

<p>1 Wednesday, 28 November 2012 2 (2.00 pm) 3 (Proceedings delayed) 4 DAVID JORDAN (called) 5 (2.23 pm) 6 MR POLLARD: David, thank you for coming this afternoon. 7 As Mr Maclean says, we have a modest amount to get 8 through and Mr Maclean will be doing most of the 9 questioning and I will jump in with a question or an 10 observation as seems appropriate. 11 And the session, as you know, is being transcribed. 12 Mr Spafford has a couple of procedural points to start 13 off with. 14 MR SPAFFORD: As Alan said before we started, we will break 15 in an hour or so's time to give the transcribers a short 16 rest. That apart, one issue is confidentiality. 17 Obviously you have kindly provided the agreement we 18 asked you to sign. I wanted to make sure for the record 19 that you understand that agreement and that these 20 proceedings are confidential. 21 <b>A. Yes.</b> 22 MR SPAFFORD: Thank you. 23 Questions by MR MACLEAN 24 MR MACLEAN: Mr Jordan, can you take up bundle A18? 25 SOLICITOR: Can we ask one quick question before we start?</p> <p style="text-align: center;">Page 1</p>	<p>1 <b>A. That's mid November 2011, yes. Yes, I didn't know about</b> 2 <b>the thing in mid November 2011.</b> 3 Q. So the correction was that you didn't know in mid 4 November but you did know in 2012? 5 <b>A. I saw the report in the Sunday Mirror in 2012.</b> 6 Q. So 8 January 2012 was your first knowledge of the 7 Newsnight story? 8 <b>A. That is correct, yes.</b> 9 Q. And you found that by reading The Sunday Mirror or -- 10 <b>A. I saw it in my press cuts.</b> 11 Q. Right. So up to 7 January your knowledge of the 12 Newsnight investigation into Jimmy Savile was what, nil? 13 <b>A. Yes, zero.</b> 14 Q. We have asked a number of people about the role of 15 EdPol? 16 <b>A. Yes.</b> 17 Q. We know that there was an approach by Meirion Jones to 18 a couple of people in EdPol to discuss in particular 19 arrangements for the payment of Mr Williams-Thomas? 20 <b>A. That's correct.</b> 21 Q. I'm not particularly concerned with that relatively 22 minor detail, but apart from that, the picture I think 23 is generally that there was no reason why EdPol would 24 have had any involvement in the developing Newsnight 25 story. Is that right?</p> <p style="text-align: center;">Page 3</p>
<p>1 We don't believe everything we read in the papers, but 2 we did see something in this morning's Times about the 3 parameters of the review and what you are going to be 4 looking at. We noticed in there, they say there is 5 a narrowing of parameters. Is that right, can we 6 clarify if there is has been a change to the terms of 7 reference? 8 MR POLLARD: No change to the terms of reference. And 9 certainly the account that is in the paper I wouldn't 10 regard as accurate. 11 SOLICITOR: Thank you, that is helpful. 12 MR MACLEAN: 18, please, turn to page 78. This is the 13 middle of a very long collection of press logs which 14 actually started a page 46 and go all the way to 15 page 107. 16 <b>A. Yes.</b> 17 Q. But they help us to pinpoint the developing information 18 that the BBC was putting out at different times. You 19 see at the top of the page, on 14 October in answer to 20 a press query from The Sun, as it happens, the BBC said, 21 in answer to a question -- or correcting a story in that 22 day's paper which claimed that you had been informed 23 about a Newsnight investigation in mid November, the 24 journalist was briefed that you first became aware of 25 the investigation in January 2012.</p> <p style="text-align: center;">Page 2</p>	<p>1 <b>A. Well, there wasn't any necessary reason at that moment.</b> 2 <b>Reasons may have developed. But actually there were two</b> 3 <b>contacts with any editorial policy advisers.</b> 4 <b>In -- if my memory serves me well, November,</b> 5 <b>October/November, I think, of 2011.</b> 6 Q. It must have been November because it didn't start -- 7 <b>A. Well, the first one was very early on. That's why I say</b> 8 <b>I think it may have been October. The first contact was</b> 9 <b>with one of my senior advisers called Roger Mahony, in</b> 10 <b>which Meirion Jones phoned Roger who he dealt with</b> 11 <b>a great deal and he had a discussion, a general</b> 12 <b>discussion, about the possibility of an investigation</b> 13 <b>into Jimmy Savile. And I think I did supply a copy of</b> 14 <b>a note that Roger gave to me when I asked all of my team</b> 15 <b>whether they'd had any dealings with Meirion Jones or</b> 16 <b>with anybody in relation to the Savile investigation.</b> 17 Q. Right. 18 <b>A. He wrote me a note saying that he had had a general</b> 19 <b>discussion before the investigation began about some of</b> 20 <b>the issues around the investigation.</b> 21 Q. All right. Can I show you one document that we do have? 22 <b>A. Yes.</b> 23 Q. I think one of the very few that emanates from EdPol. 24 It is bundle 3, page 171. 25 <b>A. Yes. The second one was a Phil Abrahams.</b></p> <p style="text-align: center;">Page 4</p>

1 (Pages 1 to 4)

