --
23 A. After the 21st.
24 Q. In a discussion with Mr Mitchell after the 21st?
25 A. Yes.

1 Q. Presumably, one might infer, having had this
2 conversation with Mr Rippon?
3 A. Presumably Mr Rippon told him about it. He doesn't -- I
4 don't think he crossed the Christmas schedules of BBC1.
5 Q. Sorry, what does that mean, "I don't think he crossed
6 the Christmas schedules?"
7 A. Well, I don't think Steve would have known anything
8 about the Christmas schedules of BBC1. I certainly
9 didn't.
10 Q. It is, "he was across", the BBC verb of being across
11 something?
12 A. I don't think he kept across the schedules. It is not
13 one of those things in news that you spend much time on
14 to be honest.
15 Q. Okay. So that discussion with Steve Mitchell was after
16 the discussion with Peter Rippon?
17 A. Yes, because the discussion with Peter Rippon was the
18 first knowledge I had, as I accidentally came upon it,
19 that there was even a Jimmy Savile investigation going
20 on.
21 Q. Right. You have worked at the BBC for --
22 A. A long while.
23 Q. -- a number of years, one might say. Did you ever meet
24 Jimmy Savile?
25 A. Um-hm. I met him --

1 sit next to, because they are just a slightly unknowable
2 lot, old radio presenters. I just got on with it. They
3 asked me to do it, it was my job.

4 Q. Had you heard any dark rumours about Jimmy Savile?

5 A. No, I had never heard any dark rumours about
6 Jimmy Savile.

7 Q. So you simply had this slightly odd encounter with him
8 and --

9 A. A singular encounter and forgot it.

10 Q. Thought no more about it?

11 A. Thought no more about it. Had indeed entirely forgotten
12 it until The Times kindly reminded me.

13 Q. Okay. When Steve Mitchell told you about the need to
14 inform Mr Entwistle, wasn't that rather the point of the
15 Managed Risk List; that Vision would have known what
16 News was up to via that mechanism?

17 A. Yes. But I think Steve was just aware that actually it
18 would be a kindness to George -- the irony of this has
19 not escaped anybody of course -- he felt it would be
20 a kindness to George to tip him off early because he
21 would have to change the schedule if the investigation
22 went ahead as we thought it would. And he could start
23 thinking about that earlier rather than later.

24 Q. Tipping off early turns out to be the discussion you had
25 at the awards lunch --

1 A. Yes.

2 Q. -- on 2 December.

3 A. Yes.

4 Q. You see, what would you say if I said to you that it has
5 been suggested to us that, as it were, one of the points
6 of the Managed Programme Risk List was that it's not
7 therefore necessary to have ten seconds or any number of
8 seconds conversations between directors of News and
9 directors of Vision at some event, because this
10 mechanism is put there precisely so that Vision knows
11 what News is doing and vice versa?

12 A. I would say it is a very purist version of what is
13 actually a human industry. And having been a controller
14 myself, when Steve said it might be a kindness to tip
15 George off, I just thought that's perfectly sensible.

16 Q. Are we able to date your discussion with
17 Stephen Mitchell?

18 A. I believe it was the 22nd. Because I was on holiday --
19 no, the 23rd because I was on holiday on the 24th and
20 25th, and we travelled up to Scotland on the 22nd for a
21 seminar on Scottish independence held by BBC Scotland.
22 We didn't travel together and we didn't have, as it
23 were, a single moment where we could have discussed my
24 conversation --

25 Q. "We" is you and Stephen Mitchell?

1 A. Yes. So I think it was the day before I go on holiday.
2 Q. And then you go on holiday on 24 November?
3 A. I go on holiday on the Thursday and Friday and the
4 Saturday and the Sunday and I come back on the Monday.
5 Q. The 28th?
6 A. Yes. And then on the 29th I have some free time in the
7 morning and I know it's one of dates I walked around to
8 George's office to have the conversation to tip him off.
9 Q. But he wasn't in?
10 A. But he wasn't in. In fact he was away a lot, that
11 meeting, so I knew the first time I would actually see
12 him face to face, because I didn't particularly want to
13 put it in an email, would be at the awards ceremony.
14 Q. So, as it transpires, for one reason or another -- not
15 being critical, I'm just observing -- it takes ten
16 days-ish from the discussion with Mr Rippon and
17 Mr Mitchell and the discussion with you and Peter Rippon
18 and then the discussion with you and Steve Mitchell,
19 before Mr Entwistle is told anything by any of you?
20 A. Yes.
21 Q. In fact he's only spoken to, as far as you are aware, by
22 you?
23 A. Yes.
24 Q. Is that right?
25 A. Yes.

1 Q. You wanted to have this discussion just the two of you,
2 as it were, on the QT. Even on the QT from the other
3 people around the table?
4 A. Yes. Just as I wouldn't have talked to Peter -- sorry,
5 to Stephen Mitchell at the Scottish referendum debate
6 unless I could have found a quiet moment, I wouldn't
7 have talked to George unless I could have found that
8 quiet moment.
9 Q. You think it is highly probable that you mentioned to
10 Mr Entwistle that the subject matter of the prospective
11 piece was sexual abuse?
12 A. I certainly put that in that email to Paul Mylrea.
13 I think is probable. I genuinely can't remember, but
14 what irritated me about the press office response was
15 having said to them I couldn't remember, they made that
16 a fact and that is rather different; if you don't
17 remember that's slightly different. Common sense
18 suggests that I said it was about underage sex or
19 something similar. But because I can't remember I think
20 it is unfair to say that I can.
21 Q. The email you are referring to -- you are quite right,
22 that's what I'm reaching for. You emailed Mr Mylrea and
23 Paddy Feeney who is in the press office as well?
24 A. I know the one it is in.
25 Q. This is fairly recently. This is about a month ago. At

1 this stage you are looking -- you are seeing the line
2 that the BBC is putting out and what you say is, as you
3 remember, is at A11/338 -- I don't know we need to look
4 it up.

5 A. No, I remember it.

6 Q. You say to Mylrea and Feeney:

7 "Are we giving the impression I absolutely didn't
8 tell George about the content of the Newsnight
9 investigation. That's what Miriam's comments suggest."

10 A. Miriam O'Reilly.

11 Q. "If so, it is not quite true, I have always said I can't
12 remember, but of course it is highly probable that I did
13 mention that is about sex abuse, we can't rule it out.

14 H."

15 As you say, it's pretty likely that you would have
16 told Mr Entwistle what the subject matter was, otherwise
17 the conversation doesn't --

18 A. Make sense.

19 Q. -- really make a lot of sense, does it.

20 So the purpose of you telling Mr Entwistle about
21 this was what?

22 A. Was to give him a heads up that this was coming, because
23 at that point we absolutely thought it was and that he
24 needed to think about, you know, he'd got some chunks of
25 the Christmas schedule he needed to think of alternative

1 programming.

2 Q. So it follows from that that you would have expected him
3 to do something with this information, even if it was
4 only go back to Vision and wrack his brains as to what
5 else he might do with his schedule if the problem
6 presented itself?

7 A. That's what I would have anticipated.

8 Q. What about the point, just to take a step side ways for
9 the moment, that even once the Newsnight story got
10 canned, if I can put it like that, for whatever reason
11 and by whomsoever, on any view Newsnight had gathered
12 some information which suggested, to put it mildly, that
13 Jimmy Savile was, or might have been, a predatory
14 paedophile. And it is obviously possible that that
15 information was going to come to you from some other
16 media outlet, perhaps with less fastidious editorial
17 standards than the BBC, and if it did that would cause
18 the problem for the BBC, if it had in the meantime
19 lauded this fellow with a bunch of tribute programmes.
20 In other words, a problem for Vision and the running of
21 the tributes didn't fall away because the Newsnight
22 story was canned?

23 A. Well, the way you've just described the Newsnight
24 investigation is not the way I saw it when it was
25 canned. So the information that I had from Steve was

1 that this was an investigation that had fallen because
2 the evidence was not strong enough. So he told me
3 that -- I mean it was a pretty brief conversation in one
4 meeting, but he told me that it was -- they had one
5 victim on tape, that Peter regarded her as unreliable,

6 [REDACTED]
7 [REDACTED]
8 [REDACTED]

9 And the other women, which had been mentioned to me
10 by Steve, he said that Peter had said there was a lot of
11 hearsay involved in what they said. So your depiction
12 of the solidity of the evidence was not my impression of
13 it from my conversation with Steve.

14 Q. Right. I understand.

15 One of the other things that doesn't seem to have
16 been on really anybody's radar screen -- and I think you
17 allude to this in your statement -- one of the aspects
18 that has become very well publicised in the recent weeks
19 is the aspect of some of the sexual abuse allegedly
20 taking place at the BBC. That doesn't seem to have
21 really been on anybody's radar to any great extent, does
22 it?

23 A. Certainly when I had the brief conversation I had with
24 Peter I did ask him if the approved school was involved
25 and whether or not the BBC was involved, and he said

1 something like "No, the BBC couldn't have known
2 about it", which I have to say I took as the BBC was
3 only involved in the fact -- because Jimmy Savile was
4 a BBC star. He also talked about the Rolls Royce being
5 used and that was the image that I was left with and at
6 no point --

7 Q. So he explained that the locus, as it were, for the
8 Jimmy Savile was the back of his Rolls Royce?

9 A. He said they used the Rolls Royce. So throughout this,
10 until it started -- you know, the -- in fact until the
11 ITV Exposure programme, I was under the impression that
12 the connection with the BBC was Jimmy Savile, BBC star,
13 not BBC premises.

14 Q. So what did you know before Exposure on 3 October, about
15 the allegation about Gary Glitter having full sex in the
16 BBC --

17 A. I knew nothing about that. I knew nothing about that.

18 Q. You now know that in fact that allegation about full sex
19 in the dressing room was actually in [Q1]
20 original web memoir --

21 A. Indeed.

22 Q. -- which was sent to Mr Rippon on 31 October last year
23 right at the very beginning of the genesis of the piece?

24 A. Yes. He did not mention that to me.

25 Q. He being?

1 tributes being broadcast on the radio as they drove back
2 from interviewing [0] on 14 November?
3 A. No, I didn't know that.
4 Q. The BBC must have been running some trailer or whatever.
5 A. Yes.
6 Q. Right, this discussion with Stephen Mitchell on the
7 21st --
8 A. No, it's not the 21st.
9 Q. 22nd?
10 A. No, it's not the 22nd, it's the 23rd. I think it's the
11 23rd. What you need to understand about Steve and I is
12 our offices are side by side and we talk a lot. So it
13 is often just -- it is not a formal conversation with
14 a set of minutes it is, you know, a kind of heads up.
15 Q. So he's telling you about this on the basis of what he's
16 obviously been told by Peter Rippon. Did you form any
17 view as to whether Mr Mitchell had got any information
18 from anybody else, for example the reporter or the
19 producer?
20 A. No, I didn't. The only thing I remember him talking
21 about -- and I definitely remember him saying this --
22 is, "I'm very interested in the approved school angle,
23 whether or not they colluded".
24 Q. With Savile?
25 A. Yes.

1 Q. Did you know that Meirion's aunt had been the head of
2 this institution?
3 A. No, I didn't know that.
4 Q. Did you know that Meirion Jones had been, as it were,
5 plotting this story for some time while Savile was still
6 alive?
7 A. No, I didn't know that.
8 Q. If you had known that, would that have caused your
9 attitude to be any different? The fact that the
10 producer wasn't -- unlike Liz MacKean who came to this
11 as an intelligent but ignorant reporter --
12 A. To be honest, I would have been quite concerned
13 about it. One of the reasons I would have been
14 concerned is because I think it's very difficult to do
15 impartial and objective journalism when you have an
16 emotional connection beyond the one you might develop as
17 you do the story --
18 Q. That's what I was driving at.
19 A. The other reason, I would say, is I had just had a very
20 painful experience with Primark, [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED] where we lost a very serious complaint.
24 I mean, essentially Panorama put something out on air
25 which we couldn't demonstrate was true. Indeed it may

1 dead?

2 A. No, there's a middle conversation. Because -- and

3 I don't know when that happened, but I remember

4 a conversation where Steve says, "Peter has re-nosed the

5 story", by which he meant he had found another way into

6 it, and the thing that he was interested in was the

7 Surrey Police investigation into the allegations.

8 Q. I see. So just looking at your statement there -- it is

9 just important to understand -- I now see that you refer

10 to a catchup meeting?

11 A. Yes.

12 Q. So just looking at your statement then, so I have this

13 right --

14 A. What point is it?

15 Q. Paragraph 30, look at that first.

16 A. Yes.

17 Q. That's the informal conversation with Mr Rippon on the

18 21st.

19 A. Yes.

20 Q. That's the walk through the Newsnight office.

21 A. Yes.

22 Q. Then you go on to -- you don't actually mention there, I

23 don't think, the Mitchell conversation on the 23rd. So

24 here, paragraph 30, is the 21st with Rippon --

25 A. No, 29 is the first conversation. If you look at point

1 attitude, certainly at the outset, as being "lukewarm"
2 towards the story. That was Rippon's words. Did you
3 have any understanding about what Mr Rippon's attitude
4 was to the story?
5 A. I wouldn't have described it as lukewarm. Um --
6 MR POLLARD: This is on the 21st.
7 A. The only conversation I had with him. The fact he asked
8 me, in a sense, was it a problem if we embarrass the BBC
9 did surprise me.
10 MR MACLEAN: Because he should have known the answer to that
11 question?
12 A. In a way. To be fair, he is not the first and he won't
13 be the last editor to ask me that. It is still
14 surprising how it is such a kind of fundamental value
15 and yet editors do ask it. But I think --
16 Q. Nervous? Not lukewarm but nervous?
17 A. No, I didn't get the sense of nervousness. I think --
18 I think he sort of gave me the impression he knew it was
19 challenging because they were old allegations.
20 Q. Right. Can I just show you some of the contemporaneous
21 documents?
22 A. Yes, sure.
23 Q. Go to bundle 3, page 11. Did you know anything about
24 this in 2011; about Liz MacKean and Hannah Livingston
25 chasing after this letter? Was that a detail you were

1 interested in. If you look at his record in the four
2 years, he often looked at, as it were, institutional
3 failures.

4 Q. As we discussed earlier, touched on earlier, the
5 suggestion that perhaps there was institutional failure
6 by the BBC many years ago doesn't -- didn't focus in at
7 this time at all?

8 A. No, that wasn't there.

9 Q. In the discussions -- at this stage, you have had
10 a discussion, one with Peter Rippon and one with
11 Steve Mitchell. Was there any focus in those
12 discussions about the key being the CPS --

13 A. No.

14 Q. -- dropping the story for one reason or another?

15 A. No. The CPS angle came up in the second conversation
16 with Steve.

17 Q. Right, I'm coming to that.

18 A. Yes.

19 Q. So can you shed any light upon how this key was
20 identified?

21 A. No.

22 Q. Can I ask you to look at page 197.001?

23 A. Yes.

24 Q. Now, to the extent that it was reported to you either by
25 Mr Rippon or Mr Mitchell that Mr Rippon had formed

1 Q. Do you know whether it was or wasn't said?
2 A. Clearly not, I wasn't there.
3 Q. Had anybody said to you that it was said?
4 A. No.
5 Q. "The bosses", the, "Bosses not being happy", if you look
6 at 215, Liz MacKean is reporting to her friend
7 Jackie Long that Mr Rippon had -- it's not a direct
8 quote, but that he had indicated -- somehow said that,
9 "If the bosses aren't happy I can't go to the wall on
10 this one." In other words basically saying to the
11 journalists, "There's nothing I can do about this. It's
12 come from on high, come from above me, come from the
13 bosses".
14 What do you say about that?
15 A. I can't really did comment on -- on a comment I didn't
16 make.
17 Q. Can you think of any reason why Mr Rippon might say to
18 his journalists --
19 A. Well, it has been known for editors to use bosses or
20 editorial policy as arse-covering reasons when they
21 actually want to make their own decision. I mean, you
22 will be talking to David Jordan a man well versed in
23 editorial policy being blamed for what an editor doesn't
24 want to do, and that's how it reads to me.
25 Q. In other words, it's a convenient way of deflecting the

1 between colleagues who were having a difficult time.
2 And we went into an office and, um, Peter said, you
3 know, this is very difficult for both of us, which
4 reinforced the idea that this was a conversation between
5 colleagues.

6 I, of course, was at that point -- because until the
7 Panorama was being made, it had never occurred to me
8 that my conversation with Peter had had any
9 significant -- or could have had any significant bearing
10 on anything. It was only when that narrative emerged
11 and this narrative of the handbrake turn that
12 immediately I started to think: was it something I did?
13 Because anybody with any conscience would look into
14 their heart and think, "Have I inadvertently made
15 a difference?"

16 And what I was sharing with Peter was not, "I think
17 I said it too strongly", but, "The worry is that I may
18 have said it too strongly."

19 Q. Right. So leave Mr Horrocks to one side then. Your
20 account of what you said to Peter Rippon was that, as it
21 were, the usual rules apply to this story?

22 A. That's exactly what it was about. And the usual rules
23 apply and they are tricky because of the 30-year issue,
24 the fact these allegations go back a long time. So you
25 don't have -- you have one person's word against

1 another. You have, um, an individual who is dead so who
2 can't answer back. And therefore the idea of
3 credibility and care was really what I was getting over
4 to.

5 I have to say, I don't think it was a very forceful
6 conversation. I think it was a rather banal
7 conversation, but clearly I was, you know, challenging
8 myself because that's really what you have to do if you
9 are in my job.

10 MR POLLARD: So when you say, "The worry is that it was more
11 forceful than it might have been", you mean other people
12 might think that?

13 A.

14

15

16 I subsequently discovered that. About -- you know, you
17 just go through in your head, "Did I miscast it, was
18 I more forceful than I ..."

19 Just, you challenge yourself. You would know that.

20 MR POLLARD: And this was the only conversation you had with
21 Peter. This was the November 31 conversation?

22 A. This was the only one I had, yes.

23 MR POLLARD: Okay.

24 A. You know you just, you think -- because I had just
25 discovered this narrative with the handbrake turn

1 would get because of huge numbers of our audiences who
2 revered and were still mourning him. We agreed on this
3 one.

4 "It has been reported that Helen said in this
5 meeting that the evidence threshold needed to be as high
6 as if he were alive. She did not say this. I am
7 confident I would have remembered if she had. This
8 would have been to set the threshold too high in my
9 view. In reality the level of certainty I was wrestling
10 with was being dictated by my assessment of the public
11 mood at the time not by any legal test. The potential
12 scheduling issues with Vision were raised on the same
13 terms they were with Stephen. I can't remember if it
14 was by me or her. I can recall very clearly -- I can
15 recall her very clearly telling me to be guided by the
16 evidence only and the implication for other parts of BBC
17 were irrelevant."

18 A. Yes.

19 Q. That sounds --

20 A. That sounds pretty much what I was saying. The
21 interesting thing is about -- I remember talking about
22 the audience, not in the sense of it's a problem, but it
23 is an about the credibility, and that's again going back
24 to the editorial standards. The year before we did the
25 big FIFA programme where, um, you know we were massively

1 Newsnight. What happened to the Vision issues was no
2 longer a matter for him.
3 Does that sound right?
4 A. I think that's quite reasonable.
5 Q. So whatever happens to the whole Vision issue side of
6 things, Mr Rippon has done that bit of his job?
7 A. Um-hm.
8 Q. You agree with that?
9 A. I do.
10 Q. So you have this discussion, this middle discussion with
11 Mr Mitchell. He told me -- you say -- that Steve
12 Mitchell told you that Peter Rippon had re-nosed the
13 story. In other words, it would appear you were told
14 about the fact that now the focus was on what we see
15 from Rippon's 214 email, the key being the CPS?
16 A. Yes. It is interesting the word, "The key", because
17 that isn't really the way it was described to me and
18 I don't know -- I don't know if Peter has described it
19 like that to Steve. Re-nosing is often just another way
20 into it. It's another way in -- you couldn't have done
21 the story without the abuse, so it's not a way -- it was
22 never described to me as the key. It was simply
23 describing as, "We are re-nosing the story".
24 Q. Right. This catch up meeting, what did you do with this
25 information that you got in this middle meeting?

1 A. I didn't do anything with it. You mean the one about
2 re-nosing the story?
3 Q. Yes?
4 A. Well it is just information.
5 Q. So your position would be that middle meeting didn't
6 give you any reason to think that the story wasn't going
7 to go ahead, it had just been re-nosed?
8 A. It had been re-nosed and Peter was slightly more
9 comfortable with it, because it felt, I suspect, more
10 like a Newsnight to him.
11 Q. Then the next involvement you have is before Mr Mitchell
12 goes away the following week you get told that it is all
13 over for this story, it is dead.
14 A. Peter can't sustain it.
15 Q. And that was that?
16 A. Well, I asked him why not. But, you know, the reality
17 is in my job you -- you know, I have a very, very
18 trusted and experienced departmental head working with
19 a trusted editor. They are the people who have the
20 material. You know, you can ask some questions but in
21 all honesty there was no reason for me to disbelieve
22 them.
23 MR POLLARD: Could I just ask about the George Entwistle
24 position during this period? You had put him on notice
25 on December 2, at the lunch, and you had made it pretty

1 Q. How do you react to that? This is a BBC press officer.

2 A. It looks really unprofessional.

3 Q. Because?

4 A. Well, Meirion is a BBC producer. And actually I think
5 we should have had the conversation with him rather than
6 do this.

7 Q. I infer that there was a suspicion that Meirion Jones
8 had been the source, or at least a source for The
9 Sunday Mirror. That's presumably Meirion's suspected
10 role. That seems the obvious inference.

11 If I was to suggest to you that by pretty early on
12 in January Meirion Jones was seen as a bit of
13 a non-person so far as the BBC was concerned, he was
14 persona non grata --

15 A. No, it doesn't really work like that.

16 Q. Is that something you can comment on?

17 A. Um, the press office is clearly frustrated. Meirion,
18 I have since learned, has a very long track record of
19 being suspected of leaking, which again I didn't know
20 until we got to this point. I don't think he's ever
21 been persona non grata.

22 Q. You see, one thing that is very curious is that almost
23 until -- well, until October 2012, with the exception of
24 one short meeting with Stephen Mitchell, which I think
25 is in September, Meirion Jones, who does after all know

1 more about this story than anybody else, is the one
2 person that the BBC don't download information from?
3 A. I think that is because he is regarded as untrustworthy
4 at this point. And I don't -- there is a difference
5 between persona non grata, because he's still working
6 and we're still trusting him to do some journalism.
7 Q. I understand. Maybe my shorthand is inapposite, in
8 which case of course you are right to correct me. Of
9 course he's still doing his job, but his job is to do
10 journalism. But on and off -- and then of course with
11 a crescendo of noise by August and September -- the BBC
12 is responding to pieces in the press about the dropping
13 of this Jimmy Savile piece. In the BBC's developing
14 line, which we can see through these emails, the one
15 person that they never go to to get the facts from, is
16 Meirion Jones.
17 A. Well, you have to decide what you think the facts are
18 that you want to explore.
19 So the allegation is a cover-up of a Newsnight
20 investigation. So you wouldn't necessarily go to
21 Meirion Jones to get the facts on that, since it is
22 suspected that Meirion is the person who has decided it
23 is a cover up.
24 Q. I just want to show you --
25 A. If you see what I mean.

1 Q. That's what it says. There's another similar one if you
2 look at 52 and 53 to David Lomax. I don't know if you
3 have seen that one?

4 A. I have.

5 Q. It is to much the same effect, isn't it?

6 A. Yes.

7 Q. So would you agree that, putting these emails from Jones
8 together with the dripping poison from the press office
9 about Meirion Jones, putting those together, it looks as
10 if there has been a pretty serious corrosion of trust --

11 A. Massive.

12 Q. -- by January?

13 A. Yes, undoubtedly.

14 Q. And not just between Rippon and Jones, but more widely?

15 A. More widely in terms of the lack of trust. Um, but it's
16 a sort of paradoxical thing that you can have people in
17 the BBC who you suspect may be leaking, but you actually
18 still engage with them in terms of their professional
19 life, their journalism. There is a culture of leaking
20 at the BBC.

21 Q. Right. Now, as I say, I wasn't going to get into the
22 detail of the various press stories, but can I ask --

23 MR POLLARD: Can I just make a point? I think this is
24 implicit in what we've been discussing that quite
25 clearly through that January/February time, and as the

1 A. No.

2 Q. -- we talked about that earlier.

3 A. You see I hadn't got what they'd got.

4 Q. And that was one of the bits that runs big when ITV do
5 their story, for obvious reasons.

6 A. For obvious reasons.

7 MR POLLARD: I was to just going to ask, around about this
8 time or just before or just after, did you think of
9 saying, "Can I just see all this evidence? Can I see
10 what you've got?"

11 A. No, with hindsight I bitterly regret that I didn't ask
12 for that Nick, but in all honesty, I didn't. I think
13 there was an awful lot of other things going on at the
14 same time. I think we were recovering from Libya, if
15 I remember rightly. Et cetera, et cetera. But of
16 course it leaps out at you now.

17 MR POLLARD: Perhaps was it just likely before the point
18 where you and the rest of the BBC realised quite what
19 was coming down the line with the Exposure problem, was
20 it? With the Exposure programme?

21 A. Yes, I think the problem was none of us were focusing on
22 the allegations. We were focusing on the allegation of
23 a cover-up.

24 MR POLLARD: Yes.

25 A. That to me, looking back on it now with the benefit of

1 to do the blog because, as he puts it, "I cannot point
2 to many of the weaknesses in the story".

3 A. Yes.

4 Q. Which one might think is, "I cannot tell the whole truth
5 in a public statement."

6 A. Yes. Because it is very difficult in this environment
7 to say that you think your main victim lacks
8 credibility.

9 Q. But if you are going to publish to the world on a blog
10 an explanation of why the story was dropped, it's a bad
11 start, isn't it, if the author of the blog starts off by
12 saying, "I won't be able to tell the whole truth"?

13 A. I think you have to put this in context too, which is
14 ITV do a brilliant job of rolling out Exposure. They
15 soften people up, I thought, expertly. Do you remember
16 they had Esther Rantzen, who interestingly said, having
17 seen the five different women from five different
18 locations, says: I watched them, I didn't think they
19 wanted anything other than to tell their story, there
20 were no ulterior motives. Which I thought was quite
21 interesting in its own right.

22 So the press office, I know, is very anxious that we
23 don't say, "Actually we didn't believe some of these
24 women". That is the context of, "I can't put the whole
25 thing out". It would be seen as grotesquely

1 A. You are assuming that only emails tell the truth of
2 a situation.

3 Q. Yes.

4 A. I certainly remember a conversation involving press
5 office people, whether Peter was part of that, I don't
6 know. I thought that happened after the film came out,
7 but I may be confusing my dates.

8 Q. Peter Rippon, you have explained, didn't want to be
9 interviewed. Did he want to put out the blog, or was
10 that something that he was prevailed upon to do by
11 others?

12 A. I genuinely -- I can't remember to be honest.

13 Q. He has a busy job to do, he's still the editor of
14 Newsnight.

15 A. No, but this is top of his list at the moment. I can't
16 remember whether he suggested it or somebody else
17 suggested it. Certainly he was not averse to writing
18 a blog.

19 Q. Right.

20 So then look at 198, which is Steve Mitchell's reply
21 to the email we have just seen:

22 "This is for Helen and I and we will not be on
23 passing."

24 You say as you the reference earlier at 180 where he
25 mentioned that they might go to --

1 rather measly and mealy mouthed, "Editorial reasons",
2 which of course tells you nothing.

3 And the reason that a blog was decided upon -- and
4 I can't remember whose idea it was -- was that Peter was
5 absolutely resistant to going on any media outlets to
6 talk about his decision. [REDACTED]

7 [REDACTED]
8 Q. And all sorts of people were pressing for Peter Rippon
9 and others to be interviewed --

10 A. Yes.

11 Q. -- right left and centre?

12 A. Yes.

13 Q. You see the blog. You see the reference to 191 at the
14 top:

15 "This is a chain of events. I will now work on
16 a blog".

17 So the only people this has been discussed with at
18 this stage, on the face of it --

19 A. Yes.

20 Q. -- are Mitchell and Rippon originally, 8.43 and --

21 A. And then me.

22 Q. -- then you get copied in, but you are told that he's
23 working on a blog. So it looks as if the idea for
24 a blog must have come from Peter Rippon or
25 Steve Mitchell, or the two of them in some combination.

1 A. George.

2 Q. -- Helen and George.

3 A. Yes.

4 Q. Now he says, "We will not be on passing." I infer --

5 tell me if this is wrong -- the need to on pass, or any

6 question of on passing the chain of events was overtaken

7 by the fact that the blog gets produced, is that right?

8 A. Yes, I think so.

9 Q. Mr Rippon has produced this chain of events in a very

10 short time period, hasn't he? He's asked at 8.43 and he

11 sends it at 12.14?

12 A. That's not really short in news terms. It's just not,

13 you know, people write things fast.

14 Q. Right, but, it is interesting, you say, "In news terms".

15 It depends, doesn't it, what was going on here. It

16 strikes me, as a lawyer, as a very short period of time

17 to go away and set out the facts of a complicated chain

18 of events that took place nearly a year before.

19 A. He is not a lawyer. He's a journalist. So, you know,

20 quarter to nine to quarter past twelve is not, um,

21 a lot -- it's not short in journalistic terms.