1 Q. That is what this is.  
 2 A. I can refer to that. That is the second issue. The  
 3 second one was a contact with Phil Abrahams about the  
 4 possible payment of Mr Williams, who later went on to be  
 5 the reporter on the ITV Exposure programme, and that was  
 6 a contact in relation to payment to him and that was  
 7 entered in our duty log on 29 November.  
 8 Q. So that is what this is?  
 9 A. That is what that is. Exactly.  
 10 Q. The reference in the last paragraph, do you see the  
 11 heading "Query"?  
 12 A. I do.  
 13 Q. "Meirion is also in touch with Roger", that is  
 14 Mr Mahony, "about other aspects of this project"?  
 15 Those other aspects were what precisely?  
 16 A. There was one conversation that Meirion had with Peter.  
 17 MR POLLARD: When was that?  
 18 A. It was in the bundle that I supplied. I don't have it  
 19 to hand. I can find out for you exactly when it was if  
 20 I can consult a -- you know, my bundle as it were.  
 21 MR MACLEAN: It is not in your -- it is not in what we have  
 22 from you. We don't have very much from you. I'm not  
 23 criticising.  
 24 A. I'm sorry, I supplied a vast amount of stuff.  
 25 Q. We have a draft log timeline that starts in October,

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1 obviously dealing with 2012?  
 2 A. Yes.  
 3 MR POLLARD: In emails, I think, Mr Jordan is --  
 4 MR MACLEAN: Yes.  
 5 A. I'm very happy to let you have a copy of that email,  
 6 which was an email to me. It wasn't contemporaneous, it  
 7 wasn't sent to me at the time and I wasn't told because  
 8 the investigation was in its very early stages and, as  
 9 Roger says, with Meirion it was often the case that he  
 10 would get in touch for a general discussion before the  
 11 thing had even started, and then you would hear nothing  
 12 more about it until, you know -- unless it developed  
 13 into something.  
 14 Q. What was the tenor of it? Was Meirion Jones as it were  
 15 enquiring as to a whether there was an EdPol reason to  
 16 be concerned --  
 17 A. Yes, it was a general discussion about that. There was  
 18 also a discussion curiously enough about whether there  
 19 were any implications for other output in the BBC. To  
 20 which my advisers said "of course not". And -- and  
 21 other matters of that sort.  
 22 Q. What is -- decode that for us. What does that mean?  
 23 A. What I mean is would it be possible to run this  
 24 investigation given that Meirion already seem to be  
 25 aware that there were other programmes planned by the

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1 BBC for the Christmas period about Jimmy Savile.  
 2 Q. That helps to date it a bit, doesn't it? Because he  
 3 didn't die until 29 October?  
 4 A. That's true. So probably November then --  
 5 Q. When you said earlier October --  
 6 A. Well we know, don't we -- well I know -- I didn't know  
 7 this, but I know from the bundle that you sent me that  
 8 the first discussions between Meirion Jones and  
 9 Peter Rippon, the editor, took place very quickly after  
 10 Jimmy Savile had died.  
 11 Q. Two days later?  
 12 A. For some reason Meirion Jones regarded it as necessary  
 13 for Jimmy Savile to die before he was able to  
 14 investigate this matter. So he went to the editor  
 15 immediately after Jimmy Savile died. So it would have  
 16 occurred around about that time.  
 17 Q. It so --  
 18 A. It could have been the very end of October, the very  
 19 beginning of November, around about that time. But  
 20 I can supply you with the email from Roger Mahony to me  
 21 explaining what happened.  
 22 Q. That would be very helpful. So we are, as it were,  
 23 agreed then that there are two contacts with people in  
 24 the EdPol side, Mr Abrahams and Mr Mahony?  
 25 A. That's correct.

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1 Q. But you personally had no knowledge of what was going  
 2 on, or had been going on, until the Sunday Mirror on  
 3 8 January?  
 4 A. That is right, neither Roger nor Phil thought these were  
 5 significant enough contacts to bring to my attention.  
 6 Although I do look at the enquiry log report from time  
 7 to time as I dip into it, I don't remember dipping into  
 8 it and seeing that particular issue raised.  
 9 Q. Tell me if I'm wrong, but knowing what you know now,  
 10 there is no reason to think that there should have been  
 11 any more substantive contact with EdPol than in fact  
 12 there was, is that right?  
 13 A. Not necessarily. It depends on what the finished piece  
 14 might have looked like. For example, if the finished  
 15 piece included within it sort of graphic descriptions of  
 16 sexual attacks or something of that nature then it would  
 17 be very likely that we would have been involved to  
 18 discuss whether these were appropriate even on a program  
 19 on as late at night as Newsnight, but at that point that  
 20 was not the issue.  
 21 Q. I said "knowing what you know now", one of the things  
 22 you know about now is you know what the description --  
 23 if that is the correct description -- which I think  
 24 Mr Jones sent you on 4 October?  
 25 A. Yes.

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<p>1 Q. So having seen that script, such as it was, assuming                  2 they had run the piece that that script contemplates                  3 with Mr Williams-Thomas saying the things that it was                  4 anticipated Mr Williams-Thomas would say, would there                  5 have been any reason for EdPol to be involved?                  6 <b>A. No, I don't think there would on that basis. I think                  7 the issues were legal.</b>                  8 Q. Right?                  9 <b>A. Insofar as they didn't involve Jimmy Savile. Because                  10 clearly is there not a defamation issue around                  11 Jimmy Savile. So far as they involved anyone else who                  12 was alive, there would have been legal issues.</b>                  13 Q. First of all, do you understand now -- then I will ask                  14 you about at the time -- so far as legal issues were                  15 concerned, the script had been sent to Mr Law and as we                  16 understand it no legal impediment was identified to                  17 running that story on that script for essentially the                  18 three reasons. One, Savile was dead, two, it was felt                  19 that [REDACTED] was an unlikely defamation claimant                  20 for reasons that may be obvious, thirdly to the extent                  21 that any other live people were -- had been mentioned in                  22 the information being gathered about them, it wasn't                  23 thought necessary to mention them in the piece so there                  24 was no problem there?                  25 <b>A. I am sure that our lawyer would have said there was</b>                  Page 9</p>	<p>1 be for noting and the author is said to be you and the                  2 sponsor is said to be you?                  3 <b>A. Yes.</b>                  4 Q. As director of Editorial Policy and Standards and it is                  5 the Managed Risk Programme List?                  6 <b>A. Yes.</b>                  7 Q. This was the paper for the meeting on 8 December.                  8 I assume you know now, but I would just like to show                  9 you --                  10 <b>A. Yes.</b>                  11 Q. -- if you look in this document to the BBC2 part of it,                  12 it starts at point 009 and runs to point 012, although                  13 there are a bunch of Newsnight stories there, you will                  14 not find Jimmy Savile?                  