22 Q. It is also fair to Peter Rippon to point out that the

23 instruction or invitation -- however one characterises

24 it -- from Steve Mitchell at 8.43, was to set out

25 a briefing note, "As best as you can recall".

1 A. Um-hm.

2 Q. So he wasn't, one might think, actually being asked to
3 go away and look at it all on a root and branch basis?

4 A. It has sort of shifted, hasn't it, from: what do you
5 remember Peter? To being a blog without anybody
6 noticing, and there is a very different purpose there.

7 Q. It hardens, once the blog is produced, in the BBC's eyes
8 as becoming really the cornerstone of the BBC's story
9 and gets so presented by Mr Entwistle when he gets to
10 the Parliamentary Committee?

11 A. Yes, and that again happened without discussion. It
12 became -- it was no one's deliberate intention, because
13 an editor's blog is their version of something, but it
14 shifted, as I think events overtook the BBC as the media
15 storm grew and grew.

16 Q. I'm going to keep going through this but just let me
17 jump sideways to 16 for a moment. Can I ask you to turn
18 to page 52, please? What is Mr Payne's role?

19 A. Julian Payne, I think, is the deputy head of the
20 corporate press office working to Paul Mylrea, I think.

21 Q. So Payne and Mylrea are close colleagues and one is the
22 superior of the other?

23 A. Yes, Paul is --

24 Q. The superior?

25 A. -- Julian's boss, I think.

1 Q. -- when things really get hairy.

2 Now, we asked Steve Mitchell about why he thought
3 this happened, and he gave some explanation in his
4 statement about why this happened. Why do you think --
5 if you accept the premise that it is what happened, that
6 is the premise of this question, why do you think this
7 happened?

8 A. I think it happened because it was the only information
9 we had. It was the only solid thing. And it was such
10 a confusing time with, um, the world's media battering
11 at the door making connections that felt, um, very, very
12 challenging, you know: what did George know, what did he
13 do? In a sense Peter's blog filled a vacuum.

14 Q. Now Mr Mitchell's view, if you put 16 away and go back
15 to bundle 7 at 198:

16 "Thanks Peter. As discussed, this is for Helen and
17 I will and we will not be on passing.

18 We have talked about that:

19 "It is in effect the detail behind our existing
20 public position, namely that Newsnight had focused on a
21 very specific approach and when that did not stack up
22 dropped the project on editorial merit. The blog will
23 obviously have to steer away from some of the elements
24 of witness reliability, but in essence can follow the
25 same line."

1 So is that the same point about not telling the
2 whole truth?

3 A. Yes.

4 Q. Meanwhile, page 203 -- it may be that you are not
5 involved in this, and if so, say so -- Mr Mylrea and
6 others are developing a line because now the business of
7 abuse having taken place on the BBC premises is now very
8 much front and centre, isn't it?

9 A. Yes.

10 Q. ITV are going to run that very hard.

11 A. Yes.

12 Q. And they have film of some of those involved. The BBC's
13 line is that these -- do you see, "These were criminal
14 actions."

15 Do you see that?

16 A. Yes.

17 Q. And it is in the context of abuse by Jimmy Savile, not
18 by anybody else, but by Jimmy Savile. If you go to the
19 first paragraph:

20 "A number of series ... These were criminal actions
21 which are the responsibility of the police, who have the
22 powers to investigate anyone involved."

23 Were you aware of being involved in this developing
24 line? It is a bit curious that the BBC has --

25 A. No.

1 Q. -- decided that the criminal actions of Jimmy Savile are
2 now for the police to investigate, where in fact the
3 police's view later expressed is that the one person
4 they wouldn't be investigating would be Jimmy Savile,
5 for the obvious reason that he wasn't --

6 A. He's dead.

7 Q. -- he's dead, a waste of time. You were not involved in
8 that. Is that because Mr Mylrea -- Mylrea's operation
9 is what Steve Mitchell described to you as corporate?

10 A. Absolutely corporate.

11 Q. And you are News.

12 A. And we're News and we're also reporting on this.

13 Q. So when we see Mr Mylrea's side of things, we can take
14 it, can we, that unless you or Steve Mitchell or
15 Peter Rippon is asked a specific question --

16 A. Yes, I mean I'm just trying to think. Because there is
17 a very complicating factor to this which is the new
18 building, which -- for just reasons of newly moved, my
19 desk is very near George Entwistle's office. So there
20 were moments when, well, actually I had to put up a bit
21 of a barrier and just say, "We're News, we're separate".

22 For example Paul got incredibly cross about some of
23 our cameras, some of our crews doing something in
24 relation to this story --

25 Q. Was that doorstepping Mr Entwistle?

1 running the journalism, and never the twain shall meet.

2 I think the blog is particularly difficult and
3 I think it is one of those things that the BBC is
4 slightly struggling with because it is a new form of
5 communication, which is, um, I would have seen Peter's
6 blog as an editor's blog about his view on his story.
7 You might say it is right, you might say it is wrong,
8 but it is his view. This is the first time I have seen
9 that used as a corporate communication.

10 And it happened -- my sense was it happened without
11 anyone thinking it through.

12 MR POLLARD: So in the past it has been part of the
13 journalism, if you like?

14 A. Yes. And I think I can say that quite consistently.
15 You -- partly blogs are quite new still. I mean not
16 very new, but the way of using them is quite new. And,
17 um, so in the -- I'm just trying to think of an example.
18 I mean Ross/Brand was interesting, because there was
19 a clear line. In fact I remember meeting you and saying
20 I had had some ice from some of the people on the
21 Executive Board about the way News was covering it. And
22 you saying the only scandal would have been if News
23 hadn't covered it like that, in that sense. So
24 understanding that wall between News covering the BBC
25 and the BBC corporate line is quite complicated and, if

1 I'm honest I think we have quite a lot of new people,
2 both in the corporate centre press office and in other
3 roles who do not get this. Or do not get it as much as
4 you need to get it.

5 MR POLLARD: But is your view that the blog has to meet the
6 same editorial standards as the rest of BBC's
7 journalism?

8 A. Yes, it does.

9 MR POLLARD: Which must have given you a problem when you
10 were, if you like, taking things out of known facts and
11 then make sure that they weren't --

12 A. I was very uncomfortable, as I flagged, with the idea of
13 "editorial reasons", because it was an euphemism. But
14 I did understand enough. It is a complicated role being
15 director of News because you are both a corporate
16 citizen and you are doing the journalism. Which is why
17 this role, this head of journalism role and the
18 Mark Byford role was so critical.

19 In the end my -- since I have had it, since April,
20 my view has been you have to try to protect the
21 journalism first, because in the end that protects of
22 reputation of BBC. But I was very uncomfortable with
23 this euphemism.

24 MR POLLARD: Just one final question from me for the moment.
25 When in October -- or perhaps it was just before

1 October -- did it become clear to you that there was
2 a centre -- I'm really talking about Meirion Jones and
3 Liz MacKean -- of opinion that completely rejected
4 Peter Rippon's version of the story? In other words,
5 a counter version of it?

6 A. It became clear to me when, um, Steve had had
7 a conversation with Meirion, Liz and Peter, and
8 he actually, I think, used the phrase, "It's broken".
9 You know, there is no -- there is no common ground and
10 the level of personal vitriol had completely shocked
11 him, I think.

12 MR POLLARD: That would be when? When in relation to the
13 preparation of the blog, say?

14 A. That would have been after the blog. So for me the kind
15 of real sense of it -- and I think -- I can't speak for
16 Steve but my sense was as the chipping away at the blog
17 by Liz and Meirion -- legitimately they had more facts
18 on their side --

19 MR MACLEAN: If it helps, Mr Mitchell met Liz MacKean on
20 8 October.

21 A. I think that was about the same time as the emails from
22 Liz and Meirion which -- George did call me in to see
23 and said, "Look at this". And my line then was, "We
24 need an investigation, and it should be in anticipation
25 of a disciplinary because this is really serious."

1 And actually the other thing about a disciplinary
2 investigation is that everybody knows the rules.
3 MR MACLEAN: And the object of the disciplinary
4 investigation --
5 A. To get to the bottom of what was true and what was not.
6 Q. And the subject of it, the human being?
7 A. Well, it would have been Peter. That, I -- in those
8 circumstances felt very harsh but at least I felt he
9 would have -- for my mind, because I still thought --
10 I didn't quite realise how much he had forgotten or
11 muddled -- in my mind that would have protected him too
12 because, you know, you have rights, you have sort of --
13 you can explain things.
14 Q. All Mr Rippon has been asked to do is to set out
15 a briefing note as best as he can recall, which is what
16 he did.
17 A. He did.
18 Q. He might not recall correctly --
19 A. No, no, exactly. But that then, as I say, morphs into
20 a blog and that, almost without discussion, becomes the
21 BBC's line.
22 Q. Mr Mitchell said this:
23 "On 1 October I asked Peter Rippon to draft
24 a briefing note for me and the director of News laying
25 out his decision-making."

1 for him. Did you feel at this time that Peter was
2 actually getting enough support from you, from
3 Stephen Mitchell and from the BBC?

4 A. I thought he was generally getting fantastically good
5 support from me and Steve Mitchell. I did not think he
6 was getting support from the BBC. I had a very
7 difficult conversation with George immediately after the
8 ITV programme when George asked me to go to his office
9 and Jessica and Paul Mylrea were there and George -- and
10 this is not unreasonable for George to have decided
11 this -- he said:

12 "I'm going to do a public statement and I have
13 decided that I need to protect the BBC and BBC News
14 within it, and I'm going to do a statement that makes it
15 impossible for Peter not to resign."

16 And I said, um, I think that would be wrong
17 ethically, but I also think it won't work because [REDACTED]

18 [REDACTED]
19 [REDACTED] And then, you know, George is
20 a decent man and he sort of pulled back from it. And we
21 had a conversation about, um, what we could do in terms
22 of managing the situation, and, um, [REDACTED]
23 [REDACTED], as I have
24 explained to you, and there were, you know, clearly we
25 needed to be careful. I did make clear that if you

1 punish editors for bad editorial judgments, you terrify
2 them forever more from making any kind of judgment.
3 And, um, the conversation ended because Paul went out to
4 take a call from the Daily Mail, I think, inviting
5 George to lunch.

6 So, um, the idea of the statement was dropped.

7 MR MACLEAN: Can I just pick you up on something you said in
8 that answer? You said you made it clear if you punish,
9 I think, said editors for bad editorial judgments you
10 terrify them forever.

11 The working assumption was, was it, that Mr Rippon
12 had made a bad editorial judgment?

13 A. By George it was. That's why he said he would do
14 a statement that made it impossible for Peter not to
15 resign.

16 Q. Where had that -- what was the basis of that assessment
17 do you think?

18 A. I think it was -- I do understand it. If you watch the
19 Exposure programme, which I thought was a really good
20 programme, because they had five different women, in
21 five different circumstances, they didn't start with the
22 Duncroft girls, they started with other sorts of
23 girls --

24 Q. Not all of those girls had been available to Newsnight?

25 A. No, but, um -- and they built up a pattern of behaviour

1 own decisions as an editor and will continue to do so if
2 necessary."

3 And then you explain from your perspective --

4 A. Yes.

5 Q. -- the support you have been giving him. What is that
6 about?

7 A. That was when -- the same conversation that ended with
8 the invitation from The Daily Mail's editor to go to
9 lunch with George. George was explaining to me his
10 thinking about preserving the institution and preserving
11 News and I said -- and it was not an empty gesture --
12 I said, um -- because I had been thinking about it
13 ever since the programme, "If you need me to be the
14 person who takes responsibility for this, I will
15 resign." And it was not an empty platitude, it was
16 absolutely meant, because in the end, as far as I'm
17 concerned, that's why I get paid the danger money.

18 Q. But the "this" that you were contemplating taking
19 responsibility for -- under those circumstances, the
20 "this" was the --

21 A. The editor's right to --

22 Q. -- poor editorial decision.

23 A. Well, George had said --

24 Q. The wrong decision?

25 A. It depends if you think it is the wrong decision.

1 Q. That is why I am pressing you about it.

2 A. I think editors are allowed to make the wrong decision
3 as long as they make it honestly and honourably. If
4 they make it through laziness or greed or viciousness,
5 that is not acceptable. But I don't think you can run
6 a journalistic culture where editors are not allowed to
7 make mistakes. I also think it is dishonest -- if you
8 think somebody has made a catastrophic and negligent
9 mistake you need to put them on a disciplinary and sack
10 them. I don't approve of statements that make it
11 impossible for them not to resign.

12 Q. That's what I'm just pressing you on. I can understand
13 why you might have taken the view -- perhaps you did
14 take the view -- that to make a statement that made it
15 impossible for Mr Rippon to resign --

16 A. Not to resign.

17 Q. -- not to resign, sorry, would be an outrageous thing
18 for the BBC to do to Peter Rippon. I can understand why
19 as Director of News you might say "If you do that, I'm
20 going to resign in protest. I'm going to make it clear
21 that I think this is an outrageous thing to do."

22 A. That's not what I said -- sorry.

23 Q. I know it is not what you said. I'm just suggesting to
24 you that would have been, as it were, one point of view,
25 perhaps a perfectly sensible point of view to protect

1 the integrity of News and the editors that work for you.

2 But why should you be offering to walk the plank on
3 the basis of a poor editorial decision when you actually
4 hadn't formed any view as to whether it was -- whether
5 it was a poor editorial decision?

6 A. Well, George had formed a view and George was thinking
7 of a sort of behaviour that I felt I had to counter and
8 actually take responsibility -- you know, if somebody
9 had to take responsibility for this, it does not seem
10 unreasonable that it is me.

11 Q. You were willing to, as it were, go along with, accept
12 the view -- the view that had been formed that Mr Rippon
13 had --

14 A. I don't -- you finish and then I will chip in.

15 Q. that Mr Rippon had screwed up this decision. Not the
16 blog, not misrecollecting it months later, but the
17 fundamental decision was so bad that he was going to be
18 forced into a position where he had to resign.

19 A. I don't think that I would have framed it in those terms.
20 I would have framed it as an editor has to write -- you
21 know, make a decision. The decision we can argue about
22 and I would have said I actually think that it may not
23 have been a bad decision, but it has clearly left the
24 BBC in a very vulnerable place with all sorts of issues
25 being raised about its reputation and its editorial

1 integrity -- issues that actually kill me when I think
2 about them because I have worked long and hard to try to
3 protect the reputation of BBC News, clearly not alone.
4 I think I could have made that gesture -- sincerely meant
5 gesture -- and not compromised, not given the idea that
6 Peter had made the wrong decision, but made it clear that
7 it did happen when I was Director of News. I don't
8 think the two have to sit together.

9 MR POLLARD: Why did you decide not to resign on those
10 grounds?

11 A. George said he would not accept my resignation because
12 to accept --

13 MR POLLARD: He couldn't have stopped you resigning.

14 A. He couldn't and I did not -- I'm not going to make
15 myself a martyr in this. I offered it, I was sincere in
16 my offer, and when he said no, I accepted that.

17 But throughout this there has been -- once the
18 Exposure programme came out it was incredibly difficult
19 for people not to see Peter's decision-making as poor,
20 because you know hindsight is a wonderful thing. It is
21 incredibly hard to kind of think back to where he might
22 have been and the material he had.

23 MR MACLEAN: Let me just show you a document that might help
24 you date this conversation. If we look at A12 -- I hope
25 we will find page 231.001 -- an email from you to

**RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH DANNY COHEN**

1 A. Of course. Of course you are welcome.
2 Q. -- I just haven't seen it.
3 A. Yes.
4 Q. Can I take you back to bundle 1, shortly after
5 Jimmy Savile had died. If you turn to page 81 --
6 A. Can I say a bit more on why it didn't, is that possible?
7 Q. Absolutely.
8 A. The reasons were essentially as I have laid out in my
9 statement to you --
10 Q. Yes.
11 A. -- that, at that point, the only knowledge I had of the
12 Jimmy Savile story was the newspaper clipping in
13 February which suggested that Newsnight had dropped the
14 story. As I said in my introduction -- in my summary,
15 I had no reason to doubt that Newsnight had not carried
16 on that investigation for good journalistic reasons.
17 Q. Yes.
18 A. So there was nothing, you know, in my mind, you know you
19 always have in these things a duty of care to the person
20 being accused of something until, you know, there is
21 substantial evidence against them and in my mind there
22 was no reason to particularly do something unfavourable
23 and, in the context of Jimmy Savile's reputation because
24 I didn't have any firm information that was the case.
25 Q. Is that -- if I understood what you said earlier, you

1 decided not to have a series of Jim'll Fix It for
2 a basket of reasons, but essentially you didn't think
3 the show was strong enough --
4 A. Yes.
5 Q. -- that's what it basically comes to.
6 A. Yes.
7 Q. So Jimmy Savile's reputation, his, as it were, good
8 name, which hadn't been definitively unpicked by that
9 stage, was neither here nor there?
10 A. No, that's what I'm saying. I'm trying to explain
11 that's why it wasn't an issue.
12 Q. Yes.
13 A. Yes.
14 Q. Okay. Let me show you page 81 of bundle 1.
15 Jimmy Savile had died on Saturday, 29 October last year.
16 Sam Hodges sent an email that afternoon to Roly Keating.
17 Just remind me who Roly Keating is?
18 A. He has left the BBC now. He acted informally as
19 George Entwistle's deputy.
20 Q. Right.
21 A. It may have been that weekend he was covering for George
22 and that's why it went to him, but I'm not entirely
23 sure.
24 Q. Right. So you see that Hodges sends an email to
25 Roly Keating and to you:

1 Q. He was --
2 A. He was shortly to leave.
3 Q. -- shortly to leave after Remembrance Day, I think?
4 A. Okay.
5 Q. Now, the reference there to "obit Jimmy Savile", as we
6 understand it, that is a reference to formal obituary
7 programme, which is usually, but not always,
8 commissioned before the person has actually died?
9 A. That is right. We have a lot of those waiting, as it
10 were.
11 Q. A lot of?
12 A. A lot of those films are ready for when people pass
13 away.
14 Q. Do you have a lot of them?
15 A. Um, maybe five to seven, you know, with the Royals,
16 probably the same with -- when you were at Sky.
17 [REDACTED] you know, there are some people in that
18 kind of category, yes.
19 Q. But not many in the entertainment -- Ronnie Barker was
20 one example that we were given, who obviously has died.
21 A. I think we're doing one on [REDACTED] I can't think
22 of many others beyond him that we are currently --
23 Q. I am sure he will be encouraged by that.
24 A. I'm not sure he knows. His agent does.
25 Q. So the question of whether there should be a formal

1 obit, that's nothing to do with you, is it, at least
2 until it comes to be scheduled for being shown, is that
3 right?

4 A. No, I may have a role prior to that. So I'm shown from
5 time to time a list of ones that we have prepared and we
6 discuss whether that list is appropriate, whether there
7 is anyone missing, and also whether any of them need
8 updating. For example, say, with a member of the Royal
9 Family, say, actually anyone, if they -- if they have
10 a -- if there is life events going on, you need to keep
11 updating the programme, so that it is up to date if and
12 when it goes out.

13 Q. For example, if it is not too morbid, to take the
14 [REDACTED] example, if you had made a programme about
15 him ten years ago, it would not have mentioned [REDACTED]
16 [REDACTED] and clearly it would now have to be
17 updated.

18 A. Perfect example.

19 Q. Let me show you page 87 which refers to the position of
20 controllers. This is still the 30th. You are not
21 involved in this email exchange, but
22 Nick Vaughan-Barratt emails Jan Youngusband on the 30th
23 at 9.30 to say:
24 "Some years ago we decided not to make one [ie
25 an obit] for Jimmy Savile and that decision has been

1 agreed by successive controllers."

2 Were you ever party to a positive decision not to

3 make an obit about Jimmy Savile?

4 A. I don't think I was. But I couldn't be 100 per cent

5 sure.

6 MR POLLARD: How long have you been in post?

7 A. Two years.

8 MR MACLEAN: You mentioned a moment ago that you do, from

9 time to time, see a list of these things.

10 A. Yes, and I don't recollect ever discussing Jimmy Savile

11 as part of that.

12 Q. Would that discussion be with Nick Vaughan-Barratt or

13 his successor?

14 A. Yes, and Jan Younghusband. So every maybe six months

15 they might come to me in one of our routine meetings and

16 show me the current list.

17 Q. So what do you -- what if anything do you recall about

18 Jimmy Savile, vis-a-vis this list?

19 A. Nothing. I don't remember anything actually.

20 Q. Without getting into the -- putting everybody into their

21 own particular pigeon hole, how far down the pecking

22 order, if you like, would Jimmy Savile have come, in

23 your opinion? If I come to you on 28 October and said

24 "If Jimmy Savile dies in the next six months, how far

25 down the pecking order is he, how close is he to having

1 there is not that many more that are sitting waiting.

2 MR POLLARD: But you would quite regularly, I guess, have

3 a discussion about somebody who died, "Should we make

4 a programme about them?" You might say yes, you might

5 say no.

6 A. After they had died?

7 MR POLLARD: Yes.

8 A. Yes. That's exactly what happened, as you can see from

9 some of these emails. That's pretty standard that when

10 someone -- we had it quite recently, I think, with

11 someone from, you know, the army comedy of the 1970s --

12 MR POLLARD: Dad's Army.

13 MR MACLEAN: Clive Dunn.

14 A. Clive Dunn. So those conversations happened in the last

15 few weeks and we agreed that the right thing to do --

16 I actually can't remember. It was a BBC2 decision. We

17 decided it would be more appropriate on BBC2 and I can't

18 quite remember what they did.

19 Q. So if one was trying to get a sense of how much, as it

20 were, care and attention -- I don't mean that

21 pejoratively -- is devoted by the controller to the

22 question of who should be on this list, how much of your

23 time does it take up, the answer would be what?

24 A. 20 minutes every six months.

25 Q. Right.

1 morning anyway, you had had the idea of the Jim'll Fix
2 It; is that right? Go to page 101.

3 A. Yes. I mean, I don't recall exactly when I had it, but
4 in the context of that, that makes sense.

5 Q. So:

6 "Hi George, one thought I have had this morning is
7 to do a Fix It Special at Christmas with a loved BBC
8 personality taking Sir Jimmy Savile's role. It would be
9 homage to him and I think it would feel like a real
10 Christmas treat."

11 George Entwistle replied to that, if you go to
12 page 108.001, saying:

13 "Great idea, Danny. Please keep me posted."

14 A. Um-hm.

15 Q. But in between those two emails, in between your email
16 at 10.19 and George Entwistle's email at 12.46, there
17 was another email sent to George Entwistle and copied to
18 you at page 103, wasn't there, at 12.01? Do you
19 remember that one?

20 A. I don't recollect reading it at the time. I have
21 obviously seen it since these bundles were sent to us,
22 but I think -- well, I know I didn't see it at the time
23 and I presume, although I'm speculating, the reason
24 I didn't see it was I felt, as I have mentioned, that
25 the night before my decision had been made and I do not

1 always follow cc chains of everything that comes in if
2 I don't feel that they are still appropriate to my part
3 of the work.

4 Q. So in order to know whether it was appropriate to your
5 part of the work or not, you would have to have read it?

6 A. No. Because I had already decided that in terms of
7 Sir Jimmy Savile -- you will see from the email about
8 the night before where George and I agreed it was not
9 BBC1 --

10 Q. Yes.

11 A. -- I didn't think that there was anything more I needed
12 to do at this point in terms of this chain of emails
13 about what we would be doing on Jimmy Savile in terms of
14 obituaries or tributes.

15 Q. Because it wasn't going to be a One thing?

16 A. Yes. And that's my remit essentially.

17 Q. Right.

18 MR POLLARD: How do you know that until you have read the
19 email? I mean, the email might have been
20 Jan Younghusband saying "Apparently George has changed
21 his mind and wants something on BBC1."

22 A. Yes.

23 MR POLLARD: Now he hadn't, but I'm not quite sure how you
24 can make an assumption that an email is not worth
25 reading until you read it.

1 A. Well, I think it's a fair question. We get so many
2 emails and I don't always read cc's. I think often if
3 it is sent to you directly you always read it; if it is
4 a cc you sometimes don't go into every email we see
5 because we just get so many. So I felt the night before
6 I had dealt with it in terms of what we would be doing
7 immediately on Jimmy Savile and I didn't see it the next
8 day.

9 MR MACLEAN: Did you discuss it with Mr Dolling at all?

10 A. Discuss what?

11 Q. Discuss the Jimmy Savile position, if I can put it like
12 that, with Phil Dolling?

13 A. In general or pertaining to this email?

14 Q. In particular on or about 31 October?

15 A. I can't remember to be honest.

16 Q. Because there is an email that you will have seen in the
17 bundle that we sent to you from him to Jan Younghusband
18 that same day, at 15.48, where he says:
19 "To be honest, that is probably a good call ..."
20 Ie they don't want an obit of Jimmy:
21 "... better to keep to the entertainment side of his
22 life."
23 Said Dolling. Which might suggest that he --

24 A. Sorry, could you give me the page, please?

25 Q. I have it in a different bundle. Let me see if I can

1 the story so they are beavering away on the special
2 oblivious. Liz G [that is Liz Gibbons] has said to
3 Meirion 'I'm having nothing to do with this, I don't
4 want to piss off Danny Cohen, it is down to Peters'."

5 Did you have any discussions with Liz Gibbons about
6 what was going on in Newsnight?

7 A. No. I'm not sure I've ever met her. I may have met her
8 once but I certainly have not had any discussion with
9 her on recent --

10 Q. Can you think of any reason why she should be concerned
11 not to get on your wrong side?

12 A. Well, there's -- I'm a senior manager. I think the
13 people in News on this have massively overplayed how
14 upset we might be with any of this information. I think
15 the suggestion -- my understanding of that suggestion is
16 that we would be disappointed to hear about this because
17 it would stymie our plans for the Shane Richie
18 programme.

19 Q. Yes.

20 A. And I don't think I would have minded in the least. You
21 know, if someone had said to me -- and this is "if"
22 because this didn't happen -- if someone had said to me
23 "we have serious allegations outstanding against
24 Jimmy Savile", I would have said, "I'm really glad to
25 know that. We need to look at whether we should put

1 this programme out".

2 MR POLLARD: Do you wish somebody had done that?

3 A. Yeah. Because I -- you know, I put that programme out.

4 Um, and I -- you see, we move programmes quite often.

5 You know, I did it quite recently. We had

6 a programme called Good Cop which was, I think, a three

7 or four part drama series and quite a gritty real life

8 thing, and when we came to, I think, the third, the

9 final episode -- so, you know, you had given the

10 audience all of the material already and they were

11 hopefully into it -- in the final episode a female

12 police officer is beaten up and that coincided -- that

13 fictional story coincided with very close to -- do you

14 remember that recent Manchester story where a female

15 police officer was killed?

16 MR MACLEAN: Yes.

17 A. So we had to make a decision about whether it would be

18 appropriate or tasteful to put that programme out, and

19 I decided it wasn't and we delayed it. We do that kind

20 of thing not weekly but relatively often.

21 Q. We saw that the Richie thing was being filmed on, I

22 think, 19 December?

23 A. Yes.

24 Q. It wasn't -- it wasn't, or was it, a very expensive

25 programme to make?

1 A. Not -- not by the standards of entertainment
2 programming. But, you know, as I say, if someone had
3 said to me, "We have criminal allegations outstanding
4 against Jimmy Savile", I would have said let's hold off
5 this programme until we know whether these allegations
6 are proven or not.

7 Q. What about if somebody had said, "We've gathered some
8 information that leads us to think that Jimmy Savile
9 probably was a paedophile but we don't have enough to
10 make it stand up on a news piece"?

11 A. Well, I think that's a very good and interesting
12 question, and I think it comes down to a judgement about
13 whether you think it's fair to penalise someone for
14 which we don't -- we're not able to substantiate
15 allegations. And I probably would want to take advice
16 on that.

17 Q. From?

18 A. Legal, editorial policy.

19 Q. Let's assume Legal had said "There is no legal
20 impediment to running this story. If you want to run
21 it, that's fine"?

22 A. I think I would have had to make a judgement with my
23 boss and Editorial Policy whether it was the right thing
24 to do. I don't think I can tell you off the bat because
25 what you are saying is -- what you are essentially

1 saying is there are a number of different things they
2 could have told me. They could have told me "We're
3 confident that he's a paedophile and we're in the
4 process of preparing an investigation on that"; or they
5 could have said, as seems to have happened, "We have
6 been investigating this. We can't stand it up. We have
7 decided we can't stand up".

8 If they had said to me "We can't stand it up",
9 I think I would have gone ahead with transmission
10 because I don't think it would have been fair not to
11 transmit a programme that the BBC couldn't substantiate
12 allegations against.

13 MR POLLARD: If they had said "We can't stand it up yet"?

14 A. I think I would have delayed the programme.

15 You know, I have noticed in some of the emails, you
16 know, "destroying our Christmas ratings". This was not
17 the programme at the heart of our Christmas. This was a
18 5.45 programme on Boxing Day. You know, BBC1's
19 Christmas story was not dependent on this 30 minutes of
20 teatime television.

21 And reading those emails, the ones about that, I'm
22 surprised by them because if they had asked me I would
23 have said this isn't a big deal. This is half an hour
24 at 5.00; it's not even in prime time. You know, it's
25 not the biggest thing in the world to us. And certainly

1 if somebody had said to me there are serious sexual
2 allegations against this person, like the Good Cop one
3 I would have gone away and thought about it, maybe taken
4 some advice and, depending on what they said about
5 substantiated or not or where they were in the process,
6 made a call on whether to delay the programme or not.

7 MR MACLEAN: Would you have gone to see Steve Mitchell and
8 asked him about it?

9 A. No, I would have talked to George Entwistle.

10 Q. You wouldn't have talked to anybody in News directly?

11 A. No, I wouldn't, no.

12 Q. You would have gone up to the Director of Vision?

13 A. Yes, I would.

14 Q. And then left him to deal with either the
15 Director General or Helen Boaden?

16 A. Yes.

17 Q. That would be the way it would work?

18 A. Yes, I think that would be appropriate, yes. Because I
19 don't think it would be appropriate for me to start
20 asking specific questions of journalists about their
21 investigations.

22 MR POLLARD: I was just going to say, it just brings us back
23 to that November 27 meeting that you had with
24 Steve Mitchell: Obviously the reason that we're
25 interested in it is because it was absolutely just at

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1 was --

2 A. Was planning to do things, yes.

3 Q. Whether they knew exactly what is another matter but

4 they knew that BBC Vision was going to do something

5 about Jimmy Savile. So if you assume for the purposes

6 of the discussions that Vision issues, as you say, it

7 comprises or includes --

8 A. Yes, are those.

9 Q. -- tributes, what would you say about the dropping this

10 off the list?

11 A. Well, I -- I guess are they thinking that they want

12 to -- that they intend to address Vision issues, in the

13 sense is that you give, in a way different to the

14 Managed Risk Programme List?

15 Q. One suggestion was that the Managed Risk Programme List

16 was not concerned with items or programmes where the

17 risk was a reputational risk to the BBC, and therefore

18 Savile wasn't an appropriate story to be on the Risk

19 List in the first place at all. That's one suggestion

20 we have had, do you recognise that?

21 A. In Vision, reputational risk to the BBC would one of the

22 reasons we would have contemplated putting something on

23 the list.

24 Q. Another argument or suggest that has been made to us is

25 that the Savile story was dropped off the list in order

1 Q. We can see that Steve Mitchell is there, Helen Boaden,
2 Peter Rippon and you.
3 A. Um-hm.
4 Q. So just tell us about, first of all, at what point in
5 this event did Helen Boaden sidle up to you?
6 A. My recollection, I arrived -- I was ill that day and
7 I hadn't done the work I was going to do in the morning.
8 I had stayed in bed and I went from -- I didn't want to
9 miss the lunch because I thought -- I understood
10 Janice Hadlow was going to win an award and I wanted to
11 be there for Janice's award, so I went from home --
12 there was a lot of talk about were we going to share
13 a lift in, but I didn't in the end share a lift with
14 anybody because I went from home to the lunch and
15 I didn't -- I recall arriving not late but relatively
16 close to the start of the thing.
17 There were a lot of people around. It was very busy
18 and I -- [R19] , who was the one who sent me the stuff,
19 was introducing me to a lot of people I didn't know,
20 people connected with women in film and television and
21 other people around me. But my recollection is that
22 Helen -- in the period before we sat down, Helen came up
23 to me and mentioned the, um -- mentioned the Savile
24 investigation.
25 Q. She was doing that because she had learned from

1 Peter Rippon and/or Steve Mitchell that Newsnight was --

2 A. Looking at --

3 -Q. -- looking at this and had something in the pipeline and
4 at that stage her expectation was that the piece might
5 well be broadcast; is that right?

6 A. Well, I have -- I have answered this question so many
7 times I'm -- I'm starting to wonder whether I can't
8 remember some of the ways I have answered the question
9 or whether I can't remember the situation itself. But
10 my recollection is that she was open ended about whether
11 or not anything would come of it. That was my
12 recollection of that exchange.

13 So she didn't say "We're days away" or "This is
14 imminent and it is stood up and you need to know because
15 we're about to press the go button on it". It felt much
16 more like "Newsnight are looking at Savile and if
17 anything comes of it" -- and I have used these phrases
18 and I don't know whether they are absolutely right or
19 not, but -- "if it stands up, if any thing comes of it,
20 if it pans out", something like that, "then may be
21 implications for your Christmas schedule".

22 I remember saying "Thanks" and I think I might have
23 said thanks in an ironical way, but I didn't mean to be
24 discouraging. I just wanted to reflect the view
25 television might generally have of News' capacity for

1 creating problems for it. But -- which is pride in it
2 on the one hand and the recognition that sometimes it
3 creates practical problems on another.

4 Q. So she had at least potentially put something onto, as
5 it were, your plate?

6 A. She definitely put something on my radar, was my
7 feeling. I didn't feel she had put something on my
8 plate because I felt that she had been so clear about
9 the -- or I took away from the conversation so clearly,
10 my recollection is, the conditionality of it. It felt
11 to me that there was an "if". The key thing was "If we
12 move to the next stage" or whatever the phrase might
13 have been.

14 MR POLLARD: Any journalist would say "What are you
15 investigating him for?"

16 A. I know. I didn't. I don't recall asking her that.
17 I asked her afterwards when I -- when I talked about the
18 conversation "Do you remember me asking?" She said
19 "I don't remember you asking, I don't remember whether
20 I told you or not". So I don't have a recollection of
21 asking it and I agree that question has been put to me
22 a lot, I understand that. I have thought a lot
23 about it. Thinking a lot about it hasn't brought back
24 a memory of my asking or her telling me.

25 We were in a sort of thoroughfare between two

1 tables, people kept coming up and saying "Oh, hello" and
2 air kissing each other because this is television, and
3 it could well be that our conversation was interrupted
4 by another introduction. Frances was rather
5 industrially bringing people up to me to meet, and that
6 was good, in a sense, that was what I was there for.

7 Q. As a mechanism of putting something, whether on your
8 radar or on your plate, it is a pretty hopeless forum to
9 do it in, isn't it?

10 A. Well, it -- everything I say now is post hoc, ie this is
11 me rethinking about it now rather than thinking about it
12 at the time. The only way in which it seems to me that
13 that would have been -- would have made sense, is if it
14 was a -- it was the beginning of a conversation that
15 would have a second part.

16 Q. Helen Boaden, I think, explained to us that she
17 anticipated that you would take this information away,
18 back to Vision, and --

19 A. And do something with it?

20 Q. -- and do something which it?

21 A. Which I didn't do, so far as I'm aware.

22 Q. What would the -- I mean, the "something" might have
23 been to, first of all, get a firm grip of what the --
24 what was on the Vision menu, but perhaps you knew that
25 already, so far as Savile was concerned.

1 but I didn't.

2 MR POLLARD: You have mentioned -- I think Mr Maclean will
3 be coming to it -- the way perhaps you put this at the
4 Select Committee.

5 A. Yes.

6 MR POLLARD: You made quite a strong element at that
7 committee of not just, if you like, a sort of passive
8 "In fact, I didn't do much about it", but a positive
9 reason for not doing something about it, or not asking
10 more about it because of the danger of influencing --

11 A. Well, that's --

12 MR POLLARD: -- can you explain that?

13 A. Yes, it's something that's always in my mind because
14 coming from the News side to Television it -- it
15 seemed -- it has seemed to me -- I can't think of any
16 specific examples -- but it has seemed to me that some
17 of that defensiveness one perhaps detects in the
18 Newsnight coming off the Managed Risk Programme List,
19 about whether or not Television could be expected to
20 be -- to understand what News' prerogative were here was
21 an area one needed to be sensitive about, and I felt
22 that one of the things I -- I would especially -- could
23 especially bring -- or should especially bring to doing
24 my job in Television, with the awareness I had of News,
25 was to be sure that we didn't misbehave in that regard,

1 that we didn't try to put pressure on.

2 Therefore it was a consistent issue for me, this
3 business of trying to make sure that News were given the
4 space they needed to do stuff, even if it was
5 disadvantageous to Television, or problematic to
6 Television.

7 MR MACLEAN: But Helen Boaden was, as it were, a very
8 experienced person in her role.

9 A. Yes, yes.

10 Q. She wouldn't have dreamt of you doing or saying
11 something that was inappropriate and, if you had, she
12 would have told you politely to get lost, wouldn't she?

13 A. I think that's right, but at the same time, I think
14 I would have wanted to show to Helen, as a peer, that
15 I was very much alive to the notion of not sticking my
16 nose into her business. So it would not just have been
17 "I will count on Helen telling me to clear off", I would
18 want to show to her that I was alive to the dangers and
19 she could fairly expect me to be alive to the dangers
20 given my background.

21 Q. Nick mentions the parliamentary committee, if you want
22 to be reminded of what you said, it's in various places.
23 If you go to 17, please, the start of it is page 55.
24 This bit really starts about 63. This is Mr Farley(?),
25 I think, who is asking the questions. He starts at 61.

1 Do you see at 63, just by the top hole-punch, he raises
2 a question of what he calls a BBC drinks party. You
3 correct him about that.

4 A. Yes.

5 Q. Then the reference to the discussion with Helen Boaden.
6 Then the bit that I think Nick has been on about, the
7 lower hole-punch:

8 "My assumption was that, if there was anything
9 I needed to know I would be told. Is this something
10 I have reflected on a lot it has been made plan that
11 I have this determination to observe the separate
12 organisation of News and Television."

13 Then you were asked:

14 "Is this not a blind spot in the organisation?"

15 Then you said this, which is what I want to ask you
16 about:

17 "No, because if anything of seriousness is going on
18 then the DG can review and pass information on."

19 How would that happen? How would that work?

20 A. Well, the way -- if you sort of spool on into a world
21 where -- I mean this is -- I through have -- I'm in
22 danger of trying to interpret myself here because
23 I can't for certain remember what I was thinking at this
24 time. But I guess that if -- if you -- if -- my
25 impression after the Helen conversation was that they

1 were looking at something and something might come of
2 it. My assumption would have been that if something
3 were to have come of it, she would have let the DG know
4 about it potentially, because it would have fallen on to
5 the kind of list of -- small number of list of projects
6 that she would have mentioned to the DG in a routine,
7 just as I had a number of things in my routine that
8 I might have mentioned to the DG.

9 Q. Why would that be, because the subject matter --

10 A. Because Savile was a BBC star and that, just the --
11 Savile being who he was might have been the sort of
12 thing Helen would have a thought Mark might have found
13 interesting. But, even if it hadn't gone that way, even
14 if Helen hadn't mentioned it to Mark, and I have seen no
15 evidence that she ever did mention to Mark, you know,
16 she might have come back to me and said "Well, it has
17 stood up, it has panned out, this is when we propose to
18 broadcast it, this is the kind of thing we're going to
19 say".

20 At that point I would have said "Right, well, that
21 obviously has direct implications for what we should
22 do". I think I would have said at that point that
23 I think this is something we should both talk to Mark
24 about. This feels to me that Mark needs to be aware
25 that there could be an investigation in News that could

1 account of what I did think. But I think I was in
2 a place which was "If Newsnight stand up their story
3 then there is a corporate issue and if they do not stand
4 up their story then there isn't a corporate issue".

5 MR POLLARD: I get the impression from you way you said that
6 you think those things are not now absolutely equal or
7 shouldn't be.

8 A. I think, on the basis of this, they shouldn't be and
9 this is something I have reflected about.

10 MR POLLARD: You have obviously thought an awful lot about
11 this in recent weeks. To put it at its simplest, how
12 should you and the BBC have been saved from making the
13 mistake of, to start with, running those Savile
14 programmes? I accept this is with hindsight, but there
15 were various bits of the system that failed, obviously.
16 How should it have worked?

17 A. I -- I have a nervousness about answering because it --
18 because it implies that any of these considerations were
19 things I had in my mind at the time, which I didn't --
20 well, not any of them, but the particular construction
21 of them.

22 But, you know, I have a number of reflections about
23 that. It seems to me that the editor of Newsnight might
24 have said "This isn't ready to be broadcast yet", but
25 I shouldn't stop it because it is palpably

1 A. I didn't know that. And I haven't been able to infer
2 that from what I have read.

3 Q. But if that were right, then that would be an important
4 counterweight to the view that Meirion Jones was giving
5 you?

6 A. Well, absolutely. Absolutely so. I mean, I became
7 really worried and preoccupied with whether or not an
8 accurate understanding of what they had got on Newsnight
9 was being communicated to the police. I made that
10 attempt on the 2nd, to be reassured that the police had
11 got everything.

12 I then asked Nadia Banno and the BBC Legal team to
13 engage really forensically with Newsnight because I just
14 wasn't happy -- I wasn't convinced that they had made
15 a proper assessment of what the police ought to have and
16 what they hadn't.

17 Q. So in other words on the 2nd -- so you are really
18 focused on this now. You are the Director General and
19 whatever ITV is going to do is about to crash over your
20 head. So it follows from that, doesn't it, that you
21 were not satisfied that whatever had happened in
22 September had really got to the bottom of what Newsnight
23 had?

24 A. I think the thing that was uppermost in my mind about
25 what happened in September were historical allegations

1 undertakes to do it by lunch time.

2 One might think that for a document that becomes in
3 the succeeding couple of weeks a very important crutch
4 on which the BBC rests its version of events, that in
5 fact Mr Rippon is really being asked to write down what
6 he remembers rather than go away and conduct some
7 archaeological exercise to find out what the true facts
8 were, because there might be a difference between the
9 two?

10 A. Um-hm.

11 Q. Do you think that's a fair observation?

12 A. I think it -- I think -- I suppose it is. I suppose the
13 point I make is that I wouldn't -- I mean, although
14 we're dealing with something which is obviously some
15 time before, I wouldn't have expected Peter Rippon to
16 have to do much archaeology about an investigation of
17 which he was the executive producer.

18 Q. Even if it was 11 months before?

19 A. Yes. Because I would have -- I think I would have
20 expected him to have, you know -- a collection of emails
21 that related to his supervision of the investigation
22 that would really give him a pretty good guide to what
23 had happened.

24 Q. So the idea of producing a briefing note within
25 a morning -- and in fact Peter Rippon says he doesn't

1 our existing public position, namely that Newsnight had
2 focused on a very specific approach and when that did
3 not stack up dropped the project on editorial merit.
4 The blog will obviously have to steer away from some of
5 the elements of witness reliability but in essence can
6 follow the same lines."

7 It might be said that from the very beginning the
8 public statement is not telling the whole truth, because
9 Rippon and Mitchell are imposing on themselves some sort
10 of self-denying ordinance --

11 A. Concerning witness reliability. (Pause)

12 Q. The point I was making was that it looks as if Mr Rippon
13 and Mr Mitchell have, between themselves, agreed that
14 this public statement won't be telling the whole truth
15 because some of the factors operative on Rippon's mind
16 aren't going to be mentioned.

17 A. He isn't going to want to mention.

18 Q. I imagine that you didn't know about that --

19 A. No, I --

20 Q. -- aspect of the blog.

21 A. No, I didn't see -- I didn't see these, so I didn't.

22 But it -- you know, it does seem to me you can still --
23 he can still have written a blog in which everything was
24 true, which was not a blog in which he had written
25 everything, but he didn't write a blog in which

1 Steve Mitchell at 12.14. Within the hour, Paul Mylrea,
2 to David Jordan and to you amongst others, and the focus
3 at the corporate centre, if you like is on -- now,
4 anyway -- the allegations of sexual abuse by
5 Jimmy Savile including the aspect about BBC premises.

6 A. Um-hm.

7 Q. The line that is getting developed is that these were
8 criminal actions which are the responsibility of the
9 police who have the powers to investigate anyone
10 involved.

11 If that was right, it would mean, wouldn't it, that
12 inevitably Newsnight should have handed over material
13 that it had a year before to the police?

14 A. Yes, and by the time I received that, that day, I had
15 already asked Helen Boaden to get for me -- and she had
16 given me -- an assurance that there was nothing in
17 Newsnight's possession that wasn't known to the police.

18 Q. But you understood that that was not that Newsnight had
19 given anything to the police, but rather that Newsnight
20 had stuff and the police --

21 A. Already had it, that was what I understood.

22 Q. -- already that stuff from somewhere else?

23 A. The key question I said to Helen was "We need to be sure
24 that Newsnight aren't sitting on anything that the
25 police need to have", and the message that came back was

1 "Everything that Newsnight have, the police have already
2 got".

3 Q. Was there ever any prospect of a criminal investigation
4 into Jimmy Savile?

5 A. It seemed to me there was, because it seemed to me
6 that -- and the police mentioned this to me the first
7 day I spoke to them, which I think was on the 1st -- was
8 that Savile may have had accomplices and, indeed, people
9 have now been arrested who it is alleged were his
10 accomplices.

11 Q. I see, so --

12 A. In other words, if Savile had been operating in a ring
13 of any sort or with the support of people still alive,
14 then that would make it a matter of contemporary
15 criminal potential, contemporary criminal action, and
16 that was something the police made aware to me when
17 I first spoke to them on the 1st.

18 Q. Yes, I see. So there is a possibility of people who are
19 still alive who may have been accomplices or some
20 sort --

21 A. Or abused people alongside Savile, yes.

22 Q. -- some sort of collaborators with or assistors with
23 Savile.

24 A. Yes.

25 Q. But potentially, but not really on your radar -- tell me

1 A. No, I -- I don't -- if I was making a distinction
2 between the two, I don't particular know why I was
3 making it. My sense was that the blog had come out of
4 Peter Rippon via Steve Mitchell to, um -- to the people
5 who posted it, and that, therefore, it was something
6 Steve would have had sight of and approval of.

7 Q. Did you, first of all, know that it had been -- some
8 input had been given to it by Mr Mylrea and
9 Paddy Feeney?

10 A. I -- my suspicion would have been that it would have
11 ended up with Mylrea and Feeney potentially after
12 Peter Rippon and Steve Mitchell had had an interface
13 with it, ie the business of fine-tuning the language for
14 publication would be something I would have expected the
15 press office to be involved in.

16 Q. I will show you if you want, but have you seen how that
17 happened in the emails?

18 A. I have not seen the detail of it, no.

19 Q. Let me show you. Bundle 7, page 86.

20 I have not taken you through the detail of the chain
21 of events and I was not particularly going to take you
22 through the detail of what's in the blog because we can
23 all read and we can all form our views on what's right
24 and what's wrong but if you want to say anything about
25 it at any stage, obviously do.

1 "I'm fine with this. Spoken to PR who is also
2 content and will arrange for it to be posted."
3 A. I would treat that as a sign off. If it has gone to
4 Stephen Mitchell and he said "I'm fine with this" that
5 is a managerial sign-off.

6 Q. Peter Rippon said, I think, that he proceeded on the
7 basis that, like anything else, it was appropriate to
8 have a managerial sign-off.

9 Mr Mitchell took a slightly different view. He
10 said:

11 "The editors' blog is a site where editors from
12 across BBC News explain stories and share their dilemmas
13 and other issues with the public. Their blogs are not
14 always overseen or checked by management and I do not
15 believe that the detailed supervision of a blog lies
16 within my responsibilities. Editors do liaise with the
17 press office when publishing their blogs. To the best
18 of my recollection, I saw Peter Rippon's blog when or
19 perhaps shortly before it was published."

20 Which slightly de-emphasises --

21 A. It is a different interpretation, isn't it? The key
22 point I would make is that, unusually, an editor --
23 a BBC News editor at an editor grade, senior manager 2,
24 is allowed to go to air with their own blog without
25 referring it upwards, because they are in that level of

1 the organisation where they are entitled to take
2 responsibility for their output. They can, in fact, do
3 a blog without getting it signed off. So there is --
4 an element of what Steve is saying is right there.

5 MR POLLARD: Anybody lower down the chain --

6 A. Would have to get an approval. That was the whole idea
7 of the editors' blog. It was an attempt to join a world
8 of self-publication and pitch it at a level where people
9 were considered senior and experienced enough to make
10 judgements go about going to air unsupervised.

11 MR MACLEAN: But the press office a role in the production
12 and publication of the blog that they would never have
13 had in the production and publication of the original
14 journalism.

15 A. That is correct. Because the blog is seen as a public
16 facing exercise in explaining how the BBC does what it
17 does, then the press office involvement, I think, is
18 appropriate in terms of, you know, consistency and
19 making sure that the phraseology is as good as it could
20 be and that kind of thing.

21 Q. So running the blog past the Mr Mylrea's of this world
22 but not having them involved in the production of the
23 Newsnight piece --

24 A. Is entirely standard.

25 Q. -- is entirely standard and sensible?

1 A. I mean you wouldn't -- I would never want the press
2 office to get involved in journalism, under any
3 circumstances. I mean, when the journalism was stable
4 and you were selling the journalism, either to your
5 audience or the outside world, sure, but it's not like
6 getting the marketing department involved in shaping
7 a piece of stuff that you are marketing, it is
8 a different thing.

9 MR POLLARD: Is the implication of that, that this is not
10 journalism, the blog?

11 A. Well, I -- I think there is a sense in which it isn't
12 journalism because it is about the workings of the BBC.
13 So, in other words, it is reflexive. Unusually -- we
14 don't spend a lot of time talking about what we do --
15 all this "we" again, "they". Arguably, they don't do
16 enough, and the blog was a real -- the editors' blog was
17 a real attempt when it was brought in to make the whole
18 process more transparent and give people more insight
19 into how decisions were arrived at but I think the
20 answer is it has all the same -- it must have all the
21 same standards of accuracy and impartiality and all the
22 other BBC values, but it is not journalism in quite the
23 same way, no.

24 MR MACLEAN: We have seen the blog was not the only thing
25 Mr Rippon wrote, he wrote the chain of vents. We have

1 seen that he and Mr Mitchell appeared to have agreed
2 that it was just not on for the blog to tell the whole
3 story --

4 A. For Rippon to express his anxieties about [R]]
5 yes.

6 Q. -- and that what you and the other people -- the senior
7 echelons of the BBC -- needed on the following day was
8 not the sanitised, if I can use that expression --
9 whether there were errors in it or not is a separate
10 question -- not the sanitised view that is presented to
11 the public. What the BBC needed was the warts and all
12 account from Mr Rippon setting out what his thought
13 process was, which wasn't -- that was never what the
14 blog was about in his mind.

15 A. Well, I -- I think that the BBC management were, me and
16 others, were entitled to rely on everything in the blog
17 being accurate. Now, I don't -- it could be -- it seems
18 to me it has -- it had all the capacity it needed to be
19 a proper and truthful account without -- without
20 necessarily containing absolutely everything had run
21 through Peter Rippon's mind. The key thing in the end
22 is -- I guess the question I would ask him is: was the
23 really reason that you didn't run this story, Peter,
24 that you didn't believe [R]] ? Was that the real
25 reason you didn't run this story? In which case, the

1 blog is not accurate.

2 But I still don't have the sense that -- I have the
3 sense that he has an unpinned down and almost
4 unarticulatable reservation about [A1] that
5 endures, but he never, ever tackles that as -- if that
6 was the main reason he didn't reason the story, I'm not
7 sure he's even come to terms with that today, I don't
8 know. You have interviewed him, so maybe he has.

9 But from my standpoint, the key thing about the
10 blog -- the major task of the blog, as far as I was
11 concerned, was that it was absolutely unequivocal about
12 the fact that, for whatever reason, he had made his own
13 decisions.

14 When I glanced at -- when I glanced at the blog on
15 Paul Mylrea's terminal, the bit I glanced at was that
16 section. You know, I had a fleeting conversation with
17 Peter about this. I said to him "Did you come under any
18 pressure, Peter? Did you feel that anybody put you
19 under any pressure to make the decisions you made", and
20 he said "No, I didn't" and I thought I would just like
21 to see what that looks like in the blog.

22 Q. That fleeting conversation was when?

23 A. I can't remember. On the 1st or the 2nd.

24 Q. You actually spoke to Peter Rippon?

25 A. Yes, I remember speaking to him outside -- outside the

1 MR POLLARD: So the DG's office, and I think at that time
2 Helen Boaden's office would be quite --
3 A. Helen Boaden's area was sort of directly outside --
4 MR POLLARD: Yes.
5 A. -- and there were --
6 MR POLLARD: Is Steve Mitchell's office there?
7 A. Yes, Steve Mitchell sits there and I think, Steve, Helen
8 and Peter Rippon were all there. But I think I just had
9 a very brief conversation with Peter at that point.
10 MR MACLEAN: Okay, but I don't think --
11 A. Is that not something Peter has remembered?
12 MR MACLEAN: Peter Rippon doesn't remember any statement.
13 I don't recall but we can check --
14 MR POLLARD: That was not a meeting that you had arranged --
15 A. No, no.
16 MR POLLARD: -- or he had arranged --
17 A. No, it was an encounter.
18 MR POLLARD: You said to him? He said to you?
19 A. I said -- as I recall, I said to him "You know, you
20 weren't put under any pressure, were you, Peter?"
21 MR POLLARD: Yes, and that was the key point you wanted to
22 ask him about.
23 A. Yes, that was -- that was -- that was -- my sense of the
24 function of the blog was that.
25 MR POLLARD: I see. So this would be, would it, after you

1 had seen the blog on Paul Mylrea's terminal.

2 A. No, I think it might have been earlier in the day. I'm
3 finding it very hard to pin this down, though. I would
4 have thought on the 1st or the 2nd.

5 MR MACLEAN: There was a lot going on in Newsnight at that
6 time because they have they were running dummy
7 programmes --

8 A. Yes.

9 Q. -- and there was a lot on Rippon's plate as well, at
10 that stage.

11 A. Yes.

12 Q. When the blog got published on the 2nd, you have
13 probably seen now, but probably didn't see it at the
14 time that there was some pretty immediate email traffic
15 involving Liz MacKean and Meirion Jones.

16 A. I have seen that now, yes.

17 Q. You can put 7 away, Mr Entwistle, and just take
18 bundle 8. If you go to page 10, this is from MacKean to
19 Jones. You probably saw this --

20 A. In the bundle you sent, yes.

21 Q. Liz MacKean expresses a fairly pithy view about one
22 particular line in the blog, and you have probably
23 seen -- I will show you the detail of this -- she sends
24 an email at page 38 to Peter Rippon and to
25 Steve Mitchell sharing her concerns about the blog --

1 I don't know whether you accept my paraphrase --
2 essentially it was off his plate by that stage, and it
3 was onto Mr MacQuarrie's plate.

4 So to what extent did this discussion, electronic
5 discussion, actual discussion, that Mitchell had been
6 having in the days afterwards --

7 A. Get to me.

8 Q. -- get to you?

9 A. It didn't. One of the things I'm most -- I have been
10 most surprised by in the bundles is the extent to
11 which -- that they were having a conversation about
12 inaccuracies in the blog in the detail they were as
13 early as they were, without that having been made known
14 any further up the system.

15 Q. Because the top of the system, if I can put it like
16 that, doesn't seem to have satisfied itself that there
17 were inaccuracies in the blog that needed correcting
18 until the weekend before the corrections were made.

19 A. Well, that's the point at which I would say we are
20 certain that there -- we became certain there were
21 inaccuracies and we became certain that we knew what the
22 inaccuracies were. Interestingly, the note that
23 Meirion Jones sent to me on the 5th -- which he always
24 says I got on the 5th but I didn't get until the 8th --
25 doesn't actually find fault with the blog. It says --

1 I'm in danger of misquoting it, but it says --

2 Q. Let me show you.

3 A. You can quote it.

4 Q. I'm going to show you.

5 A. It says one point, critically, one point:

6 "That's not what this investigation was about."

7 That's not a reference to the blog, it's a reference
8 to my all-staff email on the Friday night.

9 So when I asked Ken -- when I asked Ken MacQuarrie
10 to speak to Liz and Meirion, worries about the blog were
11 one thing that was in my mind and another one was just
12 this general sense I had that they didn't seem to know
13 what they had investigated and that we couldn't go on
14 trying to defend an investigation about which there was
15 such an enormous difference of opinion. Of course, that
16 went to the blog, but in my mind, it also went just to
17 a business of us needing to understand what Newsnight
18 thought they had investigated.

19 Q. So what were MacQuarrie's, as it were, terms of
20 reference then?

21 A. I said "I want you" -- and it was -- it was -- it was
22 overstated as an inquiry. I never intended it to be
23 an inquiry. I wanted to provide somebody for them to
24 talk to outside the News chain of command, about which
25 it was becoming clear they had doubts, so I wanted to

1 give them a relatively safe environment in which they
2 could tell the whole of their story, so that would get
3 to me and start to inform my judgement about whether or
4 not I was being given a realistic picture of what
5 happened on Newsnight, by the route I would expected to
6 get a realistic picture, ie from the editor Newsnight up
7 the News chain of command, or whether the scale of the
8 misunderstanding or disagreement to Newsnight on what
9 they had actually done was so distorting the thing that
10 I needed to think of another way of dealing with it.

11 Q. To the extent that it might be -- perhaps a little
12 uncharitably but perhaps not -- said of Mr Mitchell that
13 he rather just dropped this ball when he heard
14 MacQuarrie was floating around, he just said "Okay,
15 I will just put this all on the shelf", it would have
16 been perfectly simple, wasn't it, for Steve Mitchell,
17 once he knew MacQuarrie was involved, either himself to
18 seek out MacQuarrie --

19 A. Yes.

20 Q. -- or alternatively drop you an email or come and see
21 you and say "I don't know what Ken MacQuarrie's doing
22 George, but when he reports to you, you should you also
23 be aware of X, Y and Z".

24 A. I genuinely think it would have been useful for me to
25 know. As I say, of all of things that I saw in here

1 Rippon could be right that these two people could be
2 making a tremendous amount of trouble for him. So
3 I still wanted to keep alive in my mind the possibility
4 that Peter Rippon might be telling truth about what the
5 investigation was, or they might be telling the truth, or
6 none of them might be telling the truth, or they all
7 might all be different bits of the truth.