15 <b>A. That is correct. Nor will you find it in the October,                  16 November or January editions of that list.</b>                  17 Q. This is the highest iteration of that list?                  18 <b>A. That is correct. I think it is important to understand                  19 what the Managed Risk Programme List is and what it                  20 isn't. The Managed Risk Programme List cannot for                  21 example cope with live programmes. So live programme                  22 risk is dealt with via the editorial policy advice that                  23 exists for live programmes and which sits on our website                  24 under our guidance, and it also cannot deal with fast                  25 turn around news stories. So anything that is a fast</b>                  Page 11</p>
<p>1 <b>unlikely to be a problem because no lawyer would opine                  2 on anything other than a final script, but yes in that                  3 context I am sure you are right.</b>                  4 Q. You sit on the EdPol board --                  5 <b>A. The Editorial Standards Board.</b>                  6 Q. The Editorial Standards Board?                  7 <b>A. That's correct.</b>                  8 Q. So if we take bundle 4 and go to page 29 -- I think we                  9 can put 3 away --                  10 When you get there, keep going and you should find                  11 hopefully some inserts, 29.001 just immediately after                  12 29, using the bottom right-hand corner numbering.                  13 <b>A. Yes.</b>                  14 Q. Yes, have you got to 29?                  15 <b>A. Yes, okay, I think these are the things you are                  16 referring to.</b>                  17 Q. I want you to go to point 004?                  18 <b>A. Point 004 yes.</b>                  19 Q. You should be looking at an email headed "ESB paper for                  20 Thursday 8 December."                  21 <b>A. Yes.</b>                  22 Q. "Dear all please find attached the ESB papers for                  23 tomorrow's meeting."                  24 It has a whole bunch of attachments and if you go                  25 over the page one of them is a document which is said to                  Page 10</p>	<p>1 <b>turn around news story would not be part of it, because                  2 clearly it wouldn't have time to get into the -- into                  3 this system which is only compiled once a month by my                  4 office on the basis of material that is fed up to it by                  5 each of the output divisions.</b>                  6 Q. Yes?                  7 <b>A. So it has clear and known limitations.</b>                  8 Q. Yes. I understand. But those limitations that you have                  9 mentioned would not apply to the Jimmy Savile piece?                  10 <b>A. Well, in my view probably not. Without knowing the                  11 precise dates on which the editor indicated that he                  12 wanted to proceed, and the precise dates on which he                  13 indicated he wanted to stop, I would at the very at                  14 least have expected that programme to be on the news                  15 list which feeds into the Managed Risk Programme List.                  16 And I would have thought it would have -- should have                  17 appeared alongside all these other pieces on this                  18 Managed Risk Programme List for December, yes.</b>                  19 Q. Presumably -- tell me if I'm wrong --                  20 <b>A. Clearly there is a possibility -- I don't think this is                  21 a case because I'm not aware of all the precise dates                  22 involved here. There is a possibility that it fell                  23 between stools as it were and it was stopped just before                  24 the list was compiled, but I don't think that is likely                  25 on the basis of what I know roughly.</b>                  Page 12</p>

<p>1 Q. Let's assume that's not the case?</p> <p>2 A. Okay.</p> <p>3 Q. The type of risk that might qualify a piece to get on to</p> <p>4 this list could be any one of a number of things. As we</p> <p>5 can see from this list it might be reputational risk to</p> <p>6 the BBC for example?</p> <p>7 A. That's correct, yes.</p> <p>8 Q. That would be a possibility?</p> <p>9 A. Yes.</p> <p>10 Q. Or reputational risk to the object of the story?</p> <p>11 A. That's possible. Depending on who that object was.</p> <p>12 Q. And sometimes two sides of the same coin, in the sense</p> <p>13 that if you get it right there is a risk --</p> <p>14 A. I don't think we would have been worried about the</p> <p>15 reputational risk to Robert Maxwell, when I did that on</p> <p>16 Panorama, I don't think we would have been worried about</p> <p>17 that, but we would have been worried about the</p> <p>18 possibility of litigation from Robert Maxwell affecting</p> <p>19 the BBC, so we'd have been worried about a legal risk.