8 What I really wanted Kenny to do was to bring in
9 a bit of brain space that I didn't have, or time
10 I didn't have at that moment, and there were other
11 reasons I didn't want to talk to them myself, to get
12 somebody outside the News bell jar to start to give me
13 an opinion of what he thought might be going on there.

14 MR POLLARD: A few minutes ago you played down the
15 importance of the MacQuarrie intervention.

16 A. The only sense in which I wanted to play it down was,
17 again, the newspapers immediately presented it as
18 Entwistle has begun an internal investigation into what
19 happened on Newsnight. But what I thought I was doing
20 was asking someone I really trusted and relied on to
21 have a conversation with a couple of people who didn't
22 feel like they had necessarily be given the chance to
23 talk to anybody who didn't have a dog in the fight.
24 That's what I was thinking.

25 MR POLLARD: Just in general terms you will, I am sure, have

1 accurate is the receipt of the MacKean email on the 8th.
2 I asked Ken MacQuarrie to go and find out what was going
3 on that day. So I don't think I was dilatory.

4 I think the only question is: why didn't I talk to
5 Meirion and Liz myself? The reason I didn't talk to
6 Meirion and Liz myself was that I already thought "I can
7 see this ending up in disciplinary action here". In the
8 end, if they are -- if they are running Peter Rippon
9 down and what this is really about is paying off a score
10 that was started a year or so ago, then they may end up
11 in a disciplinary procedure, or if Peter has this all
12 horribly wrong, he might end up in a disciplinary
13 procedure. The one thing the Director General has to
14 always be clear and careful not to do is effectively end
15 up beginning a disciplinary procedure themselves,
16 because, if it then gets appealed, and just about every
17 disciplinary action at the BBC always gets appealed,
18 there is nowhere for it to go, it can't be appealed
19 anywhere. It would have to be appealed to the Chairman
20 and it wouldn't be because the system doesn't allow.

21 So the thing I had in my mind was "I don't have time
22 to do this, I've got a lot of other things to do, I need
23 somebody good to find out what's going on and tell me
24 what's going on and I think Ken MacQuarrie is my man".
25 There is no real gap, in DG terms, between my getting

1 that hint from Liz and asking somebody to go and find
2 out about it. I just don't accept that charge in that
3 instance.

4 MR POLLARD: Thank you.

5 MR MACLEAN: You sent something around, I think, on the
6 5th --

7 A. Yes.

8 Q. -- a note to staff?

9 A. To staff, yes.

10 Q. That led to --

11 A. That led to Meirion Jones sending his note saying that
12 was not what the investigation was about. It was about
13 this --

14 Q. I will come to that. The day after the broadcast, which
15 was on the 3rd, on the 4th there was a plan, wasn't
16 there, for you to make a statement, the effect of which
17 would be to force Peter Rippon to resign?

18 A. I don't remember that that was the purpose of the
19 statement. What I had in mind for the statement -- the
20 statement turned into the all-staffer of the Friday. So
21 here's what I remember about the statement.

22 What I was worried about was that the position we
23 were putting out in public didn't seem to me to be
24 anything like -- didn't seem to me to recognise the
25 scale of what was going on. I thought there was

1 a rather narrow point about our -- which I had myself
2 approved earlier in an earlier context -- a rather
3 narrow point about our checking our historical records
4 and what we discovered, and I thought "No, the tone of
5 this is all wrong, this is a big, big story and the BBC
6 needs to be able to be doing the right thing and showing
7 people it is doing the right thing".

8 That's what I had in mind for the statement.
9 Then -- I can't remember the precise cast in discussing
10 the statement, but the statement became an address to
11 staff the following day.

12 Q. One of the purposes of the statement that was
13 contemplated on 4 October, as we understand it, was it
14 was going to have the intended effect of forcing
15 Peter Rippon to resign.

16 A. Well, I don't particularly remember that. Can you point
17 me towards something that helps with that?

18 Q. Well, Helen Boaden said that she had a -- these are her
19 words:

20 "... very difficult conversation with George
21 immediately after the ITV programme when George asked me
22 to go to his office and Jessica and Paul Mylrea were
23 there and George -- and that is not unreasonable for
24 George to have decided this -- he said:

25 "I'm going to do a public statement. I have

1 decided I need to protect the BBC and BBC News within it
2 and I'm going to do a statement that makes it impossible
3 for Peter not to resign."

4 A. That's a clear enough account of the meeting. I must
5 have been considering using the statement for that
6 purpose, but I must admit I don't remember that.

7 Q. You didn't make a statement at all actually.

8 A. I didn't make a statement until the following week.

9 Q. She says that, after her intervention, you sort of
10 pulled back from it. Do you remember that? She made
11 some points about Mr Rippon's personal circumstances?

12 A. I don't. I'm struggling to remember that. I mean, I'm
13 not saying that didn't happen. Clearly, if Helen
14 remembers that happening, it must have happened, but
15 I don't remember the circumstances of that discussion.

16 Q. She offered to resign, didn't she?

17 A. I don't think she said to me "You can have my
18 resignation". It feels to me like we were having one of
19 those conversations where you go "This is getting out of
20 hand, what are the ways in which you get it under
21 control and we're discussing possibilities within that,
22 but I don't think -- I mean, I don't remember Helen
23 saying "I offer you my resignation", and me having to
24 talk Helen out of it.

25 MR POLLARD: It sounds like the conversation you don't have

1 many times in a lifetime and it would be pretty vivid,
2 wouldn't it?

3 A. I mean there were a lot of very high emotion
4 conversations going on at the time. I genuinely -- I
5 think I would remember if Helen marched into my office
6 and said "I'm going to give you my resignation" and
7 I talked her out of it. I don't believe -- if it was
8 discussed, it would have been discussed as one of the
9 possibilities, or maybe Helen said "Peter Rippon is not
10 to be put in that position and if you were to try to put
11 him in that position, then I would have to consider my
12 position", maybe that is how it was.

13 Q. I asked her about that. I said "Did you offer to resign
14 on the basis of if you do that and force Peter out,
15 I think that is outrageous and I'm going to resign and
16 say what I think, as it were", and she said no, that
17 wasn't her position. Her position was that if there
18 was --

19 A. If there was a judgement that a resignation was required
20 in News it should be hers rather than Peters.

21 Q. If somebody from news was going to walk the plank from
22 this, she was offering to walk the plank.

23 A. It feels to me like -- that it is more likely to have
24 been that kind of conversation, ie is this one of those
25 situations that will be solved like that, by an act --

1 by an action like that.

2 Q. She offered her head and you said no.

3 A. Yes, but I really don't think -- I don't think she ever
4 said "You can have my resignation" and I said "Thank
5 you, Helen, for offering your resignation, I don't
6 accept it". I just don't believe I wouldn't have
7 remembered that.

8 Q. There was quite a persistent notion, wasn't there, that
9 forcing Peter Rippon to resign would be a good thing for
10 the BBC corporately, wasn't there?

11 A. I think there was a suggestion. The BBC very quickly
12 gets itself in, at times like this, into those places
13 where a resignation or a sacking or whatever it might be
14 is the way to solve a situation like this, and I don't
15 think it -- I don't recall the conversations ever being
16 of a kind which were "Right, that's a resolved upon
17 course of action. How will that be handled or
18 delivered?", until it came to my proposal that
19 Peter Rippon should step aside after the scale of the
20 problems with the blog were clear.

21 Q. Which was on the --

22 A. Weekend of 20 -- 20th, 21st.

23 Q. We will obviously come to that. You have mentioned
24 a few times the Liz MacKean email. Just let me check
25 that I have the right one.

1 A. I didn't know what the circumstances of it were
2 (inaudible) conversation.

3 Q. Okay, I wasn't -- I don't think -- I have shown you 969
4 which is a draft of this. Then 9/146, I'm not sure
5 there is any material difference in the drafting of
6 this, unless you tell me.

7 Then you get the note from Meirion Jones. Anyway,
8 he sends it anyway, on 5 October, which I think is
9 a Friday night --

10 A. The same night as the message went out, yes.

11 Q. -- just after 6 o'clock and he sends it to an email
12 address which means this it does not get picked up until
13 the 8th.

14 A. Yes.

15 Q. On the morning of the 8th, as luck would have it, you
16 are on The Today Programme first thing in the morning
17 before you saw Jones's email. So the email at page 946,
18 so far as you are concerned, doesn't really arrive for
19 three days, in a sense.

20 A. I think Meirion sent his to the internal communications
21 department, in fact.

22 Q. This one, when you just --

23 A. It's an unnecessary point. I didn't get Meirion --
24 I didn't have Meirion's notes in front of me until after
25 The Today Programme on the morning of the 8th.

1 Q. It just says "To George Entwistle". But there is
2 another one, I think, later, when he sends something to
3 you and then he remembers that you don't see these
4 things, so he sends it to MacQuarrie.

5 A. Sadly, there are a number of ways in which somebody
6 attempting to send an email to the Director General can
7 have their email not get to the Director General. It
8 could get filtered out, and my hunch was that he had
9 done it on this occasion and on the subsequent
10 occasion -- you send it as a reply to the address that
11 you got the statement from, and if you look at that,
12 that's what he's doing. He's sending it as a reply to
13 the all-staffer.

14 The all-staffer comes from an email address that
15 reads with my name but it is a box run by Internal
16 Communications, sending out my internal communications,
17 which means it goes back to Internal Comms and has to
18 come through them before it makes its way back to me.

19 Q. I see, it's a bit like me replying to the email I get
20 from Arsene Wenger every week, if I replied --

21 A. Who knows where it would end up.

22 Q. Well, who knows, but it would not end up with Mr Wenger.

23 A. It might in it end.

24 Q. It depends. Do you think there should be some sort of
25 hotline -- some way in which members of staff like

1 Mr Jones can use some method of communication so that it
2 really does get to the Director General.

3 A. I think -- I think there should be -- what I definitely
4 now think is that people should be clear that the
5 Internal Comms address is not a direct link back.

6 As to the kind of how do you guarantee you will get
7 your note in front of the Director General point, it
8 seems to me -- and I hadn't realised this because
9 I didn't run a filter system at Vision, and as
10 a consequence I got far too much email at Vision --
11 I got between 150 and 200 emails a day at Vision -- and
12 I had no idea of how much stuff coming into the DG's box
13 is stuff of the "I want to take issue with you about the
14 third contributor from the left on Radio 4 this
15 afternoon at 3.15 pm" -- the Director General is
16 absolutely bombarded with everything that people
17 consuming the BBC want to complain about or comment
18 about.

19 Therefore, there has to be some filtering system for
20 the DG. So the question is: is it properly set up? In
21 the end, it has to be there. The DG could not function
22 on email if you had no filter. So the question is: how
23 well is the filtering system working?

24 Q. So, having lived through this experience, it is a bit
25 like, if I may say so, being a barrister, where you want

1 to be sent all the papers that you need to see and you
2 don't want to be sent all the ones that you don't need
3 to see --

4 A. That's exactly right.

5 Q. -- and we are all always trying to work out how to
6 achieve this.

7 A. Obviously, because I was a new DG and new to the
8 business of working through a filter, and new to
9 building up a relationship of confidence with my two
10 assistants, I would say that I would not have been able
11 to say on day one that I -- I felt some nervousness
12 about the notion of being behind a filter.

13 I discovered in subsequent weeks that were uncannily
14 good at working out, to use your analogy, what I should
15 see and not what I shouldn't and that the delay in this
16 case was nothing to do with the filter or the people
17 doing the filtering, it was to do with the fact that it
18 went to an Internal Comms address.

19 Q. I see.

20 A. Is it clear who MacKean sends hers to? Can we look at
21 that?

22 Q. If you go back, that was in bundle 10, wasn't it?

23 A. So Liz MacKean --

24 Q. Does she send it to George Entwistle on PA?

25 A. Here we go, she's sends it to George Entwistle PA at

1 09.38, and I have it in my hand at 09.44. So that is
2 not working very badly. Six minutes later that has gone
3 to me unfiltered.

4 Q. I see. So what happened then at that page is that it
5 goes to George Entwistle and PA and then
6 Amanda Churchill --

7 A. Which means I would not have seen it in my inbox or on
8 my BlackBerry, but the minute Amanda Churchill sends it
9 to me.

10 Q. She pings it to you.

11 A. I see it in my email and on my BlackBerry.

12 Q. Because she has filtered that and decided you need to
13 see it?

14 A. Yes.

15 Q. Back to Mr Jones then, with his email, he sends his
16 email on the 5th?

17 A. Yes, 18.11.

18 Q. Now --

19 A. I think this is the first opportunity Meirion Jones has
20 had, or at least the first opportunity he thinks he's
21 taking to address the issue of whether the blog is
22 incorrect or not with me --

23 Q. Yes.

24 A. -- and he doesn't. He says one note -- from which
25 I might fairly have inferred there was one really

1 A. Yes.

2 Q. "I remember you warning me about him."

3 A. Texts to go down in history.

4 Q. I'm not sure that's how you spell "panjandrum" anyway
5 and I always thought it was a "grand panjandrum" but
6 we've been told that that is a reference, flattering or
7 otherwise, to Lord Patten; is that right?

8 A. I don't know.

9 Q. But the suggestion is that -- probably slightly less
10 amusing but perhaps more relevant -- at 411 and 412
11 there are some texts which might be thought to indicate
12 a slight reluctance on the part of Mr Mylrea for you to
13 go on Today but the implication being that you hadn't
14 been given any choice.

15 Sorry, you should look at 419, which is the one
16 I have really been looking for, for the last 30 seconds,
17 from Helen Boaden:

18 "Have emailed you an extra important fact for GE
19 tomorrow re Newsnight. Hope it goes as well as it can."

20 A. It was: "GE or LP would have stepped in".

21 Q. "LP" is obviously Lord Patten -- more clearly
22 Lord Patten.

23 A. That's not my recollection. I know that the day that
24 the Today programme appearance was being discussed I was
25 at a wedding lunch in Oxford and I remember having

1 a number of telephone conversations during the day with
2 Paul, I think, Mylrea. I -- my recollection would have
3 been that Paul judged that we'd reached the stage where
4 it was appropriate for me to do The Today Programme and
5 my feeling would be that I was offered advice that it
6 was the right thing to do and took that advice and
7 agreed to do it. Obviously, I have not seen all of
8 these texts so if there is something going on behind it
9 of this sort then it is news to me.

10 MR POLLARD: What were you doing and saying to Lord Patten's
11 office at this point?

12 A. Precisely that weekend? I can't -- I can't remember.

13 MR POLLARD: Between the period of, say, the ITV programme
14 or before it?

15 A. My recollection is that I got in touch with Patten on
16 the 1st October to talk about my conversation -- the
17 conversations I was having with the police --

18 MR POLLARD: Right.

19 A. -- to say that I thought that it looked really serious
20 and that I wanted to be absolutely clear that I had
21 established the right lines between us and the police
22 and that a matter of criminal investigation was
23 something I wanted to be clear ended up in the hands of
24 the right authorities and, you know, I had really
25 interesting conversations with the police on 1 October

1 into my head here is what he has in email 1, and that
2 the rather vague stuff in his -- in his, um, reply, on
3 30 May 2010, it is hard to know what he means by that
4 and what I would have taken from it.

5 Then on the subject of Jan's -- I mean, I suppose at
6 some point you have to say "Well, what is in
7 Jan Youngusband's mind when she sends me that one which
8 I don't recall reading? She doesn't believe -- she
9 doesn't believe there's no, um, possible case for making
10 an obit about Savile or she wouldn't have asked me if
11 I wanted to make one or not.

12 So in other words, whatever she thinks she knows,
13 whatever she thinks she knows, whatever she has got from
14 her conversations with Nick Vaughan-Barratt, which is
15 apparently -- unbeknownst to me -- what is, I suspect,
16 driving this analysis, she doesn't think it is something
17 that means that an obituary of Jimmy Savile is going to
18 be inappropriate, or she would not send a note to me
19 saying "Shall we make an obit?" Surely that must be
20 needs to be taken into account.

21 MR POLLARD: What does seem to be very strange after that is
22 then to make a series of Christmas tribute programmes.
23 I mean, especially if the Louis Theroux programme, which
24 would appear to be the only thing that gave a slight
25 sense of the other side of it, was not shown after you

1 MR MACLEAN: It is absolutely right to point out that you
2 produced all of these emails for us. I think it is only
3 fair we should recognise that you have done that.
4 I mentioned earlier when Danny Cohen brings up the idea
5 of the Fix It special and I said "great idea" and you
6 said "Do you have an email for that?"
7 A. All I meant is do you have a reference because I know
8 that's what I said.
9 Q. Yes, it is 108.001 in bundle 1. That's the one,
10 I think, that the Field Fisher Waterhouse account refers
11 to at the end when they say that you sent an email at
12 12.46. This is the one --
13 A. Yes, yes. In timing terms, yes.
14 Q. "Sent from my iPhone". So at 10.19 on that Monday,
15 I think, you get the Danny Cohen one:
16 "One thought I've had this morning ..."
17 A. Yes.
18 Q. You reply to that at 12.46, and in between is the
19 Younghusband email --
20 A. Jan sends me her one.
21 Q. -- at 1.03.
22 A. I was much less inclined to -- it is a disrespectful
23 thing to say to Jan slightly, but the truth is I did not
24 always open all Jan's emails, because she tended to get
25 behind in email trails, she didn't necessarily

1 (inaudible) because she was out of the office a lot and
2 Danny was my direct report and I always -- and I always
3 engaged very directly with stuff to do with BBC1 because
4 it was utmost in my mind, I suppose. But that said,
5 I -- for whatever reason, I don't remember reading
6 the -- the Younghusband email.

7 Q. Leaving aside these emails and which ones were read and
8 not read, you have worked at the BBC for a long time and
9 we have heard people telling us different stories about
10 what they had heard about Jimmy Savile?

11 A. Yes.

12 Q. If I came up to you on 29 October and tapped you in the
13 shoulder in the park that day, while he was still alive,
14 and said "What do you think about Jimmy Savile, what
15 have you heard about Jimmy Savile?" what would you have
16 said?

17 A. The answer is I have never, ever, until all this
18 unfolded, heard anything specific by way of
19 an allegation about child sexual abuse or sexual
20 misbehaviour, anything of that kind. I just don't --
21 I mean, Jimmy Savile is not somebody I ever worked
22 with --

23 MR POLLARD: Did you ever meet him?

24 A. I have never met him. He just wasn't in my mind --
25 uppermost in my mind at any time in my career --

1 Q. If you still have bundle 11 and go over the page from
2 where we were at 190 to 191: is that the sum total of
3 what Mr MacQuarrie produced for you?
4 A. Sorry, 11?
5 Q. 191. The one you have just shown us is in this bundle
6 at 221.
7 A. Yes, that looks about right.
8 Q. So this is what Mr MacQuarrie produced. If you go to
9 237 in the same bundle, he sent it to you on the 10th,
10 or Sarah Jones did on his behalf --
11 A. Yes.
12 Q. -- to be precise. You saw it that evening, or at least
13 you indicated you would read it that evening and call
14 Kenny in the morning?
15 A. Yes.
16 Q. Which presumable you did?
17 A. I think I did, yes.
18 Q. So the morning then would be the 11th. So what has to
19 happen now from the 11th onwards, before the blog gets
20 corrected?
21 Before you answer that question, does it have
22 something to do with the fact that on the 11th --
23 I think it is on the 11th -- you establish this gold,
24 silver and bronze command structure which we see at
25 page 368?

1 think the way Kenny was treated, the way the notion of
2 Kenny doing some work on Newsnight had been treated
3 externally and the controversy it had created
4 internally -- that controversy being News regarding it
5 as immensely insulting to them that somebody outside the
6 division had been brought in to look at any proceeding
7 inside News -- all of that was pushing me towards a view
8 that the only way I was ever going to be able to get an
9 account of what had happened on Newsnight that would be
10 brought into by the entire culture was to give it to
11 somebody outside the organisation.

12 Q. So what --

13 A. And I was much more preoccupied about that, although
14 obviously it links to the blog thought because it is all
15 about reliability of the account. So I felt that week
16 what I did was two things; I established the fact that
17 we were going to need reviews plural and that the way
18 I was going to be able to do anything about the blog was
19 to make sure that the legal team did a forensic analysis
20 of all the underpinning documents and thus were able to
21 give me a non-emotional account of what had been wrong
22 with the blog.

23 Q. That is a long and useful answer but two things out of
24 that. This resistance to MacQuarrie going in from News:
25 did that come from the journalists, did that come

1 from Jones and MacKean and people like them, or did it
2 come from Mitchell and Boaden and the management
3 or both?

4 A. No, I wouldn't -- I had made sure that Mitchell and
5 Boaden did not object to the notion of Kenny talking to
6 Liz and Meirion in the first place. You know, that
7 would have been bridge one to cross. No, it was my
8 sense of the cultural howl around of asking somebody
9 from elsewhere in the BBC to do that job.

10 Q. Right.

11 A. So the way I see it, and you know one of the things
12 I look back at and am critical of myself about is the
13 time it takes to get from my conviction that I can't
14 rely on the accounts I have got as a way of correcting
15 the blog to the moment where I have enough information
16 to do it. Now, I guess what I might have done is tried
17 to drive the document-gathering process harder in that
18 period.

19 Q. The second thing that came out of that answer a moment
20 ago was that I think it follows from what you've said
21 there that you can't have formed a view at this stage
22 that the legal department of the BBC had got a grip of
23 what the facts were in whatever they had done in
24 September?

25 A. What they had done in September was, to my

1 understanding, was a historical look at what was known.
2 They had done the work on all the personnel files to
3 look at historically whether Savile had been -- that was
4 my sense of what had been done then.

5 Q. All right.

6 A. The legal department became very actively engaged in
7 understanding what had happened on Newsnight at the
8 point where I panicked about whether the team on
9 Newsnight knew they had given anything to the police or
10 not -- everything to the police or not. So the initial
11 point of engagement between BBC Legal and Newsnight was
12 me saying to them "I need better assurance than I'm
13 getting about whether everything that should have gone
14 to the police has gone to the police."

15 And a lot of information started to come in at that
16 point which then proved useful in the business of trying
17 to work out exactly that had happened editorially.

18 Q. You said the initial engagement between BBC News, and
19 Newsnight. I think you meant BBC Legal, did you, and
20 Newsnight?

21 A. Did I say News?

22 Q. You said News.

23 A. I meant Legal.

24 Q. You must have meant Legal?

25 A. I meant Legal.

1 Q. Mr Jones says he hung about for some time, he says,
2 waiting for you to emerge from a lift?
3 A. This is the approach on the 16th?
4 Q. Yes. He said he wanted a few minutes of your time and
5 you told him that that was not possible?
6 A. He said -- I think I came out of an office rather than
7 out of a lift and he said, "Can I have an urgent
8 off-the-record conversation with you?" And I said "No,
9 you can't". And what I meant by that was I couldn't
10 have a conversation with him that would be off the
11 record, because anything he told me as the
12 Director General which was germane to the situation we
13 were in I would have to use, and I didn't -- I didn't --
14 to be frank, I didn't trust him to have an
15 off-the-record conversation with me.
16 Q. So why not have an on the record conversation with him?
17 A. Well --
18 Q. Why not say, "Come in and have a chat but it's all ..."
19 A. Well, the way I dealt with that was I went straight back
20 to my office, rang BBC Legal and said "Phone
21 Meirion Jones now. He clearly has something to tell me.
22 Please find out what it is, rather than me having to do
23 it myself and running the risk about whether he thinks
24 it is in confidence or not, or the basis on which the
25 conversation has taken place. It is clear that he has

1 something that we ought to know, please phone him now",
2 which they did on the 16th, "and get him to tell you
3 what it is."

4 And they phoned him and he said "I'm not sure I'm
5 prepared to have that conversation with you" and it
6 didn't happen that day.

7 Q. Did you have a slightly wider concern about speaking to
8 Mr Jones that, um, what you said to him might find its
9 way into the newspapers?

10 A. Yes.

11 Q. So that was another reason not articulated to Mr Jones
12 for giving him the brush off?

13 A. I didn't articulate any reasons to Mr Jones. I just
14 said "I am afraid I'm not able to do that".

15 But obviously what I think would have been
16 irresponsible would be to cut myself off from the
17 possibility that he had something important to say and
18 I took an immediate action to try and get him to say the
19 important thing to as neutral a bit of the organisation
20 as I had available to me, which was litigation. And my
21 understanding is that he didn't -- he declined to have
22 that conversation on that day, although subsequently he
23 did produce that document for me ahead of the Select
24 Committee which was useful.

25 Q. Before the Committee, yes.

1 A. There was another thing in my mind at this point: I was
2 doubtful about whether what he would tell me would be
3 accurate or not. The reason I was doubtful about that
4 was that he had already, according to my intelligence
5 from BBC Litigation, given them an account -- and this
6 was in the process of finding out what Newsnight had got
7 in relation to getting it to the police -- in which
8 there was only one taped interview.

9 I had been told there were noted -- a noted
10 conversation between Meirion and somebody in litigation
11 in which he said "There is only one interview on tape".
12 So when I, on the night of the 12th, said "There is only
13 one interview on tape", I was taking that from
14 Litigation's account of an interview with Meirion.

15 So when afterwards he said -- he sent me a note
16 correcting me saying "We had another interview on tape"
17 my immediate thought was in that case why did you tell
18 Litigation you only had one interview on tape?

19 Q. Did you think that Jones was, to put it bluntly, playing
20 games with the BBC and deliberately trying to trip you
21 up by this stage?

22 A. I don't think that view ever formed that brutally in my
23 mind, but I definitely was worried about whether I could
24 rely on the accounts I was getting from him.

25 Q. Newsnight dealt with this story for first time on

1 A. This is the one I mean. I was surprised to get this
2 after having finished my press conference that night.
3 Q. So you did a press conference on the Friday --
4 A. On the 12th, yes.
5 Q. On the Friday evening?
6 A. Yes, where I said, because it was my -- because it was
7 my firm belief that there was a single taped interview
8 and that belief was firm because it had been reported to
9 me by Litigation as, you know, a proper noted
10 conversation with Meirion about what he did and didn't
11 have.
12 Q. Do you remember which -- who did that interview with him
13 in litigation? Was it --
14 A. I think it was Nadia Banno.
15 Q. Right. We, at least for the moment, have not seen that.
16 A. Right.
17 Q. It may be important. So he then sends you this email
18 and I think this is the one which he sends to
19 Mr MacQuarrie, isn't it, when he remembers that you
20 won't see this email --
21 A. That might be right.
22 Q. -- there and then, and he sends you a copy of the
23 script.
24 A. Yes.
25 Q. Did you read the script?

1 A. No, I didn't read the script, not at that point. I read
2 the script later on.

3 Q. By this stage, you didn't know who to believe and who to
4 trust, is that --

5 A. That's right, and I didn't think that -- yes, I -- I was
6 absolutely firmly of the view by Friday night, because
7 I had announced there was going to be an independent
8 review of what happened at Newsnight that I no longer
9 thought there was a single individual who could give me
10 a fair account of what it had all been about and, um --
11 but I remained hopeful and all the interim indications
12 I got from the legal team, as they pulled the
13 documentation together, the scripts, interview notes,
14 emails and so on, that I would get a sense -- more of
15 a sense of what had happened on the show, as that sort
16 of evidence base was built up, the following week, which
17 it was, through to the 18th.

18 Q. At some point we have -- the select committee starts to
19 loom on the horizon. You went to the Select Committee,
20 I think, on the 23rd. So there is another week yet.

21 If we go to bundle 13, page 2, I think it is. This
22 one, the cover page --

23 A. Page 2?

24 Q. -- right at the beginning. It is either 1 or 2.

25 A. Yes, yes.

1 wrong and goes, giving Panorama a scalp. GE then goes
2 into Select, saying he backed his editor as you would
3 expect, turns out he was wrong, sad but he did the right
4 thing and we all move on."

5 Now --

6 A. News to me, Ed.

7 Q. Keep your finger there and take 16 as well, and turn to
8 page 52. This is now the 22nd. Two days later, the day
9 the blog corrections have been made and the day before
10 your Select Committee appearance. This is Payne to
11 Mylrea. Again, assume that is the case:

12 "Think I'm going to need to be hard today that PR
13 blog was the basis for all our position on this, only
14 way to protect GE, et cetera. Would be good to know if
15 they had any corroborating views besides just that."

16 What would you say to the suggestion, putting those
17 two pieces of evidence together, that by the weekend of
18 the 20th to the 22nd, the inference is that the BBC was
19 quite happy to push Mr Rippon off the deck of the ship
20 in order to save --

21 A. I would say that that is a conversation going on in the
22 communications community whose job it is to think about
23 things like that. I don't think it reflects where
24 I was.

25 Q. Did that conversation in the communications community

1 perhaps have an influence on the way that you presented
2 yourself before the committee, perhaps in contrast to
3 the view you had expressed in the Today interview on
4 8 October?

5 A. No, the key difference between me on 8 October and me on
6 23 October is by 23 October I had chapter and verse on
7 how much Rippon had got wrong about his own
8 investigation, whereas on the 8 October, I still
9 believed and definitely hoped that I could rely on his
10 description of his own investigation.