</p> <p>20 In this particular instance there is a reputational risk</p> <p>21 to the BBC, clearly, of a former major star; that is</p> <p>22 clearly a reputational risk for the BBC.</p> <p>23 Q. Although there are a number of things one can think of</p> <p>24 as to why it might, as you say, fall between stools as</p> <p>25 a matter of timing, prima facie the Jimmy Savile story</p> <p style="text-align: center;">Page 13</p>	<p>1 have seen.</p> <p>2 Q. Sorry, it is 188. If you look there, you will see --</p> <p>3 these are emails passing on 17 and 18 November between</p> <p>4 Liz Gibbons and Sara Beck who works in Steve Mitchell's</p> <p>5 office?</p> <p>6 A. Yes.</p> <p>7 Q. You see the Savile story is there, on the list,</p> <p>8 Sara Beck saying:</p> <p>9 "Welcome back, here you are, although it has been</p> <p>10 rather mad the last two weeks and all a bit neglected."</p> <p>11 And there is the Savile piece.</p> <p>12 And if you go to 276, just before we look at that</p> <p>13 page, I will just tell you what Sara Beck has told us,</p> <p>14 which is that she saves the monthly programmes list and</p> <p>15 keeps it in her files:</p> <p>16 "I add information to the News programmes list."</p> <p>17 Because it is going to go up the chain to the News</p> <p>18 board that Helen Boaden chairs?</p> <p>19 A. That's right, this list goes to News group board.</p> <p>20 Q. And News group board sends it up to the one we have just</p> <p>21 looked at, along with people from other parts of BBC?</p> <p>22 A. Not necessarily in its entirety, sometimes risks that</p> <p>23 are identified at divisional level are not thought to be</p> <p>24 serious enough to escalate to main board level.</p> <p>25 Q. And Sara Beck says:</p> <p style="text-align: center;">Page 15</p>
<p>1 would be the sort of story you would expect to be on</p> <p>2 this list?</p> <p>3 A. Prima facie, I would agree.</p> <p>4 Q. I assume that -- let's take it to 8 January when you</p> <p>5 became aware of the Mirror piece, did it, as it were,</p> <p>6 strike you that you hadn't seen the Savile piece on this</p> <p>7 list in November or December?</p> <p>8 A. No, I can't say that it did. It might have struck me</p> <p>9 more if it didn't say that the piece had been</p> <p>10 discontinued. Of course I had no precise idea when it</p> <p>11 had been discontinued.</p> <p>12 Q. Right. Do you know now -- I assume you do from looking</p> <p>13 at some material over the last few weeks we have</p> <p>14 provided to you -- do you now know that in fact</p> <p>15 Newsnight did put the Savile piece on to the lowest tier</p> <p>16 of the MRPL ladder, if I can put it like that?</p> <p>17 A. From the material that you sent me, which I was not</p> <p>18 aware of before, it seems that they both put it on and</p> <p>19 took it off.</p> <p>20 Q. Newsnight put it on, and Mr Mitchell's office took it</p> <p>21 off?</p> <p>22 A. The note I saw was from Liz Gibbons who is the deputy</p> <p>23 editor of Newsnight. But I may be wrong about that.</p> <p>24 Q. Let me show you, bundle 2, page 88?</p> <p>25 A. I have not necessarily seen all of the material that you</p> <p style="text-align: center;">Page 14</p>	<p>1 "I add information to the News programmes list.</p> <p>2 I would not remove entries pre-transmission unless I was</p> <p>3 instructed by Steve or an editor or their deputy. This</p> <p>4 is not an infrequent occurrence."</p> <p>5 And I think Steve Mitchell told us that it was his</p> <p>6 decision to take this programme off the list?</p> <p>7 A. I was not aware of that. I simply saw this note which</p> <p>8 said "I've taken it off".</p> <p>9 Q. What it says is, it is from Sara Beck to Liz Gibbons --</p> <p>10 A. That's right.</p> <p>11 Q. -- isn't it, 22 November at 9.41:</p> <p>12 "Just so you know, have taken Jimmy Savile off for</p> <p>13 now and will put back on when it is imminent. The</p> <p>14 document goes quite far in Vision et cetera and we</p> <p>15 thought it might be best to keep it off just for now."</p> <p>16 A. Yes.</p> <p>17 Q. And then there is one from Gibbons to Beck the same day</p> <p>18 referring to discussion between Peter Rippon and</p> <p>19 Steve Mitchell about the "Vision issues".</p> <p>20 So the position as far as you are concerned is that</p> <p>21 at the time the Editorial --</p> <p>22 A. -- Standards Board.</p> <p>23 Q. -- Standards Board list, the Editorial Standards Board</p> <p>24 never got a version of the MRPL which included the</p> <p>25 Jimmy Savile story?</p> <p style="text-align: center;">Page 16</p>

1 **A. That's correct.**  
 2 **Q.** You know, I assume that the press had been sniffing  
 3 around this, among many other aspects of this story in  
 4 recent weeks. In particular Mr Mostrous of The Times  
 5 was asking questions about this and the answer that was  
 6 given to Mr Mostrous was that the Savile story had never  
 7 been on the -- I think it's on the pan corporate list is  
 8 the expression used?  