11 That's the key different about my position after
12 that weekend is the legal department had given me
13 a document which I think is -- it is in the mixture
14 someone -- a sort of analysis of all the inaccuracies
15 and I thought, "Well, I relied on you as I believed
16 I could and should have been able to and wasn't able to
17 because you didn't understand your own investigation".

18 MR POLLARD: Do we have that specific note?

19 MR MACLEAN: Are you thinking of a table --

20 A. Yes, there was a table.

21 Q. -- which sets out extracts of the blog and then
22 comments --

23 A. Yes.

24 Q. We do, yes. That's what you have in mind?

25 A. Yes, that's exactly what I have in mind.

1 the statements right.

2 A. Yes.

3 MR POLLARD: I just want to ask you briefly how you remember
4 that weekend and in particular just ask you about the
5 involvement of the Trust and Lord Patten --

6 A. Yes.

7 MR POLLARD: -- at that stage, and how closely you were
8 liaising with him about fixing things?

9 A. Well, my feeling, on reflection, is that I wished I had
10 phoned him a day sooner than I had to let him know.
11 I think I called him on the Sunday morning.

12 MR POLLARD: That's right.

13 A. But I was absolutely convinced I was going to have to
14 repair -- fix the blog on the Saturday morning. I would
15 say Saturday morning was the point that I knew what was
16 wrong with it. I was convinced it would have to be
17 fixed and I had very nearly got to the point of how
18 I was going to fix it, which actually took a little bit
19 longer to get to, and I had been -- by and large, I had
20 tried to be incredibly conscientious throughout about
21 making sure the Trust knew what stage I was at with
22 various things. I wish I had phoned them a day sooner.

23 Q. Was that telephone calls or emails to the Trust to keep
24 in touch?

25 A. Generally speaking? Mostly telephone calls with

**RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH LIZ GIBBONS**

1 there had to be a clear line of command on a story of
2 this nature.

3 Q. Was one of the reasons that you didn't want to get
4 involved in this that you didn't want to trample on the
5 toes of BBC1?

6 A. Not remotely. I had 101 other projects to be execing at
7 that time, including a very controversial one with
8 The Guardian.

9 Q. And you didn't want Newsnight to be running a story that
10 would be seen to piss off BBC1?

11 A. No. That had absolutely no impact on my view. It
12 wasn't even an issue when I came back from holiday, when
13 I expressed my concerns.

14 Q. You probably know why I'm asking you that question?

15 A. Yes, I do.

16 Q. You have seen the email from Liz MacKean to one of her
17 friends, a Mr Hughes, a little bit down the track on 6
18 December where she says:

19 "Having commissioned this story Peter Rippon keeps
20 saying he's lukewarm about it. He's trying to kill it
21 by making impossible editorial demands. When we rebut
22 his points he resorts to saying it was 40 years ago ...
23 he hasn't warned BBC1 about the story so they are
24 beavering away on the special oblivious. Liz G has said
25 to Meirion, 'I'm having nothing to do with this.

1 I don't want to piss off Danny Cohen, it is down to
2 Peter."

3 So she's recording in her email to her friend what
4 Meirion Jones appears to have reported to her about what
5 you said to him. So what do you --

6 A. That's not remotely true.

7 Q. What did you say so Meirion Jones?

8 A. I don't remember any conversations with him in the
9 course of the investigation. I remember him coming up
10 to me around the time it looked like the CPS line was
11 not going to stand up, expressing concerns that it would
12 look like a cover up and I said I didn't think it would,
13 because it wasn't.

14 Q. Can you account for why Meirion Jones might have said
15 this to Liz MacKean?

16 A. No.

17 MR POLLARD: It just seems a bizarre thing, doesn't it, to
18 pluck out of the atmosphere? I can understand all the
19 reported conversations about he doesn't want to run it,
20 he won't listen to the evidence or he has things up his
21 sleeve. But to suddenly suggest that you had made
22 a reference to Danny Cohen, clearly something involving
23 BBC1 -- you had no conversation, no mention about
24 Danny Cohen or BBC1?

25 A. No, I have never even met Danny Cohen.

**RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH CAROLINE HAWLEY**

1 that be understood and applied. So could you, for the
2 record, just confirm you received the document and
3 understand it?

4 A. I have received it. I understand it, I think I sent you
5 back the signed copy.

6 MR SPAFFORD: You did. Thank you very much, great.

7 Questions by MR MACLEAN

8 MR MACLEAN: Can I just ask you about your involvement with
9 Newsnight, as at November/December last year?

10 A. At the time there was no involvement. I had worked on
11 Newsnight before. I had worked with Meirion Jones on an
12 investigation about bogus bomb detectors being sold to
13 Iraq and other countries. So I knew Meirion quite well.
14 I knew Liz a little bit from working with her
15 a Newsnight. I had just been in Libya. We had done
16 some filming and we were hoping Newsnight was going to
17 use it, so I was down in the offices talking to
18 Newsnight on the day of the Christmas party.

19 Q. To which bit of the BBC were you attached at that stage?

20 A. I'm a World Affairs correspondent. So I work in the
21 World Affairs department, World Affairs unit.

22 Q. So you are liable to pop up on any News programme?

23 A. Yes.

24 Q. So you had a conversation, I think on the day of the
25 party?

1 A. Yes.

2 Q. With Meirion Jones or Liz MacKean or both?

3 A. I don't remember. One or both of them.

4 Q. One or both. Before that conversation started, what, if
5 anything, did you know about Newsnight and Jimmy Savile?

6 A. Nothing.

7 Q. Did you -- it was on your radar screen that he was dead?

8 A. I think it must have been.

9 Q. Were you in the country, I don't know? There was a lot
10 of coverage when he died.

11 A. I think I must have been aware of his death, yes.
12 I think I probably was in the country.

13 Q. Did you have, yourself, any view about Jimmy Savile?

14 A. No. I mean I'd obviously watched Jim'll Fix It when
15 I was a kid, but that was about it.

16 Q. So you didn't know that Newsnight was doing anything, or
17 had been doing anything about Jimmy Savile until the day
18 of the party?

19 A. I don't think I did, no.

20 Q. In the little very, brief statement, that you have given
21 us, you say you had spoken earlier that day -- and that
22 day, we can see from the invite, is 20 December --

23 A. Um-hm.

24 Q. -- with the Newsnight journalists involved in the
25 investigation into Jimmy Savile and they were upset that

1 the story had been dropped.

2 A. Yes.

3 Q. And then you move on to the Mark Thompson conversation
4 which obviously I'm coming to.

5 A. Yes.

6 Q. Is there anything else? Can you fill in any more about
7 the conversation with the Newsnight people?

8 A. I mean that's my problem. I don't even remember whether
9 it was with Liz or Meirion or both of them. Um, and in
10 retrospect, knowing now, which I didn't know when I sent
11 the statement, that the party was on 20 December I think
12 that they must have been upset -- particularly upset
13 that the Christmas tributes were going ahead, despite
14 what they had uncovered.

15 But I don't think I had full detail -- I didn't have
16 full detail of what they had uncovered. It was a brief
17 conversation, I hadn't seen any of the material.
18 I hadn't seen their scripts. It was a fairly brief
19 conversation while I was trying to do something else in
20 the Newsnight office and rushing around and --

21 Q. Did they tee you up to speak to Mark Thompson?

22 A. No, they didn't.

23 Q. Did they say, "We want you to buttonhole the DG"?

24 A. No, they didn't.

25 Q. They weren't going to the party themselves?

1 A. They weren't at the party, I don't think. It was mainly
2 for people who had covered the Arab Spring.
3 Q. So it was a big thank you for your contribution to some
4 of the biggest news stories of the year, Mr Thompson
5 says in his invitation.
6 A. Yes, and I had been in Libya and Bahrain that year.
7 Q. So they weren't --
8 A. They weren't there, they --
9 Q. They weren't saying, "Bend his ear".
10 A. No, it is really difficult to remember exactly what was
11 said when. Um, I -- I think they were -- they had the
12 feeling that Peter Rippon had been lent on from on high.
13 Later that day I had the opportunity, by coincidence, to
14 meet with on high at the party, so I raised it with him.
15 Now when I say -- I should be clear that "on high"
16 I -- they didn't specify, they didn't say, Mention
17 Mark Thompson and they certainly didn't say, "Raise it
18 with him at the party".
19 Q. I know it is difficult to remember these short
20 conversations, but what your statement doesn't say is
21 that when you spoke to Mark Thompson you had any
22 discussion about the tributes. All that you talk about
23 in this paragraph is the Newsnight investigation.
24 A. Yes.
25 Q. You don't suggest here that you had any discussion with

1 A. Above him, yes.

2 Q. But no details?

3 A. No.

4 Q. So where is this party?

5 A. Take place?

6 Q. Rooms 4 and 5 on the 6th floor. How salubrious
7 a surrounding is this?

8 A. Quite a bland room, with no mulled wine and mince pies,
9 as I have seen reported..

10 MR POLLARD: No mulled wine?

11 A. No mulled wine, no mince pies.

12 MR MACLEAN: It is from 6 to 8, so it is a pre-dinner drinks
13 party?

14 A. Yes.

15 Q. So not substantive -- not much food, nibbles or
16 something?

17 A. I can't remember. There may have been nibbles. A lot
18 of people standing around.

19 Q. And you were speaking to Mark Thompson anyway about
20 something else when the conversation lulled, is that
21 right?

22 A. Yes. I was with a group of people. You see it shows
23 how fallible your memory is. I thought I was with
24 somebody else and then, since this has all come to
25 light, two people have come to me and said, "I was there

1 at that conversation", and I thought I was with someone
2 else entirely. It just shows how little you remember.

3 Q. Who are the people who place themselves at that
4 conversation?

5 A. Allan Little. He remembers Mark Thompson saying there
6 is a firewall between him and this kind of
7 decision-making.

8 Q. In News?

9 A. In News. And Hannah Barnes, who works in current
10 affairs, who rang me the day of The Times story and said
11 something along the lines of, "I'm glad you said that
12 because I've been thinking about this".

13 Q. And this was The Times story --

14 A. The Times story in which I'm quoted as contradicting
15 Mark Thompson's version of events. Although I had just
16 been in Baghdad, to be honest I had not really followed
17 what had been happening.

18 Q. This was fairly recently, The Times story?

19 A. This was The Times story, I think I gave it to you as
20 part of --

21 Q. Is this the one with Helen Boaden and Jimmy Savile on
22 the front page --

23 A. Yes.

24 Q. -- big picture, recently?

25 A. Yes.

1 Q. Yes?

2 A. Yes.

3 Q. Right. So we can date that.

4 A. Yes.

5 Q. Who was the person that you thought you were with that
6 it turns out you weren't?

7 A. Well, I thought -- I thought I was with Jacky Martens,
8 who is a producer on the 10 O'Clock News, but I must
9 have been with her at a different part of the
10 conversation or for a different part of the event.

11 Q. Right. So part of your recollection, as it were, of
12 this discussion has been assisted by what these other
13 two people have subsequently said to you about it?

14 A. Well, Allan remembers the word "firewall". I don't
15 remember that. I remember him just saying, "That's not
16 the kind of decision I would be involved in taking.
17 That kind of thing doesn't cross my desk." But I'm
18 remembering that vaguely. I think Allan probably has
19 a more forensic memory than I do.

20 Q. That kind of discussion about a firewall, that sounds as
21 if you were talking about the Newsnight story not being
22 run --

23 A. Yes.

24 Q. -- rather than any BBC1 tribute programme?

25 A. Yes. Yes.

1 Q. You were focusing on --
2 A. Yes. My recollection of the conversation, the main
3 thing I remember is me asking why was it dropped, and
4 him saying, "Nothing to do with me". In just the
5 broadest sense.
6 Q. Did you get the sense that this was all news to him, he
7 had never heard of this story? Or he knew about it and
8 he was saying, "It's nothing to do with me"?
9 Or was he saying, "I don't know anything about this
10 at all"?
11 A. I formed the impression that he didn't know about it.
12 Q. This was news to him?
13 A. That it was news to him.
14 Q. Right.
15 A. Which is what Hannah said to me as well. She thought it
16 was news to him as well.
17 Q. She said that to you recently?
18 A. Yes. Because she called me up the day of The Times
19 article.
20 MR POLLARD: So you must have been -- to get any
21 conversation going at all, if this was new to him, you
22 must have been sort of setting the scene for him?
23 A. I think I must -- if I came away with the impression,
24 which I did, and -- and -- and I'm not quite sure what
25 it it's based on -- that he didn't know about it, in

1 A. Yes.

2 MR. POLLARD: -- before the drinks thing. To put it simply,
3 how hot up were they about this? This is probably
4 a week to ten days after the story has finally been
5 dropped. Still pretty steaming?

6 A. They were -- they were angry. They were angry enough
7 for me to think that if I've got the opportunity to ask
8 someone about it, I will, because I know them, I've
9 worked with them before.

10 MR POLLARD: Did you tell them that you were going to the
11 drinks thing?

12 A. I can't remember.

13 MR POLLARD: So they didn't -- they didn't say, "If you get
14 the chance --"

15 A. No.

16 MR MACLEAN: And they didn't say, "That sod so-and-so has
17 spiked this programme", or this is -- you know, "We've
18 been done over by... " whoever.

19 A. I don't think they named anyone.

20 MR POLLARD: But presumably they were -- they were not
21 pleased with Peter Rippon for having taken the decision,
22 were they?

23 A. They were very unhappy that the decision had been taken
24 to drop it.

25 MR POLLARD: Yes, yes. Okay.

**RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH PETER HORROCKS**

1 Then we talked about what went wrong, the programme
2 list I told you about earlier. We went around the table
3 and asked everybody to identify the risks BBC News needs
4 to manage currently because we can't wait for all of you
5 to take however long it will take to wind through all of
6 this and tell us what we have to do. We have to create
7 the space for that to happen, I needed to push in the
8 way I have described.

9 ALAN MACLEAN: Can I ask, I meant to ask you earlier but the
10 moment had passed. You mentioned the Helen Boaden
11 discussion with Peter Rippon which --

12 PETER HORROCKS: The Rippon one or the Entwistle one?

13 ALAN MACLEAN: The Rippon one. In your timeline you got
14 this from her and not from him, I think?

15 PETER HORROCKS: Yes, although I do also have some of this
16 indirectly from Peter as well.

17 ALAN MACLEAN: Taking the timeline from her account, she
18 gave him a view about the importance of evidence even
19 though he was dead. I remember you saying Helen
20 speculating whether Peter may have taken too strong a
21 state, she may have been forceful in her view. Do you
22 remember what she says and how --

23 PETER HORROCKS: I don't, if I had remembered it more
24 clearly I would have tried to recall that and put that
25 in the statement. I don't think that the accounts that

1 Helen gave me herself and I subsequently heard
2 indirectly from a representative of Peter Rippon were
3 necessarily at odds with each other and in the
4 description I heard of Peter Rippon's view of it,
5 certainly at the time that was given to me, the time it
6 was given to me it was a proper editorial conversation
7 that he did not regard it as being inappropriate. It
8 was possible for him to have interpreted as
9 an instruction or a very strong recommendation in terms
10 of an editorial course of action and I don't know
11 whether Peter absolutely feels it was the right thing to
12 do or it was something he wanted to subsequently
13 challenge.

14 I would simply observe, as I said, with
15 Meirion Jones not being spoken to by BBC management,
16 I don't know what further conversation happened about
17 the significance of that and the ability to discuss and
18 challenge openly is something I think could be part of
19 that. I explained he was an editor, he was not in
20 a strong position and as confident as he might have
21 been, that was a factor, plus Helen has a clear and
22 strong personality and she acknowledged herself she
23 expressed herself forcefully.

24 ALAN MACLEAN: You don't find that even surprising or
25 improper?

**RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH MEIRION JONES (1)**

1 A. No, I have talked with him before this.

2 Q. So you've talked with him --

3 A. I have talked before that, definitely.

4 Q. I infer from the first line of your email that you had
5 discussed with Rippon and MacKean the fact that there
6 was this web memoir?

7 A. Yes.

8 Q. So in layman's terms -- I am sure I have the journalism
9 lingo wrong -- this looks like, as it were, your pitch
10 to Peter Rippon to do this story.

11 A. Yes, exactly.

12 Q. Is that fair?

13 A. Yes, that is absolutely fair. I had a con -- I mean,
14 I'm guessing that I've had a conversation with him
15 around about the time that I've sent that email to Tom,
16 either just before or just after. More likely just
17 after. He may have been busy for half an hour. I
18 couldn't get in to see him at 11.30. I sent this to
19 cover my back, almost, to say "Look, here's an option",
20 in case Peter says "I don't -- I don't fancy this".

21 I then have a chat with Peter. Peter is
22 enthusiastic, but rightly says "Can you send me the
23 autobiography", and, of course, that's what I then do
24 and it's the right thing for Peter to do at that time.
25 He wants to get -- have something in front of him to

1 Q. So the idea for his role at this stage in the production
2 of this story was what?

3 A. Er, he was -- we put £500 in the budget for him to look
4 at all the evidence and come to an assessment for us.
5 I mean, we're not experts on child abuse. I mean,
6 obviously, I've done a lot of stories about paedophiles
7 in the early 2000s, but you want somebody who is a child
8 protection professional, as he is, and who is, you know,
9 a police background and who has dealt with these sorts
10 of abusers as well, like Jonathan King, to go through
11 that stuff and give you an assessment. Also to, um, as
12 he's ex-Surrey Police, he might be able to help us if
13 there is a police -- there really was a police
14 investigation or not.

15 Q. Let's just look at that point. If you go over the page
16 to 209 --

17 A. Yes.

18 Q. -- 20 minutes or so -- 15 or 20 minutes later, you email
19 him. He had suggested he might be the reporter, but you
20 had a reporter, and we know that is Liz MacKean.

21 A. Yes.

22 Q. "In confidence we now know that Surrey Police
23 investigated Savile and interviewed many of the girls
24 around 2009/2010 but they told them he was too old so
25 they weren't going to press charges."

1 What was the basis of that?

2 A. Well, I mean, first of all, you need to remember these
3 are emails firing back and forth. These are not
4 carefully thought out legal documents or whatever. So
5 "know" is very loosely used there. "Believe" would have
6 been better.

7 Q. Right.

8 A. We're being told by the girls -- women as they now
9 are --

10 Q. How many?

11 A. Hm?

12 Q. How many.

13 A. By that stage I'd say -- I wouldn't know how many by
14 that stage, ultimately I think -- let me have a look.
15 Ultimately, I think, something like seven -- six or
16 seven of the women.

17 Q. We'll come to that. Ultimately you approached 60, you
18 got 10 responses and they said basically --

19 A. At this stage --

20 Q. We'll come to that, but at this stage --

21 A. Well, okay. At this stage I'm not dealing with that bit
22 of it, but I would say probably about three or four
23 women had probably told us that by that stage, by the
24 4th.

25 Q. And you had obtained that information from

1 Hannah Livingston to you and Liz MacKean. You see she
2 makes that point about a third of the way down the page.
3 Do you see "So far the only woman", and she names her

4 [11]

5 A. Yes.

6 Q. Hannah makes some other observation:

7 "What we know for certain ... Jimmy Savile used to
8 visit Duncroft."

9 Well, you've known that for decades. A photo of him
10 with girls at the school, and you knew that he used to
11 visit.

12 "Duncroft was an approved school."

13 Well, again, you'd known that for years.

14 Then she says what definitely needs confirming was
15 the presence of a police investigation, and you were in
16 touch with the reporter chap that is obviously --

17 A. Mark.

18 Q. -- mark Williams-Thomas. And then a few of the girls
19 have referenced a letter they received from the police
20 saying there would be no further action taken against
21 Mr Savile because of his age.

22 So she splits the aspect of the police into the two
23 points that you made earlier, namely whether there was
24 an investigation at all, and then if there was one --

25 A. Yes.

1 Q. -- whether it was not proceeded with because of his age,
2 and whether there was a letter, and that assumes some
3 importance, doesn't it, later in the story?
4 A. Well, maybe. We will see.
5 Q. Well, it does, doesn't it? We can see from the -- it
6 does assume, rightly or wrongly, some importance --
7 A. Well, I -- I would say it doesn't assume any importance
8 in the story. It does assume an importance in reasons
9 given for dropping it. But it doesn't assume any
10 importance in the story.
11 Q. So --
12 A. It's not an important element.
13 Q. It's not an important element --
14 A. No.
15 Q. -- in the story --
16 A. No.
17 Q. -- that the investigation was or might have been dropped
18 because Savile was older and infirm?
19 A. It is there, and we've got it in script and so on in
20 case we find that's true. But plainly, without that
21 line it would still become the biggest story of the
22 year.
23 Q. Why is it in the script if it's not an important
24 element?
25 A. Because it is there as something we would have hoped to

1 get, we might get. In all probability -- if you want to
2 jump to that script, we can talk about that line. The
3 way it would have been scripted, I think in the end,
4 would have been: the girls say the prosecution was
5 dropped -- the girls say they were told the prosecution
6 was dropped because he was old and infirm, but the Crown
7 Prosecution Service say it was because there wasn't
8 enough evidence. And they completely reject that.

9 Q. We will come to the script.

10 A. Yes, I know.

11 Q. Some of the Friends Reunited material --

12 A. Yeah.

13 Q. -- which she mentions at the bottom of the page, you had
14 looked at that, you had been following that for some
15 time.

16 A. Yes, no, absolutely.

17 Q. It's true, isn't it, that some of that material
18 definitely did suggest that the polices had said that
19 Savile was too old to prosecute; yes?

20 A. Yes, absolutely.

21 Q. We can see that, for example, if you go a little bit
22 later in the bundle and pick it up at 299. This is the
23 Friends Reunited material, isn't it?

24 A. Yes.

25 Q. Yes?

1 A. Yes.

2 Q. So we see there is one from [Q1] there. I'm not
3 going to go through all of these --

4 A. No, no.

5 Q. -- but if you go to 303, [Q1] -- and that is the same
6 [Q1], I think, that Hannah Livingston has been speaking
7 to, isn't it?

8 A. I will check. Let me check.

9 Q. Do you see the one --

10 A. Yes, I am sure it's --

11 Q. "I was interviewed by the police was anyone else? He
12 was a perv and he is too old, they said, to prosecute."

13 A. Yes.

14 Q. "I will join any campaign to name and shame because the
15 police won't do it."

16 So one infers that the "they" is the police?

17 A. Yeah, no, absolutely.

18 Q. Now, you can put bundle 1 away, please, and take
19 bundle 2. You said earlier when you came back from
20 America.

21 A. Yes.

22 Q. I can't remember when you did -- but you say you didn't
23 really get your hands on this until the 14th again,
24 which was the interview with [Q1] ?

25 A. Yes. Essentially from October 31 I'm putting maybe

1 that point. But at that point you are told you have
2 a budget, you have a transmission date. There is a big
3 board on the wall of the Newsnight office with all the
4 films that are going to be coming up over the next
5 month. It is signed up there for 7 December. Editing
6 is booked by Liz Gibbons. You know, all that stuff
7 starts to happen, and it's a real thing there. It's not
8 just a hope -- hoped for thing, it's a real thing which
9 you are then -- you are pulling the sync at the
10 interview, you are pulling together your script, you are
11 pulling everything together now.

12 Q. Right, okay. By whom is it commissioned?

13 A. By Peter, clearly. He says "Prepare for transmission.
14 Excellent, prepare for transmission".

15 Q. That is not a certainty of broadcast, but that's the
16 greenlight? That's the critical greenlight?

17 A. That's the greenlight, yes.

18 Q. We will come to that, because we're not quite there --

19 A. But there are still -- obviously there are still hoops
20 we have to jump through and so on. You know, things
21 could go wrong, we might have legal problems, there are
22 all sorts of things that can go wrong.

23 Q. Yes. Let's just go back to the chronology then,
24 bundle A2, at page 8. These are emails between
25 Hannah Livingston and Liz MacKean. We can obviously

1 re Savile?"

2 A. Yes.

3 Q. "MWT come up with anything?"

4 So the corroboration he's looking for is

5 corroboration from the police?

6 A. Yes. But the police -- that there has been a police

7 investigation to corroborate what's being said by the

8 women.

9 Q. And the 14th, as we established, was the day that

10 [Q] was interviewed.

11 A. Yes.

12 Q. Would it be fair to say that most of the women that this

13 investigation had spoken to were suspicious and very

14 manipulative?

15 A. No, sorry, say that again.

16 Q. Would it be fair to say that most of the women that this

17 investigation had spoken to were suspicious and very

18 manipulative?

19 A. Some of them were -- were suspicious. The only one who

20 appeared very manipulative to me was [Q].

21 Q. So you wouldn't agree that most of them were very

22 manipulative, or extremely manipulative?

23 A. No, no. Not from my -- my judgment of them, no.

24 Q. Can we go to page 310? You recognise this email, which

25 is from you to Mark Williams-Thomas?

1 A. Yes, much later on.

2 Q. Much later on.

3 A. Yes.

4 Q. These are the Duncroft photos and Friends Reunited and
5 so on, and then you quote again from the self-published
6 account which [A1] wrote.

7 A. Yes.

8 Q. And there's a long quotation from it.
9 If you go to page 310 in the middle of the page, do
10 you see "I knew about it because ..."?

11 A. Yes.

12 Q. "... Duncroft's head Maggie Jones was my aunt [and
13 so on]."

14 And you explain you kept an eye out for Duncroft
15 content:

16 "We've messaged a large number of Duncroft girls and
17 have talked to a dozen -- half of whom give detailed and
18 convincing accounts of abuse by Savile and his friends
19 who give names of others who they say were abused."

20 And then you say at the end:

21 "It goes without saying that most of these girls are
22 intelligent and emotionally damaged, but with a criminal
23 background and suspicious and extremely manipulative
24 which makes them particularly difficult to deal with or
25 get them to trust us."

1 A. Yes.

2 Q. So the question I put to you a moment ago, came from
3 your own email.

4 A. Yes, no, but I --

5 Q. But you disavowed it.

6 A. Yeah, but if you look at that there's a long -- there's
7 a long list there of different things. So most of these
8 girls are intelligent, some of them aren't, emotionally
9 damaged, criminal background, suspicious, extremely
10 manipulative. This is a list of some of the features
11 these girls -- I would not -- or women.

12 I would not individually, if you picked that out,
13 say "most of them were extremely manipulative". Do you
14 understand the distinction I'm making? This is a list
15 of things which between them are there.

16 Again, this is not a legal document that I have
17 written. This is just a very quick note that I've
18 slammed out to Mark Williams-Thomas, and at the end of
19 it I'm saying, you know, it goes without saying these
20 girls are intelligent, emotionally disturbed, damaged,
21 you know, criminal background, some of them didn't have
22 a criminal -- you know, suspicious, extremely
23 manipulative. I'm just giving a list of the sort of
24 problems that we're having with them.

25 Q. But these factors of emotional damage and criminal

1 background and --

2 A. Yes, yes.

3 Q. -- manipulative nature, if correct, would be all the
4 more reason why the editor of one of the BBC's major
5 news programmes should be most anxious to ensure that
6 there was corroboration.

7 A. Oh yeah, totally agree. Totally agree with you.
8 Absolutely agree. Yeah, 100 per cent. But what I'm
9 trying to say is that if you are asking me is my
10 judgment that most of the women we talked to are
11 extremely manipulative? No, they weren't. Some of them
12 were.

13 If you are asking, you know, were they intelligent,
14 probably half of them were intelligent? You know, more
15 intelligent than average.

16 Emotionally damaged? Almost all of them were.

17 Criminal background? Perhaps half of them were.

18 Do you see what I mean, I'm saying these -- they are
19 all -- I'm not making the same judgment about all these
20 factors.

21 Q. We know that Hannah's view, anyway, was that [Q] --
22 I know she didn't speak to [Q], that's an
23 important aspect, you've made that point --

24 A. She's the key witness, we always have to remember this
25 throughout this.

1 Q. I understand, but so far as Hannah was concerned, [11]
2 was the most sorted and, in your judgment, she wasn't as
3 it were --

4 A. Later on, much later on.

5 Q. -- wasn't very sort?

6 A. Much later on. No, I mean, she's saying sorted because
7 [11] is giving her detail and all sorts. Most of these
8 women are being very "I don't really want to talk
9 about it. I don't remember. It's a long time ago".
10 [11] is sorted in that she is saying "I do remember
11 this". She gave us loads of names. She has loads of
12 contacts. She's the most sorted. However, as time went
13 on, I came to feel that she was also the most
14 manipulative.

15 Q. Okay. Let's just jump back a little, please, to page 83
16 of the same bundle. There a there is an email from
17 somebody called Anna Adams to you on 15 November.

18 A. Yes.

19 Q. Who is Anna Adams?

20 A. She's a very good investigative reporter who was with us
21 on attachment for a bit.

22 Q. So she's working for the BBC at --

23 A. On attachment for Newsnight.

24 Q. -- that stage?

25 A. I did the story about Azerbaijan with her and buying the

1 was critical to standing up the story with [R1] . in
2 the can was getting the details of the police
3 investigation.

4 A. Actually, yes -- well, actually what she's really after
5 here is the letter. If you look at what she's really
6 after, she is after the letter.

7 Q. Exactly, because the letter is the letter which was
8 going to say, so it is hoped, that the reason the police
9 didn't take it further, or the CPS, or whoever it is in
10 the prosecuting authorities, was that Savile was old and
11 infirm?

12 A. No, that's -- it's much more basic than that. At the
13 moment we can't confirm that there has been a police
14 investigation. If we can get the letter, it doesn't
15 matter actually what it says about old or infirm. If we
16 get the letter, we get a case number and we get an
17 officer, and we can immediately get confirmation from
18 the police that they investigated and took it seriously.
19 That's what we're after there. It's much more
20 fundamental. It's about getting the letter.

21 Sure she mentions the stuff that's on the website
22 there and so on, but it's the letter. What's stopping
23 us on 16 November from broadcasting is that we do not
24 have confirmation of the police investigation.

25 Mark Williams-Thomas has approached Surrey Police, they

1 all the girls who said there was a police investigation.
2 So it also had a great negative check for us that we
3 would then have said "You know what, they are all taken
4 out of it. We now have to have huge doubts about the
5 whole story".

6 So it was more than just the building blocks. There
7 was also there a great sort of negative check in there.
8 These are checksums if you like that we could use.
9 Whereas on the other hand if they came back and said
10 they had talked to all those people, then that hugely
11 improved our story and suggested that they were telling
12 the truth.

13 MR POLLARD: Sure. But just to pick up on the points that
14 Alan has been making -- and I know you realise this --
15 it is clear that on many occasions when information was
16 exchanged about the story to whoever it is, between you
17 or to Mark Williams-Thomas or whatever, there was
18 a repeated emphasis, or a repeated mention of the letter
19 that says no action because he was old and infirm?

20 A. Yes.

21 MR POLLARD: So it wasn't that it was, if you like, just
22 a passing element; it does crop up in almost every email
23 about "How are we getting on?"

24 A. No, but when we are talking to Mark Williams-Thomas, why
25 are we talking to Mark Williams-Thomas? We're talking

1 to Mark Williams-Thomas because we're giving him
2 everything we can to try to track down a police officer.
3 You know, we need a police officer's name, a case
4 number, something like that, that he can get into.

5 You know, he has two jobs in this. The main job
6 obviously is looking at the evidence and so on, but at
7 this stage his job is to try and get confirmation from
8 Surrey Police that there really was an investigation and
9 that letter will give us what we need.

10 MR POLLARD: Sure. Right, okay.

11 Sorry, we slightly ran over our time. Shall we take
12 a break?

13 MR MACLEAN: We need to give the shorthand writers a break
14 every so often.

15 MR SPAFFORD: Back at 10 to then.

16 A. Lovely.

17 Just organisationally, I was just going to say
18 I think it might help if I had a flipchart and some pens
19 to show you something at some point in terms of where
20 we're going, in terms of where we are going with
21 evidence, if that would help after the break.

22 MR MACLEAN: Let's see if we can find a convenient moment --

23 A. No, no, no, at a convenient moment.

24 (11.40 am)

25 (A short break)

1 Q. So is this right then: what you are saying is that once
2 you find out that there had been the police
3 investigation --
4 A. Yes.
5 Q. -- allied to [R1] --
6 A. Yes.
7 Q. -- that was enough?
8 A. Yes. I mean, obviously we had other corroboration, like
9 the Clunk Click, the other girls. We had a whole load
10 of other stuff.
11 Q. Why keep pursuing the business of the letter then? Once
12 you know that there has been a police investigation --
13 A. Afterwards --
14 Q. -- why does that the matter?
15 A. I am not interested in the letter after that. It's not
16 something of particular interest to me. It's still
17 there on the list of things and so on. It's still there
18 that if we got it, great, you know, that's fine. So far
19 as I'm concerned, we're basically over the line now.
20 Q. Right. So you send this email to Peter Rippon. Over
21 the page, 25 November, fewer than ten minutes later --
22 A. Yes.
23 Q. -- he emails back saying "Excellent. We can then pull
24 together the TX", that is transmission, "plan"?
25 A. Yes.

1 A. It could be.

2 Q. Then Mark Williams-Thomas and his background --

3 A. Yes.

4 Q. -- in the Jonathan King investigation. And then this:

5 "Mark Williams-Thomas approx what I expect him to

6 say, not actually recorded yet"?

7 A. Yes.

8 Q. Had you discussed something along these lines with

9 Williams-Thomas?

10 A. Yes, exactly. Been talking to Mark saying "If this

11 happens, this is what we are going to write".

12 Q. What you wrote then was:

13 "In the last five years Surrey Police have been

14 investigating allegations of sexual assault on minors by

15 Jimmy Savile in the 1970s. They passed the file to the

16 Crown Prosecution Service but in 2009 the CPS decided

17 that Savile was too old and infirm to face a trial and

18 dropped the case. I have to say (you are anticipating

19 Mark Williams-Thomas saying) I don't think that that is

20 acceptable and why was it all hushed up"?

21 A. Yes.

22 Q. So the story here is that there was a hushing up --

23 A. No, no, we don't know any of that.

24 Q. But that's the story that you're hoping to put out,

25 isn't it?

1 A. Yes, yes. That is the strongest version of that bit of
2 the story. But, as Mark Williams-Thomas, as you say,
3 showed when he put out the same story without it, it
4 became an international -- well, mainly a huge national
5 story.

6 You know, we don't know at that stage. All we know
7 for sure at that point is that the police have
8 investigated. At some point around about now, quite
9 soon, we become aware that they investigated it and took
10 it seriously enough to go to the CPS. We don't even
11 know that at this stage.

12 Q. Now did you send this version of the script to
13 Mr Rippon?

14 A. I'm not sure. I send one to him on the 29th, I think.

15 Q. Let's look at that one. 143, it is called "Very rough
16 Savile"?

17 A. Yes.

18 Q. So 143, on the 29th, you send it to Liz MacKean,
19 Hannah Livingston, Liz Gibbons, Peter Rippon and Roger
20 Law, the lawyer?

21 A. Yes.

22 Q. "Just a very rough script to give you an idea what we're
23 saying, not finally written."

24 A. Yes.

25 Q. "Could put a defence in there or leave it as a

1 A. Yes, yes.

2 Q. "Not sure yet with any statement from police or CPS"?

3 A. Yes.

4 Q. So the defence that is contemplated is not a defence of
5 Jimmy Savile, nor is it a defence of the BBC. It's
6 a defence of the position of the police or the CPS --

7 A. No. No, that's not the case.

8 Q. That they decided not to go ahead because he was too old
9 and infirm and it was hushed up?

10 A. No, that's not the case talking. We haven't got the
11 statement. We don't even know that it has gone to the
12 CPS at this stage.

13 Q. I understand that, Mr Jones. I'm not asking you about
14 what you understood.

15 Just looking at this script, it starts off by saying
16 Savile wasn't proceeded against because he was too old
17 and infirm, it was hushed up, and it ends with
18 prospective defence from the police or the CPS
19 justifying that position. And that's what the whole
20 story was about?

21 A. No, no, no, no. That's completely untrue. Look, it
22 doesn't start with what you think it starts with. It
23 starts with the tributes to Jimmy Savile, doesn't it?
24 Isn't that where it starts, that he's a hero, he's
25 a wonderful person. That's the start, isn't it?

1 The end is "pay off over Savile pics, voice quotes
2 from the girls saying he was a paedophile". So it
3 starts with the tributes to him as this wonderful person
4 but then says he had another side. It's centred around
5 a series of allegations of sexual abuse from girls at
6 this former approved school. That's where it starts,
7 doesn't it? Does it say before that CPS or Metropolitan
8 Police? It doesn't.

9 Q. The sting of this story is about the police and/or the
10 CPS acting inappropriately --

11 A. You said it starts and ends with that. It doesn't.
12 Look at the start. The first two paragraphs are saying
13 he's a paedophile. He had a reputation as a wonderful
14 person: he's a paedophile.

15 It ends with the pay off over Savile pics with the
16 quotes from girls. The quotes, as you will see in the
17 next edition of the script, are them saying he was
18 a paedophile.

19 Q. This is a story which has been set up with Jimmy Savile
20 being a paedophile and then --

21 A. Right.

22 Q. -- asking questions and inviting answers from the CPS
23 and the police with the allegation against them being
24 that they have inappropriately not proceeded against
25 Jimmy Savile?

1 A. As I think I said at the start of this, that
2 Mark Williams-Thomas would have changed to from "they
3 passed the file to the Crown Prosecution Service but in
4 2009 the CPS decided that Savile was too old and infirm
5 to face trial and dropped the case", that would have
6 changed to:
7 "The girls say the case was dropped because he was
8 too old and infirm, but the Crown Prosecution Service
9 say there was not enough evidence to prosecute him".
10 And that's what it would have been in the final
11 version. At this point we haven't talked to the CPS.
12 We haven't even got confirmation from the police that
13 they passed the file to the CPS. It's written in this
14 way as a sort of maximalist way of doing it.
15 Q. What it has nothing to do with is the BBC being, as it
16 were, under pressure for having allowed this abuse to
17 happen on BBC premises, has it?
18 A. It has a whole chunk on the BBC.
19 Q. It mentions it as part of the factual background. But
20 let's look at 158 --
21 A. Yes.
22 Q. -- Hannah Livingston emails you having got this script
23 that you've just sent her we've just been looking at --
24 A. Yes.
25 Q. -- and she says:

1 remark but nothing memorable?

2 A. No, definitely not.

3 Q. Is that fair?

4 A. Yes, that's true.

5 Q. Had you formed any view at this stage of whether

6 Mr Rippon had formed a view as to the credibility of the

7 sources for the story?

8 A. No. I mean he'd read the script. We can see that he

9 had read the script. He sends bits -- on the 29th,

10 about that same time, he sends an email to

11 Steve Mitchell which has a chunk of the script in it.

12 They are talking about the issue of my aunt.

13 Q. Is that the one at 1977?

14 A. Yes. Yes, exactly.

15 Q. So what did you get out of -- first of all, you only saw

16 that email --

17 A. Yes, I only saw that Friday --

18 Q. -- for the first time last week?

19 A. Friday night, yes.

20 Q. So you wouldn't have seen that at that time?

21 A. No, but it accords with what I thought at the time,

22 which was that there were no real problems at that

23 point. At sort of 2 o'clock on the Tuesday afternoon,

24 there were still no problems.

25 Q. Right. So the answer to my question about whether you

1 morning.

2 A. Yes.

3 Q. "Having pondered this overnight I think the key is
4 whether we can establish the CPS did drop the case for
5 the reasons the women say. That makes it a much better
6 story. Our sources so far are just the women and the
7 secondhand briefing. Have we exhausted all chances of
8 getting the letter."

9 The secondhand briefing is the reference to what you
10 had told him that Mark Williams-Thomas had told you [REDACTED]
11 [REDACTED]

12 A. I assume that's what he's saying there.

13 Q. -- yes?

14 A. Yes.

15 Q. So how did this email strike you when you received it?

16 A. I think I say in my statement that I was absolutely,
17 like, shaken by it. I wasn't expecting it. It was a --
18 it just appeared to be bringing in a bar that hadn't
19 been there before.

20 Q. You say that there might have been a conversation with
21 Mr Rippon and yourself the night before --

22 A. Yes.

23 Q. -- but you can't recall --

24 A. No, this has the feel of us having had a chat the night
25 before.

1 a full and frank exchange of views, had there, between
2 Rippon, you and MacKean?

3 A. One thing I should may clear is that some of the papers
4 say there were violent rows. There were not violent
5 rows.

6 Q. You say you argued in your statement?

7 A. Yes, we argued, but there was no -- you know, there was
8 no shouting and screaming on either side.

9 Q. She says in this email:
10 "Must tell you story when we next speak."
11 I think that's about -- well, I think that is this
12 story.
13 "PR" that is obviously Mr Rippon "in an absolute
14 spin."
15 A. Yes.

16 Q. Used in the old fashioned sense:
17 "He's already done the surrender gesture."
18 Do you know what that is?

19 A. Yeah, no, that rings a bell, very much so. Sort of --
20 it's sort of -- you know, it's like sort of, you know,
21 you're arguing with him and rather than arguing back,
22 he's sort of going, you know, it's not just something --

23 Q. Yes.

24 A. Do you know that I mean, it's that sort of -- I mean
25 when I read that, it immediately -- which I only saw the

1 other week, it immediately brought that -- that idea
2 into my head.

3 Q. So a gesture of powerlessness.

4 A. Yes. Yes. Sort of -- yes --

5 Q. Is that fair?

6 A. -- and distances. Powerlessness and distancing as well.

7 Q. And then Liz MacKean says:

8 "... and told me [ie Rippon] and me and Mei if the
9 bosses aren't happy I can't go to the wall on this one."

10 A. Yes.

11 Q. Do you remember Mr Rippon saying that?

12 A. I can't swear on the words "if the bosses aren't happy",
13 The phrase that stuck on my head was "I can't go to the
14 wall on this one" in that context.

15 Q. Who would be driving Mr Rippon to the wall?

16 A. I assumed at the time it would be Helen and Steve.

17 Q. Why?

18 A. Because they are up the chain of command from him.

19 Q. I know they are up the chain of command, but why would
20 that mean they -- is that the only reason they would be
21 the only ones driving him to the wall?

22 A. Well, even though I can't remember him saying "bosses",
23 I had an impression of plural and they would be the next
24 two up the chain.

25 Q. Picking up on the word "chain", if you go to page 220 --

1 Q. If you go to paragraph 9.4, page 13.

2 A. Yes.

3 Q. This is in the wake of the Mr Rippon's email, pondering
4 overnight. You say:

5 "We argued, I couldn't see how anyone could think
6 that the first ... (Reading to the words)... investigated
7 by the police for paedophile offences on the first
8 on-camera interview with one of his victims was anything
9 other than a very strong story. I said if we pulled the
10 story we would be accused of a cover-up to save the
11 Christmas specials and to protect the BBC's reputation."

12 Did you say that to Mr Rippon, as it were, in
13 terrorem?

14 A. I'm not very good on the Latin.

15 Q. To, as it were, one might say, cajole, or one might say
16 bully, him into running this story?

17 A. Making a very strong point why we should run the story.

18 Q. You go on to say:

19 "Peter Rippon seems to be implying his bosses were
20 pressing him to drop the story and he was not prepared
21 to confront them. He said 'I'm not prepared to go to
22 the wall on this one'."

23 Is that how he implied -- when you say he implied
24 his bosses were pressing him the implication came from
25 his words, is that right, or was it something else?

1 A. No, I took that implication. He didn't say in as many
2 words to me "My bosses are pressing me to drop this
3 one", but he gave that impression that it was a decision
4 out of his hands and above him. It was an impression
5 that he gave.

6 Q. Did he say who he had spoken to or communicated with?

7 A. Not to me, no.

8 Q. Did you ask him who he had spoken to or communicated
9 with? Did you say "Come on, Peter, who the devil is
10 saying this"?

11 A. I don't think I did, actually. I just sort of assumed
12 that that was the situation. I don't think I did
13 challenge him on that. I think Liz had a conversation
14 with him on that but I don't think I did.

15 Q. Is this X or Y, in which case I will go have a word with
16 them. That would be the natural thing to do.

17 A. The problem in the BBC is you can't do that. And that's
18 one of the fundamental problems of the way the BBC is
19 managed. If you try -- for instance, during this crisis
20 halfway through it I went up to George and said --

21 Q. Well, I'm coming to that.

22 A. You know, they say, "No, we can't talk to you". It's
23 like the 19th Century army, you can only go to your
24 commanding officer, and even if there is a fire and you
25 are trying to ring the alarm bell, you are not allowed

1 whatever and, you know, we'll talk him around and you
2 know -- you know, essentially either he or his bosses
3 will decide that it has to run.

4 Q. So over the page, 275, you reply within half an hour-ish
5 and say:
6 "I don't think that's a good idea, let's chat."
7 And you did chat.

8 A. That's probably a bit of a stronger phrase than it
9 appears in print.

10 Q. You say in your statement, your submission, at 11.4, you
11 have just referred to this email we have just looked at.

12 A. Yes.

13 Q. "I don't think it's a good idea, let's chat":
14 "We had a conversation where I strongly argued the
15 story we had was incredibly strong."
16 And so on.

17 A. Yes.

18 Q. Who else was present in that conversation, do you
19 remember?
20 A. What day of the week, was it? Thursday. I don't know
21 whether Liz would have been there or not, she didn't
22 usually work Thursday. It's probably not, it's probably
23 just me and Peter.

24 Q. I think this is still the same conversation, isn't it,
25 down at 11.7 --

1 (3.35 pm)
2 MR MACLEAN: Can you, please, go to page 52 and 53.
3 A. Yes.
4 Q. This is an email exchange you had with David Lomax. He
5 used to work for the BBC; is that right?
6 A. Yes, he's still a freelance for us occasionally. But --
7 yeah, he used to be Newsnight.
8 Q. So this was an email from you being sent outside of the
9 BBC?
10 A. Yes, I am afraid it was. I don't think of him as being
11 outside of the BBC because he doesn't work for anyone
12 else.
13 Q. At the bottom of 52 you say:
14 "Confidentially I'm trying to get an expose of
15 national treasures, so Jimmy Savile, on air at the
16 moment. We have uncovered the police investigation of
17 his sexual assaults on vulnerable 14 and 15-year-olds
18 and some of them agreed to speak to us, but for some
19 reason BBC bosses think it might wreck their Jim'll Fix
20 It Christmas special so they are trying to block it
21 without sending an email saying 'cover it up'."
22 That's a rather specific allegation, but it's one
23 for which, I think, you agreed with Mr Pollard a little
24 earlier, you had no evidence at all --
25 A. Yes.

1 Q. -- is that right?
2 A. Yes, I would say that's true.
3 Q. So that was not a terribly responsible thing to be
4 doing, was it?
5 A. I didn't have firm evidence for it. I believed it to be
6 the case at the time. Going back very briefly to the
7 previous one, I will tell you why I will did this.
8 There was quite a good reason for me to send that one to
9 Mary Wilkinson, which is that she was still well
10 connected at a very senior level.
11 Q. I was going to ask you actually, the next question was,
12 what was the purpose of sending this one to Mr Lomax?
13 A. Yes. Yes, and, er -- (Pause).
14 Q. Maybe it was just born of frustration, I don't know.
15 A. No, but it doesn't start about that. It starts about
16 something else. He must have -- has he sent me an
17 email? I don't know if he has or not.
18 Q. He sent you Christmas greetings, I think, at 53, at
19 11.08; do you see?
20 A. That's what happened.
21 Q. He sent you Christmas greetings, a little prematurely,
22 but still there we are. And you reply.
23 A. And I think maybe I'm also vaguely thinking about maybe
24 he has told me that story vaguely before, as well.
25 About Savile, and the cameraman.

1 police. We had been led to believe that there had been
2 a recent investigation into the allegations that these
3 were dropped. However, we could not gain sufficient
4 information to stand this up."

5 This goes to the point I was on just before we broke
6 about people who had been acquitted and so on?

7 A. Yes.

8 Q. You said that what was different here was that, if you
9 like, Savile had been investigated because of complaint
10 X or possibly X and Y, but [R1] was Z?

11 A. Yeah, exactly.

12 Q. That's the burden?

13 A. And went further.

14 Q. And went further. Now, this line that gets worked up --
15 and we've got, as you can see, quite a lot of pieces of
16 paper here, I could show you quite a lot of them which
17 have this line in it.

18 A. Yes.

19 Q. But the drafting of this statement, I think, was done
20 without any recourse to you at all?

21 A. God, yes. No. No. Absolutely not, no.

22 Q. So if we go to 137, this is Mr Rippon's reply to that
23 email we have just looked at. Have you seen Mr Rippon's
24 reply before?

25 A. I saw it on Friday night.

1 Q. We'll ask him.

2 A. Yes.

3 Q. You weren't doing any briefing, were you?

4 A. No, absolutely not.

5 Q. Do you know anybody who was?

6 A. No, I don't. The --

7 MR POLLARD: Had you had any conversations with

8 Miles Goslett before he contacted the Beeb on December

9 21?

10 A. No, the first conversation I had with him was when he

11 [REDACTED] two weeks ago

12 for the Sunday Times, which said that I had hidden the

13 interview with [R3] ..

14 MR POLLARD: Right.

15 A. What happened was The Mail rang me --

16 MR MACLEAN: When are we now?

17 A. October 21 is when that story came out.

18 Q. Can we come to that?

19 A. Sure. But that was the first time and I talked to him

20 because he'd written -- he had put his name on an

21 [REDACTED] article.

22 Q. In The Sunday Times?

23 A. Yes.

24 MR POLLARD: I would just say that my reading of 265 is

25 clearly Peter Rippon is saying somebody is leaking to

1 Q. [REDACTED]

2 A. [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 Q. Is that not a compliment?

6 A. Apparently, not, no. So there was quite a lot of

7 acrimony.

8 Q. What is your relationship with James Hardy?

9 A. I don't have one.

10 Q. Have you ever met him?

11 A. I've talked to him on the phone once, I don't know, I

12 mean, you know, there are endless people in the press

13 office. There are hundreds.

14 Q. Have you ever done him a bad turn?

15 A. No.

16 Q. Look at 267, please. Look at the bottom first of all,

17 take it in stages. This is Helen Deller and she's

18 putting down -- I have seen more of these than I care to

19 remember, she's putting down as we're on the record, on

20 the log, what she's done, do you see, from Helen Deller,

21 see previous log, Nick Owens Sunday Mirror ask, if we go

22 over the page she's just recording who she has spoken to

23 to get the position down on the log?

24 A. Yes.

25 Q. Then if you look a bit further up, there is another

1 A. They obviously suspect I'm the source of the story.
2 Q. And suspicion was misplaced, was it?
3 A. Absolutely false. Totally false. Yeah, no, I didn't
4 talk to -- I didn't talk to any journalist about this
5 until the Exposure thing broke.
6 Q. That's the ITV story?
7 A. On 28/29 September this year. Absolutely nobody before
8 that.
9 Q. Apart from people in the Mr Lomax category and people
10 like that?
11 A. Yes, Lomax, and also, obviously, Mark Williams-Thomas.
12 Q. Yes.
13 A. But he knew about it anyhow.
14 Q. Yes. If you put that bundle away, you will be relieved
15 to know I'm not going to take you through all 18. Take
16 bundle 5, please. Go and to page 38.
17 A. Right.
18 Q. Do you know who Matthew Hall is? Is he somebody else in
19 the press department?
20 A. I haven't a clue.
21 Q. Look in the middle of the page, A5/38, 16 January. This
22 is an email from Goslett, do you see?
23 A. Yes.
24 Q. "Further to an article in the Sunday Mirror this month
25 about Newsnight spiking a report on Jimmy Savile I'm

1 it by saying we have not withheld any information from
2 the police and we would of course be happy to talk to
3 them about any information we have gathered."

4 A. Yes.

5 Q. What was the basis for that sentence?

6 A. I think in The Oldie hadn't it said that we had
7 withheld? Where is The Oldie?

8 Q. 88. Yes, in the last column, just under the capital T
9 in bold:

10 "... sure that the BBC had a duty to inform the
11 police."

12 A. Yes, that's what that is about.

13 Q. I understand that's what it is about, but my question to
14 you is what is the basis for you saying "We have not
15 withheld any information from the police"? What's the
16 basis for it?

17 A. My view at the time was that what we had was obviously
18 stuff -- loads of stuff on Savile, but that was not
19 relevant because he was dead. We had the Gary Glitter
20 stuff, but we had an unnamed girl at that point -- her
21 view has changed since, but [R] couldn't identify who
22 the girl was at that time. She thought she was from
23 Duncroft, which would have meant she was under 16, but
24 given that she could not identify her, I was not sure
25 what evidential value that had.

1 Q. Hannah Livingston thought she had identified her.

2 A. Yes, but that had gone away again. It turned out that
3 was wrong -- or [R1] believed it was wrong.

4 At that stage they thought that. By the time we got
5 anywhere near broadcast that had gone away, [R1] no
6 longer thought it was [R1]

7 Q. And [R4] to you was a Duncroft girl or not?

8 A. Yes, she was a Duncroft girl.

9 Q. So if it had been her she would have been definitely
10 under 16 because once you got to 16 you were no longer
11 at Duncroft?

12 A. Yes.

13 Q. So that would have made good the suggestion that the sex
14 was with underage?

15 A. Agreed. But since then [R1] said to us -- before
16 broadcast, [R1] said it was not her.

17 Q. But you didn't know -- it is a complicated question --
18 you didn't know that police knew about the Gary Glitter
19 allegations. In fact you had every reason to think they
20 didn't know?

21 A. Yes. I mean, at the time for some reason I thought they
22 did, but I don't -- they didn't.

23 Q. In fact you had no reason to suspect that they knew and
24 every reason to suspect they didn't go, because you got
25 it from [R1] who had never been to the police?

1 A. No, that's fair enough, yes.

2 Q. And then you say --

3 A. I mean, do you want me to carry on with my explanation
4 on that or not.

5 Q. I'm going to ask you a few questions about this.

6 A. Okay, because it's important at the end of that I come
7 to the explanation on that.

8 Q. Okay. If I don't cover it all, when I finish this
9 little topic, then by all means say what you want to
10 say.

11 "Factually" you say:

12 "We did not begin this investigation until after his
13 death":

14 We know that's right:

15 "We did have information the police did not have in
16 2007 because we found another victim, [R], who did an
17 on-camera interview about being sexually abused while
18 underage by Jimmy Savile but he was already dead by then
19 so it was not possible for the police to prosecute him.
20 She did tell us about Gary Glitter having sex with an
21 underage girl in Jimmy Savile's dressing room in 1974
22 but she could not identify the girl and in any case
23 Glitter is already on the paedophile register."

24 What was the purpose of that last bit? Yes, he was
25 on the paedophile register, so what?

1 A. If he hadn't been I would have been much more worried.
2 So if we had an allegation, however weak, that somebody
3 who we didn't know was a paedophile was a paedophile,
4 I would have been much more likely to have taken action
5 on that.

6 Q. In your submission, if you go to paragraph 1.10, where
7 you deal with this topic that we're on now --

8 A. Yes.

9 Q. -- you rather soften the position, don't you? You say
10 in the second line of the second sentence:

11 "I thought we should invite the police to talk to us
12 about what we had to be sure. Although I didn't think
13 we had anything of evidential value against living
14 people."

15 A. Yes, that's why I suggest --

16 Q. It's not quite the same thing as what you say here,
17 is it?

18 A. No, it is, that's why I suggest saying we would, of
19 course, be happy to talk to them about any information
20 we have gathered. That's exactly why I wanted that to
21 go out.

22 Q. There is a difference between we have not withheld any
23 information on the one hand --

24 A. Okay, maybe it should have said "we have not knowingly
25 withheld any information and we would be, of course, be

1 happy to talk about any information we have gathered".
2 Q. That is slightly different again, isn't it? There is
3 difference, isn't there, between we have not withheld
4 any information on the one hand --
5 A. Yes.
6 Q. -- and I didn't think we had anything of evidential
7 value on the other? Because the latter is accepting you
8 have information but forming a judgment about its
9 evidential value?
10 A. I agree, I accept that.
11 Q. But the judgment of its evidential value on any view was
12 not a matter for you, was it? It was a matter for the
13 police and the CPS?
14 A. I absolutely agree with you on that.
15 Q. So you, if I may say so, in your statement were rightly
16 reflecting some unease, I suggest in your position about
17 this Gary Glitter information; is that fair?
18 A. Yes, absolutely.
19 Q. On reflection, would you agree that you could and
20 perhaps should have played your hand slightly
21 differently?
22 A. Yes, I think so. I would agree that. I said that in
23 the Panorama interview, that I did.
24 Q. So on reflection you probably should have sent the --
25 provided at least some of the information that you

1 A. But obviously it's not me that does that. It's my
2 editor, Peter Rippon, who would make that decision to
3 take stuff to the police.

4 Q. The one thing you and Peter Rippon seem to be agreed
5 about throughout this period is that whatever other
6 things there were between you --

7 A. Yes.

8 Q. -- you seemed to be agreed that you had not dropped the
9 ball vis-a-vis the police at all; is that fair?

10 A. Yes, because -- but partly in my case because I had
11 a safety net on that.

12 Q. Which was?

13 A. Well, the safety net was that we had employed a child
14 safety officer, former Surrey paedophile police officer,
15 to look at our material, and he was going on with this
16 stuff --

17 Q. I see --

18 A. -- and he was going to broadcast. And so the thing that
19 made me feel most confident, because let's face it, we
20 didn't have all that much in terms of a police
21 prosecution, but the moment the piece went out there
22 were going to be a hundred victims coming forward, there
23 was going to be loads of evidence, there would be
24 arrests, et cetera, that was the main thing that was
25 going to give the police stuff they could really do

1 something with. So it was the moment of broadcast that
2 was going to make the big difference, and that was going
3 ahead with Mark.

4 I thought that if Mark thought that anything that we
5 had was something that the police needed urgently he
6 would have done something with it. He's a professional.
7 He knows what to do with that stuff, I don't.

8 Q. Did you or Mr Rippon ever go to the BBC editorial
9 guidelines to find out whether they gave any help about
10 this sort of situation and whether you should take
11 material to the police?

12 A. I didn't, because, as I say, my main -- my main feeling
13 was that we had Mark doing this and that was -- you
14 know, that was going to be how it was going to come out.

15 Q. This is one of the points that the BBC gets pressed on
16 later.

17 A. Yes, no, I know that. I know that.

18 Q. They develop a line, and the line essentially is, if
19 I have remembered it correctly, the BBC's attitude to
20 giving information to the police is if the police ask
21 for information we will give it a jolly good think.