 9 **A. Which is the one we have just been talking about.**  
 10 **Q.** That's the reference to this one?  
 11 **A. That's correct.**  
 12 **Q.** Right. Tell us about the circumstances in which  
 13 Mr Jones came to send you the script on 4 October.  
 14 **A. Okay -- sorry that is a bit of a leap.**  
 15 **Q.** It is a bit of a leap. It's not clear to me that there  
 16 is very much -- you tell me if I'm wrong -- is there  
 17 very much more to talk about before we get to October?  
 18 **A. On the Managed Risk Programme List? I would only say**  
 19 **this to you: I think that the conception that clearly**  
 20 **held in relation to the Managed Risk Programme List that**  
 21 **somehow it couldn't be on the list unless the nature of**  
 22 **the investigation was clearly identified, and that**  
 23 **therefore you might run a risk that Vision would see it**  
 24 **and may have issues with it, which is sometimes a risk**  
 25 **that we run -- for example, we had that issue when we**  
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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 --  
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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  
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1 Mark Byford's responsibilities have been distributed  
 2 after his post ceased to exist and he left the BBC.  
 3 Some of those went to the Editorial Standards Board, is  
 4 that right?  
 5 **A. I'm not sure that you would say that Mr Byford's**  
 6 **responsibilities went to the Editorial Standards Board.**  
 7 **Q.** I didn't say that. I said they were distributed --  
 8 **A. Around the member of the Editorial Standards Board.**  
 9 **Q.** A lot of them went to Helen Boaden?  
 10 **A. Yes, okay -- went to other members of the Editorial**  
 11 **Standards Board, not to the board itself;**  
 12 **I misunderstood what you said.**  
 13 **Q.** I think most of them probably went to Helen Boaden.  
 14 Some went to the nations, I think it was --  
 15 **MR POLLARD:** He retained as Director General.  
 16 **MR MACLEAN:** So he had a direct contact with --  
 17 **A. He took over the line management of BBC Wales, BBC**  
 18 **Scotland, BBC Northern Ireland, which were the line**  
 19 **management responsibilities of Mark Byford before he**  
 20 **left, yes.**  
 21 **Q.** Was there another bit that was left that some of the  
 22 responsibilities went to Helen Boaden, some were  
 23 retained by Mark Thompson as Director General, was there  
 24 some other sliver or part of Mr Byford's  
 25 responsibilities that went to the board?  
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5 (Pages 17 to 20)