22 A. Yes.

23 Q. That's roughly it, isn't it?

24 A. Yes.

25 Q. In other words, the BBC's line is reactive rather than

1 to the BBC saying --
2 A. The Sunday Times?
3 Q. -- "We're going to run a piece".
4 A. Oh right. Oh, yes, it's in that stuff you gave me on
5 Friday night. I haven't read it properly.
6 Q. You might not have known about that.
7 A. No, I didn't know about that.
8 Q. But The Sunday Times was sending something.
9 A. Yes.
10 Q. At about this time, I think, there was a letter from
11 ITV.
12 A. 7 September was the letter from ITV. I didn't know that
13 specifically but I did know on the 11th that they were
14 about to go.
15 Q. You knew that from what source, from Mitchell?
16 A. From Mark.
17 Q. From Mark?
18 A. Williams-Thomas.
19 Q. I see. So all through this period you are in contact
20 with Mark Williams-Thomas?
21 A. Yes. When I say, all through, at all times. He also
22 doing stuff for Newsnight in the middle of this period.
23 Q. So you are fairly abreast of what he's doing?
24 A. Not in detail. But I know -- I know that broadly he's
25 doing a piece which is half our stuff and half other

1 stuff broadly.

2 Q. Having seen it, as we have, we can see that there is

3 some additional -- some other different stuff?

4 A. Yes, I'm saying half ours and half --

5 Q. Yes, a fellow from the --

6 A. De'Ath and all those people.

7 Q. Whatever it was.

8 A. Yes.

9 Q. Why did you understand Mr Mitchell to have suddenly

10 sought you out on 11 September? What was the purpose of

11 that?

12 A. I don't know. I now think -- I assume they must have

13 got -- it must have been because they had got that

14 request from Exposure on the Friday, on the 7th.

15 Q. So this --

16 A. I haven't got an exact date for when he came to tell me.

17 It's about that time. I couldn't tell you for sure.

18 Q. There was no email exchange between you?

19 A. No, nothing.

20 Q. You say in paragraph 20.2 that:

21 "He seemed to be aware how strongly I had felt that

22 not broadcasting it would be a serious make."

23 Tell me if I'm wrong, presumably you inferred he got

24 that from Mr Rippon?

25 A. Yes.

1 Q. "He told me that there was no high up decision to pull
2 the film and that George Entwistle had been informed at
3 the time, which was news to me, but that no pressure was
4 put no news from other parts of the corporation."
5 A. Yes.
6 Q. Just pausing there. He was telling you that this was
7 a news decision?
8 A. Yes.
9 Q. And only a news decision?
10 A. Yes.
11 Q. And so, forget for the moment whether it was right or
12 wrong, who took it in news, it was nothing to do with
13 Vision?
14 A. Yes.
15 Q. And it was nothing to do with Mr Thomson at the top of
16 the tree either?
17 A. Yes.
18 Q. So the waters lap up to but no further than
19 Helen Boaden?
20 A. Except at the same time he tells me that
21 George Entwistle was informed, which was a shock to me,
22 I'm surprised at that.
23 Q. In his capacity as director of Vision?
24 A. Yes, but by now he's director general of the BBC.
25 Q. When he said George Entwistle had been informed at the

1 time --

2 A. Yes, yes, sure.

3 Q. -- it was a surprise that he should have been informed

4 at the time?

5 A. I was surprised at that, yes.

6 Q. Right.

7 A. Maybe I shouldn't have been, but I don't know enough

8 about structures.

9 Q. Right.

10 A. It was the first time I had heard his name mentioned in

11 the whole thing.

12 Q. Apart from what you say here, what else did Mr Mitchell

13 say?

14 A. We talked -- I mean, the reason I put the thing in about

15 the Olympics, a couple of paragraphs earlier, is because

16 we talked about that in the course of this. So that's

17 the thing at 19.14.

18 Q. Yes, about the Azerbaijan and the boxing, yes.

19 A. So I said to him, I know that when we have the Olympics

20 thing you resisted that pressure, I know that.

21 Q. Did you tell him that your friend Mr Williams-Thomas was

22 going to --

23 A. Yes.

24 Q. -- really -- did you basically tell him what was coming

25 in the ITV documentary so far as --

1 A. So far I knew, yes.

2 Q. Did you at this stage download to Mr Mitchell --

3 A. Remember, the documentary as such was not very anti-BBC.

4 Stuff that was anti-BBC was the stuff they did at the

5 last minute that went out on the Wednesday lunchtime

6 news on the 3rd. The actual documentary was actually

7 quite neutral about the BBC.

8 Q. Leave to one side what ITV was doing. Did download to

9 Mr Mitchell at this stage all the points that you'd made

10 to yourself in the red flag email about quite what a

11 catastrophe --

12 A. No. No, I started to. I started to and he said, you

13 know, "I know how seriously you felt about all that,"

14 and so on and all that.

15 Q. That's a different point. Just focus -- I understand

16 that he says to you "I know how strongly you felt about

17 running this piece".

18 A. Yes, and about the consequences if we didn't.

19 Q. Right. That's the bit I'm focused on at the moment.

20 Because how strongly you felt in 2011 is, in a sense,

21 neither here nor there.

22 A. No, no, no, no, very much so. And, you know, what --

23 how bad you thought it would be if you didn't.

24 Q. So what was the nature of the decision about the car

25 crash that you thought the BBC was facing if this --

1 A. I was ready to launch into all that and, as I say, he
2 stopped it by saying "I know how seriously you felt
3 about that, the dangers, you know, if we didn't".
4 I can't remember the exact wording you about it was to
5 that effect.

6 Q. Presumably you said "What are you going to do about it,
7 Steve, to try and head it off"?

8 A. No, I didn't. I didn't. You know, I --

9 Q. Why not?

10 A. It was a very strange conversation. I couldn't work out
11 at the end of it what the point of the conversation was.
12 It was one of those.

13 Q. So he went away. What did you think he was going to do
14 or say?

15 A. I didn't know. I didn't know.

16 Q. Did you feel more or less reassured about what was going
17 to happen after this conversation?

18 A. I felt confused. I didn't know -- usually you when you
19 have conversation like that and you understand -- you
20 might accept or not accept what somebody is saying, but
21 you know what the point of it was. I didn't know at the
22 end of it what the point of the conversation had been.
23 I know that's not a very satisfactory answer, but that's
24 how I felt. I just went "I don't know what that was
25 about".

1 establish any clear institutional failure, I decided on
2 balance it was not editorially strong enough for us to
3 run."
4 A. Right.
5 Q. That is the same error, isn't it, that the woman -- the
6 key woman as he refers to in some of the emails -- had
7 been to the police, her story had not proceeded -- her
8 allegation had not proceeded because Savile was too old,
9 but that was just wrong, because [redacted]
10 allegation --
11 A. Yes.
12 Q. -- had never been to police at all. And that would
13 appear to be a key confusion in Mr Rippon's mind?
14 A. Yes. Yes.
15 Q. Then "Should I talk to him first?"
16 A. Yes. It should be said that none of my emails had ever
17 leaked at any point during this.
18 Q. So this is from Mr Rippon to Mr Mitchell?
19 A. Yes.
20 Q. So this is a draft. This is what he would like to say
21 to you?
22 A. Yes.
23 Q. And Mitchell says "I would talk to him, email Stephen
24 more prone to leak."
25 The inference is you would leak it. If he wrote

1 down --

2 A. Plainly.

3 Q. Sent you something in writing you would pass it on to

4 somebody else.

5 A. Yes. It has to be said that no email he had ever sent

6 me had ever leaked anywhere, or Steve Mitchell.

7 Q. On a similar vein, in your witness statement, your

8 submission, at 21.6 --

9 A. Yes.

10 Q. -- referring to this very day, 1 October --

11 A. Yes.

12 Q. -- a point you touched on earlier:

13 "On the same day BBC News correspondents and

14 producers were told not to contact myself or Liz MacKean

15 for information or material on Savile, which meant they

16 had to start from scratch."

17 You are sure about that?

18 A. Yes, absolutely.

19 Q. How do you know that that instruction was given?

20 A. I talked to them all later on, on Thursday night, when

21 it looked like David Jordan was going to order Peter to

22 hand over stuff on the 4th.

23 Q. To?

24 A. To the news. They told me what the situation was.

25 MR POLLARD: Who had told them that?

1 A. No.

2 Q. Nothing was -- as the journalist --

3 A. Remember Newsnight then didn't cover the Savile story.

4 Q. For several days, for more than a week.

5 A. Ten days. For ten days it didn't cover the story, which

6 is utterly bizarre when it was dominating the news.

7 Q. And some people in Newsnight were very hostile to that?

8 A. Some of them were revolting, which is what eventually

9 happened on the 11th.

10 Q. When Liz MacKean did a piece?

11 A. Yes.

12 MR POLLARD: Could I just ask, if you said this: that draft

13 that Peter wanted to send to you --

14 A. Yes.

15 MR POLLARD: -- that he sent to Stephen Mitchell, and Steven

16 Mitchell says "I will talk to him".

17 A. Yes.

18 Q. Did he then come and talk to you in those terms?

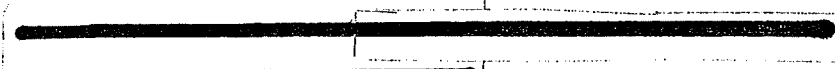
19 A. I had a talk with him. But I can't remember whether


20 that talk was the talk I had before that -- at 10.45

21 I must have had that talk after that. I had a talk with

22 him and gets some very strange things in there like you

23 are saying to me it was quite odd, really, he is saying

24 

25 

1 Q. How much of those two sentences do you accept?
2 A. The first sentence is absolutely the opposite of what
3 I told him, but, as I say, he just would not listen to
4 that ever. The second half is a characterisation of
5 what I would have said to him.
6 Q. So by this stage you have moved from not having anything
7 of any interest to the police to nothing of evidential
8 value to an acceptance that the Glitter claims were
9 something a police investigation could in fact use?
10 A. No, I don't quite get that.
11 Q. That's what he said. It is nothing -- maybe it's
12 nothing. I thought there was something missing.
13 MR POLLARD: Yes.
14 MR MACLEAN: I see. Yes, I think that is right. It is
15 chopped off.
16 What Mr Rippon is saying is that you said -- he says
17 you said you were confident all the women were spoken to
18 by the police, and you say that was completely wrong you
19 didn't say that at all?
20 A. Yes. And I send him an email saying that.
21 Q. But you accept that you said the Glitter claims were
22 nothing that this investigation could use --
23 A. Words to that effect. Words to that effect.
24 Q. And the same about the other person which were never
25 going to be mentioned anyway?

**RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH MEIRION JONES (2)**

1
2
3
4

[REDACTED]

5 MR POLLARD: Yes. I think you were going to mention from
6 1 October --

7 A. I was going to say from 1 October -- I think I said last
8 time, about lunchtime on 1 October somebody handed out
9 my number to loads of journalists who I had never heard
10 of and I got bombarded with calls from people. Um, and,
11 for that first week I didn't really cooperate with
12 those, and my attitude changed -- you know, after
13 I couldn't -- with the BBC constantly putting out a line
14 which was false, eventually I got point that I was
15 saying to people, "No, that's not true". I still
16 didn't -- I still didn't leak emails or anything like
17 that at any time --

18 MR MACLEAN: Are you sure about that?

19 A. Absolutely 100 per cent sure, yes.

20 Q. 100 per cent sure?

21 A. Yes, 100 per cent sure. Then it developed further.
22 Once it got to the week where I was smeared I then felt
23 that I had to talk to journalists at that point. I had
24 to know what they had, what they were going to write
25 about me so there was another change from the -- the

1 A. As I explained to you last time, editorial reasons just
2 means that the editor thinks so. If the editor thinks
3 runs around the table, that's -- he's done that for
4 editorial reasons. That's why I use the phrase
5 "journalistic" to distinguish from that. There is a big
6 difference, an editorial reason, at the end of day, just
7 means that the editor wants to do it and at the end of
8 the day, he's my editor, he can do whatever he likes.

9 Q. So you didn't draw that distinction between editorial
10 and journalistic to Mr Rippon, did you?

11 A. I go on to, in effect.

12 Q. Do you?

13 A. Yes:

14 "You made the decision that we had enough to TX once
15 we had confirmation that the police had investigated
16 him, on top of victim interviews, which we had already
17 done. Excellent, pull together TX. For whatever reason
18 you changed your mind the next day and insisted it was
19 only a story that Jimmy Savile was a paedophile if we
20 could show that the CPS had let him off because he was
21 an old, sick man.

22 "I don't know what happened to change your mind.
23 I thought that was a bizarre discussion but I accepted
24 that you decided to drop the story for editorial reasons
25 because, ultimately, you are the editor and it is up to

1 MR POLLARD: Is it right to say that that was an assumption
2 and that you don't have any evidence of that?
3 A. I have no evidence of what happened above.
4 MR POLLARD: Yes.
5 A. I have evidence of what happened at my level happened
6 for no journalistic reason.
7 MR POLLARD: It is evidence by absence, if you like. It
8 assumption by evidence, I'm not trying to --
9 A. No, no.
10 MR POLLARD: -- your view is that there is no and could be
11 no logical editorial reason that would justify the
12 dropping of the story in those circumstances, therefore
13 it must have been something else and that is the most
14 likely reason.
15 A. Yes, because no -- no reason -- no journalistic reason
16 was given for not running it. You know, what happens is
17 on the 25th is "Excellent, go for transmission". That
18 night the BBC starts running its campaign for Christmas,
19 which is, um, everyone, including Shane Richie, giving
20 out the sweets while they are sing "Consider yourself
21 one of the family". Huge family Christmas is launched
22 other that weekend.
23 On the 29th, the BBC finalises its Christmas
24 schedule and gives it out to the press, which has all
25 the tributes in it. I think on the 29th -- and

1 I thought so at the time -- that somebody becomes aware
2 that the two things are irreconcilable. I don't know
3 who that is, but the impression I'm getting from my
4 arguments with Peter is that he's being told by people
5 above him in the chain, I am assuming Steve and Helen
6 but I don't really know, that the two are
7 irreconcilable.

8 MR POLLARD: But he never invokes, does he, the issue of
9 Christmas Specials in any of those conversations?

10 A. No, we invoke it with him all the time, though. As you
11 know, I refer to it in that red flag memo, which is
12 a record of some of the things I'm saying. I'm saying
13 to him and Liz is saying to him, "This is because of the
14 Christmas Specials, this is because it is going to be
15 embarrassing. You know, we have to pull those specials.
16 With what we've got on him, we have to pull those, we
17 can't run that stuff".

18 MR MACLEAN: When did you say that?

19 A. During those discussions that go on from the 30th
20 through -- right the way through. As I said the red
21 flag, I think, is written on the 30th or 1st. I think
22 it is the 1st. You will see that is in there in that
23 memo. Obviously it doesn't go to anyone but it is
24 a record of what I'm thinking at that time.

25 Q. I'm going to take you back to the red flag email.

1 A. Well, okay, there had been a lot of stories attacking
2 Newsnight over the course of that year for being --
3 Q. Right?
4 A. -- not very good.
5 Q. Yes.
6 A. And not having very good audiences any more. The first
7 one is the one I can remember and that was the one which
8 said that, you know, Newsnight was in a terrible state
9 and quoted a Newsnight source as saying Peter Rippon was
10 a David Brent character.
11 Q. I see, right.
12 A. That was [REDACTED] I don't know what the second one
13 was. I'm not sure.
14 Q. Right, okay. And then a similar point, page 165, from
15 you to Liz MacKean, which you were thinking of sending
16 to Peter tomorrow. This is a particular point.
17 A. Yes, we have seen something like this somewhere else.
18 Q. Yes, so this is picking up on the Sunday Mirror, yes?
19 Then somebody called Susan Thompson got in touch with
20 Newsnight, is that right, by sending something to
21 a Newsnight email address --
22 A. Yes.
23 Q. -- which you then followed up?
24 A. Yes.
25 Q. And in the end passed on to Mark Williams-Thomas.

1 A. Yes.

2 Q. We have the emails, I'm not going to show you them but
3 we agree about them?

4 MR POLLARD: Did you bring Susan Thompson's note to
5 Peter Rippon's attention?

6 A. No, I don't think I did.

7 MR POLLARD: It is a pretty astonishing thing, isn't it?
8 You didn't think it was worth "Look, Peter, this could
9 be the final piece of evidence".

10 A. But he didn't want evidence. He hadn't looked at what
11 we got. I had been told to stop pursuing evidence.
12 That wasn't what they wanted. The fact was once the
13 tributes had gone out we couldn't run our piece. If we
14 ran our piece people would say "Hang on a second, you
15 knew before you did the tributes that he was
16 a paedophile". The BBC as an organisation -- because
17 people keep asking the question, when these things
18 started appearing, why didn't the BBC just say "Oh, yes,
19 well, we are going to run it now. We can run it now".
20 And at one level there is great logic to that.

21 MR POLLARD: Sure, they could quite credibly have said, "At
22 point A we judged the evidence not to be strong, we now
23 have more evidence". That might be said to be a model
24 of how these decisions had been taken.

25 A. But the problem was because you had broadcast the

**RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH DAVID JORDAN**

1 Q. Let's assume that's not the case?

2 A. Okay.

3 Q. The type of risk that might qualify a piece to get on to
4 this list could be any one of a number of things. As we
5 can see from this list it might be reputational risk to
6 the BBC for example?

7 A. That's correct, yes.

8 Q. That would be a possibility?

9 A. Yes.

10 Q. Or reputational risk to the object of the story?

11 A. That's possible. Depending on who that object was.

12 Q. And sometimes two sides of the same coin, in the sense
13 that if you get it right there is a risk --

14 A. I don't think we would have been worried about the
15 reputational risk to Robert Maxwell, when I did that on
16 Panorama, I don't think we would have been worried about
17 that, but we would have been worried about the
18 possibility of litigation from Robert Maxwell affecting
19 the BBC, so we'd have been worried about a legal risk.
20 In this particular instance there is a reputational risk
21 to the BBC, clearly, of a former major star; that is
22 clearly a reputational risk for the BBC.

23 Q. Although there are a number of things one can think of
24 as to why it might, as you say, fall between stools as
25 a matter of timing, prima facie the Jimmy Savile story

1 investigated Terry Venables who was at that time a major
2 star in relation to BBC sport, is, I think,
3 a misconception. Because there have been a number of
4 investigations that have taken place since I took up
5 this job where we have? Where we have disguised the
6 nature of the investigation quite deliberately. Not
7 because it was about another part of the BBC, as it
8 happens, but because it was so sensitive that we didn't
9 want any -- any word of it to get round to any other
10 part of the BBC. And I mention for example the
11 investigation that we did into Iris and Peter Robinson,
12 where we invented a code name for. It still said who
13 was managing the risks related to it but it didn't in
14 any way indicate what the nature of the investigation
15 was.

16 So it would have been perfectly possible for News to
17 have put this on to the Managed Risk Programme List in
18 a disguised form which I would have known about, the
19 director of News would have known about, and the
20 relevant people who were managing the risk would have
21 known about without its nature being revealed to the
22 rest of the organisation.

23 Q. Say instead of saying as we can see from bundle 2,
24 page 188, it says "Jimmy Savile investigation", the
25 words value investigation --

- 1 A. We would have taken that out completely and said some
2 codeword for it, Pearl Handle investigation or
3 something, any code name, and then put it against that.
4 But the critical thing would have been that the
5 individuals who were managing the risk associated with
6 that programme would know what it was and would know the
7 risks were being managed. This list is about that, it
8 is about making sure that happens.
- 9 Q. You also said you would have known about it --
- 10 A. I would have to know about it in those circumstances --
11 for it to go on the list in that way would have meant me
12 knowing about it, yes.
- 13 Q. At what stage -- would you have got this list with some
14 codeword and you would have then inquired --
- 15 A. No, I think I would have been spoken to about it before
16 it appearing in the encoded form.
- 17 Q. That would have been the sort of thing the News boards
18 at that stage they would have a word with you and say
19 "We are putting something on the list, it is called
20 Operation Copper Carrot, what it is really about is such
21 and such".
- 22 A. That is correctly right. That is exactly what happened
23 under Mark Byford in relation to the Robinson
24 investigation.
- 25 Q. You mentioned Mark Byford. Mark Thompson told us how

1 Newsnight.

2 Q. This is on the 2nd? This meeting is on the 2nd?

3 A. On the 2nd, yes. And the word came back that

4 Peter Rippon didn't feel able to do that interview, and

5 what he did instead was to write a blog.

6 Q. What was your understanding of the extent of the work

7 that had gone into the blog?

8 A. I knew nothing about the work that went into it or

9 anything. The next thing I knew was when I saw the blog

10 posted up on the editors' website. I had nothing to do

11 with the genesis of it. I know nothing about what work

12 went into it at all.

13 Q. So at the time your understanding of the genesis of it

14 was that Peter Rippon had volunteered to write something

15 in lieu of being interviewed; is that right?

16 A. Yes. My understanding was it had been suggested to him,

17 I think possibly by our corporate press office, that if

18 he was not able to do the interview he might want to

19 write a blog explaining his reasons for not continuing

20 with the Newsnight investigation.

21 Q. Have you now seen the emails from Steve Mitchell to

22 Peter Rippon on the morning of 2 October in which he,

23 Rippon, is initially invited, if that's the right word,

24 to draft a briefing note for the use of Mitchell and

25 Boaden as best he could recall?

1 interview -- well, it does relate specifically to the
2 interview that was given on the 3rd in one part, yes.

3 MR POLLARD: And that interview on the 3rd was your first
4 direct involvement?

5 A. The interview on the 3rd was the interview that
6 Peter Rippon didn't feel able to give to The Media Show.

7 MR MACLEAN: With Steve Hewlett?

8 A. With Steve Hewlett, yes. So that was the 3 October
9 interview. Then I did an interview with the Today
10 Programme at 7.30 the next morning after the ITV
11 Exposure programme had gone out, so I didn't -- I didn't
12 believe it was right for us to do further interviews
13 until we had actually seen the programme and seen what
14 was in it. So I then did a Today Programme interview at
15 7.30 on the 4th and then I spent the entire afternoon of
16 the 4th doing a series of interviews for different
17 outputs, you know, sort of the News Channel, BBC News,
18 ITV News, Channel 4 News, Channel 5 News, Radio 5 Live
19 and so on, in a row.

20 Q. Yes. On The Media Show interview on the 3rd, you said,
21 amongst other things:

22 "It was never started out as an investigation into
23 Jimmy Savile himself. It started out as an
24 investigation into whether the Surrey Police had dropped
25 allegations."

1 That's what you said. Where did you get that from?

2 A. I think that was a misapprehension that I had and
3 I later went back on The Media Show to correct it. It
4 was a misapprehension. I can't remember whether it was
5 my own misapprehension based on the notion that if that
6 was what the, um, investigation was about therefore it
7 started out as that, or whether somebody had suggested
8 that to me in briefing for the programme. Whether it
9 was a misapprehension or just a misconstruction by
10 someone else, I can't remember, but it was clearly wrong
11 and that's why I went back on -- offered to go back and
12 went back on The Media Show to correct it, because it's
13 the only time I ever said that.

14 Q. Right. Now, just before we come to the Jones
15 exchange --

16 A. Yes.

17 MR POLLARD: Sorry, could I just ask: how did you prepare
18 for that Media Show interview? Who did you have
19 discussions or briefings with? Peter Rippon among
20 others, I assume?

21 A. I didn't -- I don't think I talked very much to Peter.
22 I read his blog, of course.

23 MR POLLARD: Right.

24 A. And I talked to Paul Mylrea and I had Julian Payne
25 accompany me to all of those interviews and discuss what

1 Q. -- Meirion Jones sends you an email in the middle of the
2 afternoon:

3 "David, this is the original script from
4 29 November."

5 You reply saying:

6 "Thank you, and thank you for calling by earlier.
7 I had a hectic round of interviews today so I will now
8 reflect on what you have told me."

9 A. Yes.

10 Q. Can you flesh out for us the conversation that is
11 referred to there?

12 A. Yes, yes. On the -- on the morning of the 4th, after
13 I had done The Today Programme interview, I had a call
14 from Meirion Jones asking if he could come and see me
15 and I said, "Of course you could come and see me". I'm
16 not sure I would have said that now but I said of course
17 you can come and see me, and I, er -- I arranged to meet
18 him.

19 He said he could come in some time around 11 or so
20 and I had a gap in my diary and I said we could do that.
21 Then I got a text from him saying he couldn't make it
22 until 12, and I had a meeting at 12.30 but I could see
23 him at 12 so he arrived around about 12 o'clock. We
24 went into a private room and I said to him at the
25 outset, "How do you want this? What do you want this

1 meeting to be? Is this a confidential meeting?" to
2 which he said, "Yes".

3 "And is this going to be, as it were, within these
4 four walls only?", "Yes", he said. So we had that
5 conversation, so what I'm about to tell you now is what
6 was the contents of a confidential meeting.

7 Q. The confidence in this was subsequently blown, for this
8 meeting?

9 A. Well, I think it has been blown, yes. Yes. I mean
10 I think -- I think the problem is that if you have
11 a meeting of that sort the mere fact that you make
12 available the knowledge that there was a confidential
13 meeting essentially blows the confidentiality, I am
14 afraid. Just as if you tell Private Eye that you sent
15 a confidential email with a script attached --

16 Q. I'm coming to Private Eye.

17 A. Okay. Then that rather blows that too, in my view.

18 Anyway, what happened was that he started off
19 talking about whistle blowing. He started off
20 suggesting that he had called Editorial Policy at some
21 stage, he wasn't clear about when, in the period since
22 the story was stood down by Peter Rippon on Newsnight,
23 to enquire about whistling-blowing about the decision,
24 about which he was clearly unhappy. And that he had
25 called Editorial Policy and been told that there was no

1 talked to. It sounds like me, but I've certainly not
2 talked to anyone at Private Eye".

3 What did you make of his response?

4 A. I was unconvinced by it. Particularly given that the
5 Private Eye article uses a quote in the first person:

6 "I drew to the attention of Peter Rippon that it was
7 likely to have reputational issues".

8 I can't see who else the "I" would have been.
9 Somebody who was doing it at secondhand would not have
10 used the word "I" quoted in quotation marks in the
11 Private Eye article.

12 Q. [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 A. [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]

21 Q. Have you now seen -- have you seen in the material we
22 sent you emails which you couldn't possibly have seen at
23 the time from Mr Jones to some of his friends, somebody
24 called Mary Wilkinson, for example?

25 A. I think I saw one from Mary Wilkinson, but I cannot

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1 22nd October, was an extraordinary weekend. A number of
2 sessions where we were going to prepare for the Select
3 Committee had been arranged, and those sessions would
4 have been place under the auspices of Andrew Scadding,
5 who is the head of public affairs, and with other people
6 involved including myself. As it transpired very little
7 of that preparation actually took place and most of
8 George Entwistle's preparation for the Select Committee
9 took place in the company of some lawyers, although
10 a lot of it was -- a lot of the time was taken up in
11 dealing with issues around the blog and changes to the
12 blog. So sessions that were arranged, for example, for
13 the afternoon of Sunday 21st didn't happen, because --
14 because he was closeted with lawyers, talking, I think,
15 about changes to the blog.

16 So very little -- very little preparation of the
17 normal sort took place before the Select Committee
18 meeting on the Tuesday. And certainly George did not go
19 through the kind of pummelling which I would normally
20 expect to go through if I went to a Select Committee and
21 which is normally laid on by our communications team by
22 the -- by the public affairs team who are exceptionally
23 good at preparing for Select Committee and have always
24 prepared me for the Select Committee appearances which
25 I was going to make. I did -- I did more preparation

**RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH LIZ MACKEAN**

1 Q. Old and infirm?

2 A. Yes, they were told in the letter that that was the
3 reason the prosecution didn't go ahead.

4 Q. And you realised, presumably, that the importance of
5 that potentially was that if that was the reason that
6 the investigation was dropped, then it wasn't dropped on
7 the basis there was no evidence, or he didn't do it, but
8 rather for some other reason, namely too old and infirm?

9 A. Potentially, I certainly wanted to find out who had done
10 the investigation and why it was stopped.

11 Q. So potentially that fact, that the investigation had
12 taken place and then stopped for that reason would help
13 to give credibility to the story that the women were
14 telling?

15 A. Not necessarily. It was a separate thing but an
16 important thing in my mind. The story was about the
17 fact that Savile abused these people. That was our
18 story. In the course of looking at that, these
19 tantalising things came up about a police investigation,
20 so of course I wanted to find out about it. But
21 I didn't look at it as that then made these accounts
22 more credible, but it would add another layer of
23 interest to the story.

24 Q. Right. Back in the first email that Meirion Jones sent
25 you in A1/107, at 108, near the end, it includes

1 A. Yes.

2 Q. -- to Meirion Jones on 9 November?

3 A. Yes.

4 Q. That time of year When I'm A Celebrity was on. "Had
5 a meeting with Liz and Peter, she thinks we shouldn't do
6 JS story on grounds of taste."

7 I just pause there. This was a meeting in
8 Peter Rippon's office or something?

9 A. Um-hm.

10 Q. How did she -- what did she do? Did she use the word,
11 "taste"?

12 A. Yes, literally that. You know, she said it's taste. I
13 don't think it's tasteful. I --

14 Q. What was distasteful? The fact that he had died or
15 what?

16 A. The fact he had just died. And obviously within the
17 context of the BBC already, you know, we knew there were
18 going to be tributes at some point.

19 Q. You didn't know that -- quite know that now, did you?

20 A. No, they hadn't been commissioned, or at least they
21 hadn't been announced but remember we have not long
22 since had this sort of major coverage is given to his
23 funeral so there is a sort of wider atmosphere that was
24 one of celebrating Savile. So this "taste" was sort of:
25 why are we making these claims about him when he has

- 1 A. Never mind that Jimmy Savile had just died, I thought
2 there was very strong public interest for the story to
3 run. You know, if someone is being seen and held up,
4 especially by the BBC as one thing but actually we're
5 getting by now, by this stage, quite a few conversations
6 which suggest that we have got good grounds for
7 suggesting he was something very different, I just saw
8 a clear public interest, particularly in the BBC making
9 that clear. You know, far better it came from within.
10 So --
- 11 Q. But what's the police line?
- 12 A. The police line now is the fact that we were hearing
13 that there had been a police investigation, we didn't
14 yet have confirmation. I can't remember if at this
15 point we knew that it was definitely Surrey, but that to
16 me added to the public interest. And it was an added
17 thing, if you like, to help persuade her that the story
18 was in the public interest.
- 19 Q. You discussed with her the fact that you had some
20 information to suggest, did you, that there had been
21 a police investigation which hadn't gone anywhere
22 because of his age and infirmity?
- 23 A. Yes. I had said that's what we were being told.
24 Obviously we didn't have any confirmation of that.
- 25 Q. That's what you told Liz Gibbons?

1 A. Yes.

2 Q. She(?) had been told, as indeed you had been told?

3 A. Yes.

4 Q. And it was that fact, was it, about the police
5 investigation not going anywhere in the end because of
6 age and infirmity, that appeared to you to persuade
7 Liz Gibbons to go along with it?

8 A. I can't remember if it was because it didn't get
9 anywhere, because of age and infirmity, or just the fact
10 of the police investigation. I mean, the fact that
11 there seemed to have been a police investigation seemed
12 the most material point. Because it showed that
13 a complaint had been made -- at least one complaint had
14 been made -- and it was taken sufficiently seriously for
15 there to have been an investigation.

16 Q. So at this stage, is this right, at this early stage
17 there wasn't really any focus on the fact -- tell me if
18 I'm wrong -- that [Liz] had never been to the
19 police and they had never spoken to her, and whatever
20 investigation might have been done didn't appear to
21 include her? But it becomes important later on?

22 A. It became important later on. I'm not sure I was even
23 registering that detail at this point; that, you know,
24 we were in the course of the research talking to people
25 who hadn't spoken to the police.

1 A. From memory it was both of them. And it was a sort of,
2 "Yes, but are they believable? Will they be
3 believable". You know obviously we were looking now at
4 allegations of things that would have happened 40 years
5 previously. I mean, it didn't phase me in the least
6 that they raised that concern. It is always, as
7 everyone knows, a real issue with these old cases. You
8 know, claims are generally made by people who don't
9 expect to be believed and tend not to be. Certainly in
10 the case of -- these women, you know, had a chequered
11 history, some of them very much so. But despite what
12 Peter said in a more recent email, they didn't all have
13 criminal records.

14 But that's why in my mind, from the get-go it was
15 very important to talk to a lot of people. I would not
16 have tried to push this story based on even the -- you
17 know, the first ever on camera interview, very credible
18 as I found [A] .. That wouldn't have been enough
19 to make me think we should push as hard as we did push.
20 It was the collective -- it was the weight of all the
21 different accounts that we heard that were describing
22 a very similar thing. And just very quickly to say we
23 had Mark Williams-Thomas onboard who later did the story
24 for Exposure who is steeped in this type of work. And
25 his feedback to Meirion, because he was kept in the loop

1 about what we were uncovering, his feedback to Meirion
2 was "it is stacking up", which gave us added
3 reassurance, if you like.

4 MR POLLARD: Did Mark Williams-Thomas talk to any of the
5 women himself?

6 A. Um, certainly when our story was dropped, yes. Not at
7 this stage, no.

8 MR POLLARD: Not before the story was dropped?

9 A. No.

10 MR POLLARD: Okay.

11 MR MACLEAN: He in fact wanted your job on this story. Did
12 you know that?

13 A. Yes.

14 Q. Did you know that at the time?

15 A. Yes, Meirion told me.

16 Q. At the time?

17 A. Yes.

18 Q. We will come to Mark Williams-Thomas a bit later, but he
19 had multiple roles in this story, didn't he? He was
20 helping with the research and ultimately he was going to
21 appear on the piece as some sort of expert witness
22 opining on the quality of the work the police had done.

23 A. Um, opining on the credibility of the witnesses we had
24 spoken to. Not, from memory, particularly on the work
25 the police had done, on the police investigation. His

1 I'm thinking of ones like [Q5] and
2 [Q6] I remember they were sorted. I mean they
3 were constrained, a lot of the people talking to me,
4 because they were really afraid of having their
5 identities made public. They were adamant they wanted
6 to tell me things and they definitely wanted things to
7 emerge, they wanted the record on Savile to be
8 corrected, but they were really concerned about being
9 identified.

10 MR POLLARD: May I just ask a question?

11 A. Yes.

12 MR POLLARD: Of the roughly 10, give or take one or two,
13 people who you regarded as important witnesses for your
14 programme, how many did you speak to personally and how
15 many were spoken to by Hannah?

16 A. By Hannah? I think there is only one I didn't speak to
17 personally. And I can't remember why not.

18 MR POLLARD: Okay.

19 A. It was [Q13] From memory she had been very
20 hard to get hold of, and Hannah had conducted a sort of
21 conversation by text because again she was so concerned
22 about being named. So I tried to get hold of her
23 personally and didn't, but all the others I did speak
24 to.

25 Q. The point you made about [Q1] we can see -- I don't

1 need to take you to it unless you want to -- from your
2 emails your lack of enthusiasm for speaking to her.

3 A. Yes. Because you knew you weren't going to get out in
4 under two hours.

5 Q. So we see you saying at one point, I think you say words
6 to the effect of "I'm about to", as it were, "endure
7 another conversation with [redacted] ?

8 A. By the way, one other impression of [redacted] which again
9 added to my sort of, you know, sense that she wasn't as
10 sorted as perhaps Hannah had thought, was that I felt
11 she was teasing me about this letter.

12 Obviously she -- I came to think she was my only
13 hope of ever seeing it, because she said she had it. At
14 one point she said "I have emailed it to you" and, you
15 know, I had to ring her back so often to say I haven't
16 got it. At one point I offered to drive down to Dorset
17 to get my hands on it and she started making excuses
18 about how her husband wouldn't want me in the house.

19 The fact that she never did provide it, I began to
20 think "she's playing along, she's enjoying this, it's
21 some kind of power trip for her".

22 Q. But it had become a very important element of you making
23 the story to get that letter?

24 A. And I didn't try to conceal from her the fact that
25 I needed the letter. And then ultimately, even though

1

2

3 Q. Was that something discussed back at the ranch in
4 Newsnight? You and Peter Rippon for example, did that
5 ever come up in conversation?

6 A. Not with me, no.

7 Q. Do you know -- did you hear tell of it coming up in
8 conversation? Is that a reason why one should be wary
9 of running a story with [REDACTED], for example?

10 A. No, absolutely not.

11 Q. The 14th was the interview with [REDACTED] ?

12 A. Yes.

13 Q. We have seen that. I don't want to go into what she
14 said, because we've seen it.

15 If you go to page 85, please, bundle 2, it's an
16 email from you to Hannah Livingston on the 15th.

17 A. Yes.

18 Q. This is the one I had in mind. You see the word
19 "endured"?

20 A. The redaction is [REDACTED], by the way.

21 Q. I have that here. It is the last sentence I'm
22 interested in, about the women. Tell me about that.
23 Why?

24 A. Because we would have come back from filming the
25 interview with [REDACTED] We would have marched into

1 the office and very positively said "We've done a great
2 interview".

3 Q. So the office: who were the human beings that you were
4 referring to?

5 A. Liz Gibbons. I would have definitely told her,
6 especially knowing how generally hostile she was to the
7 story, but obviously Peter.

8 Q. So Peter's enthusiasm has been bucked up?

9 A. Yes. You know, just it felt great, this is more of
10 a goer now.

11 Q. But the very next thought is about the letter?

12 A. Yes.

13 Q. So that's still an important part of the jigsaw?

14 A. Yes, as I said for me it was. It was, you know, what
15 the hell -- what's going on with that part of the story,
16 I wanted to know.

17 Q. If you go to 112 then, do you have mostly a blank
18 page --

19 A. Yes.

20 Q. -- with a couple of paragraphs at the bottom?

21 A. Um-hm.

22 Q. I take it -- we had this discussion earlier, I'm not
23 going to do this every time -- you didn't blank that
24 out?

25 A. No.

1 A. Yes, I am sure she responded but I don't remember.
2 Q. If you go to page 117, that's your email to [REDACTED] yes?
3 A. Yes.
4 Q. And then at 116, that's an email to you from [REDACTED] --
5 A. Yes.
6 Q. -- in response. Then at the top of 116 you to [REDACTED]
7 "grim picture" et cetera, but is that as far as this
8 went, this little trail?
9 A. Yes.
10 Q. It didn't get you any further forward? Is that right?
11 A. Um-hm.
12 MR SPAFFORD: We need to take a break for the shorthand
13 writer.
14 (11.30 am)
15 (A short break)
16 (11.45 am)
17 MR POLLARD: Liz, could I just resume, just with a couple of
18 questions. We had reached the point where we were
19 talking about the [Q1] interview and coming back
20 to the office, and that went well and so on.
21 Having seen all the rushes of that, there were just
22 a couple of questions about it. She's obviously -- she
23 makes quite a big impact when you see it all. How did
24 you judge her overall credibility when you saw that?
25 A. Very high. She just seemed believable. She didn't

1 pretend to remember things she couldn't remember. [REDACTED]
2 [REDACTED]
3 [REDACTED] and I think that was why she was doing it.
4 You know, she wanted to set the record straight and, you
5 know, she had clearly had a hard life. [REDACTED]
6 [REDACTED] -- you
7 know, her home made quite an impression, it wasn't
8 a place that was looked after, if you like. And she
9 just radiated a woman who had had a hard life who was
10 kind of cynical and didn't expect to be believed
11 necessarily but was telling her story. And I found her
12 story compelling and I believed her.

13 MR POLLARD: Did you have any qualms about a couple of
14 things she mentioned, one that she was clearly on
15 medication at the time, she talked about Lithium,
16 whether that was Librium or somebody else said it was
17 Largactil and a different thing. She and probably
18 several of the other girls were on some sort of
19 medication and she also talked about being in a sort of
20 dream-like state for part of that period, and as you say
21 there were several things where she said, "I just don't
22 remember the incident". Did that give you any sort of
23 pause for thought?

24 A. Well, no. I mean, yes, in that I registered her saying
25 it, and of course I wondered what effect would that have

1 of -- where it first appeared to you that there was
2 a real problem as opposed to an apprehended problem, was
3 Peter Rippon's email on the 30th?

4 A. Is that the CPS?

5 Q. Is that right?

6 A. Is that the one?

7 Q. It's the one on 214. It's actually not sent to you, but
8 I'm pretty sure it came to your attention pretty
9 quickly.

10 A. Yes.

11 Q. That one, yes?

12 A. Yes.

13 Q. I just want to be completely clear about this, what
14 you're telling us. Is it right that so far as you are
15 concerned it was only on 30 November that it became
16 apparent that Peter Rippon was having pretty cold feet?

17 A. Um-hm.

18 Q. And until then, we've seen the earlier emails and in
19 particular the one of the 25th where he says, you know,
20 next step is transmission date. Had anything happened
21 between then, the 25th and the end of the 29th, to lead
22 you to think that he was changing his mind?

23 A. I honestly don't remember if there had been
24 conversations, I don't recall. But I do remember this
25 email of course and I think it was the first time it was

1 clear in black and white that the CPS line, which I'd
2 never thought it likely we would get verbatim, had
3 become the test for the story going ahead.

4 Q. What contact had you had with Helen Boaden by the end of
5 the 29th September about this story?

6 A. None.

7 Q. What contact had you had with Stephen Mitchell about
8 this story?

9 A. None.

10 Q. Had you discussed with Peter Rippon whether he'd had any
11 contact about this story with either of those two?

12 A. I remember a conversation that would have been about
13 this time, yes, when I asked him directly if he'd spoken
14 to Helen.

15 Q. After this email? After you -- I can see why you would
16 have reasoned, once you saw this, to go to Peter Rippon
17 and say, "Well, what does X say, what does Y say, have
18 you spoken to Z"? But before this email can you
19 remember if there was any such discussion?

20 A. No. I can't -- I just can't remember the precise
21 timing.

22 Q. The same day, we're on the 29th still, if you just jump
23 back to 174, this is not to you but it is about you.
24 This is about all the places that Jo Mathys had you
25 covering these bases when the story goes out?

1 MR POLLARD: Could I just ask a question on the specific
2 subject of Peter Rippon's view of the CPS line. I think
3 you are suggesting that his suddenly throwing in of this
4 as a factor to decide whether the story could run or
5 not, was very unexpected. But is clear that through the
6 previously sort of two or three weeks he had been asking
7 about that letter and whether you or Meirion had been
8 saying effectively, "Yes, we're on the case. We know
9 that the letter says the case was dropped because he was
10 old and infirm".

11 So it is not merely on the 30th, something that he
12 just produces out of a hat; it had been a constant
13 subject between the two of you and he had let it be
14 known he was pretty keen to get this element and he
15 considered it important.

16 A. Sure. I considered it important, but not -- not the
17 thing that would stop the story going ahead.

18 Particularly given the fact that on the other hand we
19 had more evidence than the CPS had to consider.

20 Q. And you and Meirion made it clear to him, "Okay, we get
21 this about the CPS, but [RI] is new, fresh
22 evidence which effectively, shall we say, negates the
23 overriding value of that CPS"?

24 A. Yes, it reduces its importance. But you see, I have
25 obviously now, after the weekend, I have seen emails

1 where it's -- Peter doesn't appear to have hoisted that
2 in and I can only say I am astonished.

3 MR MACLEAN: After this weekend?

4 A. Yes, I got them on Friday night.

5 MR MACLEAN: As a result of seeing the stuff from us?

6 A. Yes. I really can't account for that because it was
7 such a consideration in my mind, and it gave us so much
8 more weight that I don't know how he couldn't have
9 hoisted that in.

10 Q. When I asked you the last question, I said let's assume,
11 for the purposes of discussion, that it was a good point
12 that the CPS angle was undermined by the fact that
13 [R1] . hadn't been to the police.

14 A. Yes.

15 Q. And I said surely that's a point you and Meirion would
16 have emphasised to Peter Rippon on 30th November; all
17 along we would have said we had more than the police.
18 Did you say it? Is it conditional or --

19 A. No, I'm --

20 Q. -- you did in fact say it?

21 A. I'm positive. Definitely.

22 Q. If you go to page 215, please, Jackie Long is a friend
23 of yours who used to work for the BBC and now works for
24 ITN?

25 A. Yes, Channel 4.

1 Q. You email here that morning about this story, and you
2 say that Mr Rippon was, "In an absolute spin". I don't
3 know how we are going to get this on the transcript, but
4 what was the surrender gesture?
5 A. He just raised both hands up in an open palmed way
6 (raises hands palms facing out).
7 Q. "And he told me and Mi, if the bosses aren't happy (and
8 they won't be) I can't go to the wall on this one."
9 The words in parenthesis, "They won't be", are those
10 your words or his words?
11 A. My words.
12 Q. So what he said was, "If the bosses aren't happy,
13 I can't go to the wall on this one"?
14 A. Yes.
15 Q. Is that what he said?
16 A. Yes.
17 Q. He used the words bosses and wall, did he?
18 A. Yes.
19 Q. Who did you understand him to be mean by the word
20 "bosses".
21 A. I appear assumed his bosses, Stephen and Helen.
22 Q. You assumed it to be a news thing rather than anything
23 bigger than that?
24 A. Yes, possibly. They would have been who I would have
25 thought of. I didn't take from that that they had been

1 breathing down his neck, necessarily, but just that he
2 wasn't going to be challenging them if they had
3 concerns.

4 Q. When he said, "If the bosses aren't happy", that might
5 be thought to suggest that he hadn't yet approached
6 them?

7 A. Yes.

8 Q. So what was your understanding of the extent to which if
9 at all Peter Rippon had, by this stage, approached the
10 bosses?

11 A. Um, I -- I suppose I thought -- I assumed he would have
12 done because that would be standard practice. I didn't
13 take from this that he had spoken to them and they were
14 breathing down his neck. I took from it that he wasn't
15 willing to really push it. That he didn't want to cross
16 them full stop.

17 Q. Just let me explore with you your reference to standard
18 practice, because is quite important this. To
19 understand on a run of the mill Newsnight story -- not
20 one that is going to lead to particular great press
21 coverage, still less what has happened with this
22 story -- what would be the norm in terms of
23 relationship, discussion, interaction between the editor
24 of the programme on the one hand and his immediate
25 superior, who in this case happens to be Stephen

1 mind.

2 MR POLLARD: When was that that he said he had spoken to
3 Helen?

4 A. I asked him -- I think it was on the 30th. It was
5 a conversation in his office, just him and me and I was
6 trying to establish the point, basically was it worth
7 going around him so I had asked about Helen.

8 Q. You mention that specifically in your statement, I can
9 see that, paragraph 24:

10 "I remember asking if he had spoken to the head of
11 news Helen Boaden about the story, and he said he had."

12 Okay, thank you.

13 MR MACLEAN: Another of your emails I think we read about in
14 the press in recent weeks. I think it is at page 220.
15 Another email from you to Jackie Long. We are still on
16 the 30th:

17 "PR's latest panic attack. Liz, internally this is
18 a very long political chain".

19 A. Um-hm.

20 Q. Just picking up on the next point earlier: why was the
21 chain any longer -- leave aside the word "political" for
22 a moment, he obviously means BBC. We could substitute
23 BBC could we? Or even managerial? Would that be
24 another synonym?

25 A. Not as neutral as that. To me that suggested that there

1 were politics involved.

2 Q. What kind of politics?

3 A. I took it to mean that this is going a long way up and
4 we're not running the story.

5 Q. So why was this chain any longer than, for example the
6 Northern Ireland story you just mentioned?

7 A. I think by very long, I wondered then if that was above
8 Helen Boaden.

9 Q. That's the inference you drew at the time?

10 A. Yes, it is pure inference and that is what I drew.

11 Q. Above Helen Boaden -- obviously there was the director
12 general ultimately.

13 A. I was thinking channel controllers. I wasn't even
14 thinking about George as head of Vision.

15 Q. Channel controllers, you meant -- did you infer that was
16 a reference to the channel controller of BBC1, because
17 of the tribute?

18 A. Yes, and BBC2.

19 Q. In a sense it has nothing to do with BBC2. It is just
20 a story on a BBC2 programme.

21 A. As far as I know, yes, they were doing another tribute
22 as well on the 28th.

23 Q. I see, so I'm with you. So you didn't take it as being
24 a reference to Mark Thompson?

25 A. No.

1 Q. And you -- tell me if I'm wrong -- at no stage had any
2 indication or evidence that Mark Thompson, had been
3 involved -- or was involved at all, either on
4 30 November or thereafter, presumably until very
5 recently?

6 A. No I was aware that before Christmas a foreign
7 correspondent had brought it to his attention.

8 Q. That is Caroline Hawley?

9 A. Yes.

10 Q. Had you spoken to Caroline Hawley before she went to
11 that drinks party?

12 A. Yes, definitely. She had been around in the office
13 because she does work for Newsnight periodically.

14 Q. You teed her up saying if you catch a hold of the DG
15 tonight...?

16 A. I don't know that I even know that she was going to
17 drinks party. But we were chatting and she would have
18 asked what are you working on and we would probably have
19 given her a sort of précis of what was happening, which
20 was it looked like the story was not going to run.

21 Q. The story by that time was completely dead wasn't it, so
22 far as Newsnight was concerned?

23 A. Yes, I cannot remember when I spoke to her, but it was
24 before her conversation with Thompson, but I didn't know
25 that she was going to drinks or to see him.

1 A. I think so.

2 MR POLLARD: So there are two clips, is that right?

3 A. Yes, there were.

4 MR POLLARD: All right.

5 MR MACLEAN: We now come to just before Christmas and then
6 into January. We can see from the documents that there
7 were stories in the press --

8 A. In January.

9 Q. -- in January. There is one in The Mirror, there is
10 a piece in The Oldie that gets published in February.
11 There is a piece in The Mail at some point. We can go
12 through them and we can speculate about who was feeding
13 information to those newspapers. But so far as this
14 story and the BBC is concerned, when the BBC was
15 developing its response, or one might say defence, to
16 what was in these newspaper stories, did they do that
17 with recourse to you at all?

18 A. No. I mean we didn't know -- obviously I have now seen
19 the email that you sent over the weekend --

20 Q. Which one?

21 A. Is it the 21st, between Peter and Helen Deller and
22 various others in the press office.

23 Q. Look at 131 and tell me that's the one you had in mind?

24 A. We hadn't been aware until recently.

25 Q. I think it must be this one --

1 A. A Spectator article that in fact enquiries were being
2 made before Christmas.

3 Q. Is this the one you had in mind?

4 A. Yes.

5 Q. James Hardy, he is head of press?

6 A. He's in the comms, I don't know --

7 Q. A senior comms person. Sarah Beck works closely with
8 Stephen Mitchell, I think; is that right?

9 A. Yes.

10 Q. And Karin Rosine's is a press officer, I think. So you
11 didn't know about this December stuff?

12 A. No.

13 Q. And you weren't involved in developing the line which we
14 can -- it gets developed but we can see it here in the
15 statement:

16 "The BBC gathers information on hundreds of stories,
17 not all make it to air. In this case the angle we were
18 pursuing could not be substantiated."

19 A. Yes.

20 Q. That was not something you had anything to do with?

21 A. Absolutely nothing, no.

22 Q. If you go to 137, you see at the bottom it is the same
23 email, the Helen Deller one, do you see?

24 A. Yes.

25 Q. And Karin Rosine said, "I'm happy if others are." And

1 set out. So I think he had a duty to make it as
2 accurate as possible and he didn't consult -- well, I
3 don't think he consulted Meirion, although I think there
4 was one account suggesting he did. He certainly didn't
5 consult me and I would never have agreed that he should
6 say what he said because it was so far from correct.

7 So in other words, if it was in good faith, which as
8 you say is a possibility, at the very least he's guilty
9 of gross carelessness, especially given how that then,
10 you know, caused all sorts of other senior BBC people to
11 mislead the public.

12 Q. Tell me this is wrong: the facts that you know are that
13 Mr Rippon published the blog?

14 A. Um-hm.

15 Q. You -- tell me if this is wrong, but my understanding is
16 you don't have any direct knowledge yourself as to
17 exactly how that blog came about, is that right?

18 Although when you saw it you immediately could spot that
19 there were any number of problems with it, which you
20 have set out. Let's assume for the moment you are right
21 about that and, as I say, the BBC did make some
22 corrections eventually.

23 A. Um-hm.

24 Q. What direct knowledge do you have about what happened
25 with Peter Rippon and above after the publication of the

1 blog until the corrections?

2 A. I know very little. Except I -- you know, I did go over
3 Peter's head on this, because as soon as I read it
4 I knew that he was, you know, putting forward a totally
5 misleading account, which to me built on the earlier
6 misleading statements from the press office.

7 Q. Over his head, you mean involving Steve Mitchell?

8 A. Involving Steve Mitchell. Initially I copied him in on
9 an email and then I stewed for a bit and arranged to see
10 Steve that day.

11 Q. Right. That day --

12 A. The 3rd.

13 Q. -- must be the 3rd.

14 Now let me just show you a couple of things in
15 bundle 7. It was something called a chain of events.
16 That's the terminology I was struggling for a minute
17 ago. If we go to 191, that was the phrase I couldn't
18 dig out from my memory a moment ago.

19 On 2 October in the afternoon at 12.15 he sent to
20 Mr Mitchell and to Helen Boaden something called
21 a Savile narrative, the chain of events, and he said he
22 would now work on the blog. We don't need to dwell
23 on it. I just need to show you two paragraphs. You see
24 there it is "key witness" and "key witness", the same
25 point we had before.

1 Q. Just that email at 57, do you see in the fourth line of
2 the second paragraph the sentence, "I was of the
3 belief..."

4 A. "I am of the believe that... "

5 Sorry, one down.

6 Q. Yes, one down:

7 "I was of the believe [this is Meirion Jones
8 speaking] that another woman had told the police about
9 Gary Glitter."

10 Did you say that?

11 A. I wasn't sure -- no, no, I couldn't remember it. But we
12 did have a second account of Gary Glitter. There was
13 obviously the [Q1] account, but one of the other
14 people we had spoken to had alluded to Glitter, but
15 I don't know if she had spoken to the police or not.

16 Q. So you didn't share the belief that another woman had
17 told the police about Glitter. That was not something
18 you picked up?

19 A. No.

20 Q. It doesn't appear to be reflected in any of the notes
21 that I have seen anyway.

22 A. No.

23 Q. And it's not something you recognise either?

24 A. No.

25 Q. Then there's another one at page 61, and this is what

1 suggesting you were party to such an agreement, which
2 I think you basically were?

3 A. I basically was. I was in the room. And they were
4 agreeing it. And I was more -- my attention -- I was
5 less concerned about that and much more concerned about
6 other inaccuracies in the blog. So I mean I was --
7 I was there and part of it, but I'm not an active part.

8 Q. I appreciate there is a lot going on here.

9 A. Yes.

10 Q. But in retrospect, it is unfortunate, isn't it, that --
11 well, we see that Stephen Mitchell at page 91 just says
12 "okay, that's fine". So he's received and as it were
13 understood that message, which isn't actually correct.
14 You said it was arguable, but what makes it arguable is
15 the aspect of not being sure who the victim was?

16 A. And her age.

17 Q. That's the element of doubt?

18 A. I think the element of doubt is we don't know she was
19 under age, but I think frankly we can assume that she
20 was under age, because the girls from Duncroft were
21 under the age of 16.

22 Q. If she was of age, as it were, then there is still the
23 element, given the picture you painted earlier of the
24 alleged perpetrator, that even if the victim was 16, it
25 still might have been something the police might have

1 What did that mean?

2 A. Well, it was a striking phrase. As I say, it was said
3 to me twice. I took it to mean there was no email that
4 would say, you know -- Helen Boaden or someone else
5 saying to Peter Rippon, "Kill that story."

6 Q. In other words, no smoking gun?

7 A. Yes. I didn't take it to mean that there hadn't been
8 any pressure on Peter. Only that the BBC was all right
9 on this, as he said.

10 Q. But you can be all right in the sense of, "I did it, but
11 I'm not going to get caught", or you can be all right in
12 the sense of, "I didn't do it."

13 A. Yes, and either of those interpretations was possible.

14 Q. And you were uncomfortable with what you saw as an
15 attempt to rewrite history. Did you explain to him that
16 there were some pretty fundamental errors with the blog
17 so far as you were concerned?

18 A. Yes, I said it was creating a completely false
19 impression of our story.

20 Q. Did you say, "You have to get this fixed Steve"?

21 A. Yes, I mean I can't remember the words I used, but it
22 was, it's wrong and it can't stand and, you know, it's
23 misleading the public.

24 Q. What did he say or immediately do about it?

25 A. He didn't. The conversation moved on. But I thought

1 he'd registered the fact that I was saying the blog
2 cannot be allowed to stand as it is.

3 Q. This was a pretty unusual thing for you to have done in
4 your BBC career --

5 A. Yes.

6 Q. -- to go to Steve Mitchell?

7 A. Yes, it was the first time ever.

8 Q. And you expected him to take it up the chain?

9 A. Yes.

10 Q. To the next port of call, Helen Boaden?

11 A. Yes.

12 Q. Do you know that he did?

13 A. No, I don't.

14 Q. But you don't know that he didn't, as it were?

15 A. Well, I presumed he hadn't when senior managers
16 continued to completely misrepresent our story.

17 Q. You mean David Jordan on Today?

18 A. David Jordan on Today and on The Media Programme;
19 George Entwistle, in his email to staff a couple of days
20 later, when he talked about it being widely known the
21 Newsnight story into the Surrey Police.

22 Q. And he was also on Today himself, Mr Entwistle --

23 A. Yes.

24 Q. -- and then the parliamentary committee?

25 A. Um-hm. The account was corrected ahead of the

1 "As Meirion knows, I'm working on identifying and
2 collating the materials obtained during Newsnight's 2011
3 investigation into Savile for disclosure to the police
4 any inquiries et cetera. Important we ensure that all
5 materials are retained safely and not destroyed. I need
6 to know from both of you exactly what was obtained and
7 created during the course of your 2011 investigation
8 will, whether you think it may be relevant or not."

9 Then she sets out what she is already has and asks
10 a series of questions, essentially have you got anything
11 else, and if so please now could you cough it up?

12 That was done expressly for the purpose of police
13 and any enquiries, as she puts it. Had a similar
14 exercise been done for the purpose of the blog or the
15 BBC's public statements leading up to that?

16 A. No, we hadn't been consulted -- or I hadn't been
17 consulted on anything.

18 Q. Can you think of any good reason why Peter Rippon
19 shouldn't have consulted you when he was preparing the
20 blog first of all?

21 A. Well, the only reason I can think is that he would know
22 that we would have disagreed with his points. And that
23 he couldn't have put out the statement that he put out.
24 Because from the beginning of the year -- well twice at
25 the beginning of the year -- I had said to him, "The BBC