1 **A. No, I don't think any of his -- all of his**  
 2 **responsibilities were distributed to -- to various**  
 3 **executives. So for example he managed me up to that**  
 4 **point, but my management line then went through**  
 5 **Caroline Thomson, who was the chief operating officer at**  
 6 **that time. So all of his -- all of his line management**  
 7 **responsibilities were distributed to other individuals**  
 8 **within the organisation. The Editorial Standards Board**  
 9 **continued as it was, but he chaired the Editorial**  
 10 **Standards Board and at that time it was decided to have**  
 11 **a rotating --**  
 12 Q. It was a rolling chair?  
 13 **A. Which went from News, Audio/Music and Vision. It**  
 14 **started off with Tim Davie in Audio/Music.**  
 15 Q. Help me with this. If I was a member of the Editorial  
 16 Standards Board when Marked Byford was at the BBC and  
 17 I retained my position on that board after he had left,  
 18 what change would I notice, if any, as a member of the  
 19 Editorial Standards Board once Mr Byford had left?  
 20 **A. Well, apart from the obvious that he wasn't going to be**  
 21 **there and he wasn't chairing it, in terms of what might**  
 22 **happen at the board?**  
 23 Q. What its function or responsibilities --  
 24 **A. Its functions or responsibilities didn't change.**  
 25 MR POLLARD: Just the chairmanship, as it were, on  
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1 a rotating basis?  
 2 **A. But what Mark gave to the organisation was an overall**  
 3 **sense of grip and of being across all of the detail of**  
 4 **what was going on across our journalistic activities.**  
 5 **And that was -- that was something he took very**  
 6 **seriously. So he had routines with all of those people**  
 7 **who were line managers in which we discussed editorial**  
 8 **issues of this sort. And I -- and I feel reasonably**  
 9 **sure in saying -- I'm very sure in saying -- had this**  
 10 **investigation been taking place when Mark Byford was in**  
 11 **that position, he would have known about it, he would**  
 12 **have discussed it with people like me. I would have**  
 13 **known about it through him if I didn't know about it**  
 14 **through some other way.**  
 15 Q. Helen Boaden, although?  
 16 MR MACLEAN: Helen Boaden, although she was a recipient of  
 17 a large part actually of Mr Byford's responsibilities,  
 18 she said this -- let me read you a little bit of what  
 19 she told us the other day -- she said essentially that  
 20 in the storm of the last few weeks she would have  
 21 welcomed Mr -- somebody playing Mr Byford's role, or  
 22 indeed Mr Byford himself, because -- let me find the  
 23 passage.  
 24 She says this:  
 25 "I think we have made it much, much harder for  
 Page 22

1 ourselves by getting rid of the Mark Byford role. If  
 2 Mark Byford had still been Head of Journalism, Deputy  
 3 Director-General and my boss, I would have told him that  
 4 Newsnight, as part of a routine were doing an  
 5 investigation into Jimmy Savile and sexual abuse."  
 6 Which is I think much the same as you just said?  
 7 **A. I would absolutely agree with that.**  
 8 Q. This may be the important aspect:  
 9 "He would then have been responsible for managing  
 10 the corporate side of things, completely separate from  
 11 me managing the journalism, it's a cordon sanitaire.  
 12 When we had Ross/Brand I remember distinctly both the  
 13 Marks were on holiday [Byford and Thompson] but when  
 14 they came back from holiday Mark Byford was absolutely  
 15 fire-fighting for the corporation and clearly trying to  
 16 get information about what had happened and I was  
 17 running the journalism and never the twain shall meet."  
 18 What do you say about that? If anything? Any  
 19 observation on that?  
 20 **A. I think it's a very fair point. I was his chief fire**  
 21 **officer at the time.**  
 22 MR POLLARD: It was a mistake to get rid of that role when  
 23 Mark Byford left?  
 24 **A. I thought so then and I said so, and I don't see any**  
 25 **reason to have changed my opinion.**  
 Page 23

1 MR POLLARD: Am I right in thinking that's not because of  
 2 person who was doing it? It was not particularly  
 3 Mark Byford itself, it was you thought there was an  
 4 importance in the role? Say if he had retired your view  
 5 was that somebody else should take that role?  
 6 **A. Yes, my role was that it was a significant role of**  
 7 **significant usefulness to the BBC regardless of who was**  
 8 **occupying it. Although he occupied it with distinction**  
 9 **in my view.**  
 10 MR MACLEAN: Although his responsibilities were spread  
 11 around, something of substance was taken out of the  
 12 organisation when his role was so spread.  
 13 **A. In my view, yes. Indeed you only have to look at the**  
 14 **structural implications of it to have, you know, the**  
 15 **director of Wales, Scotland and Northern Ireland**  
 16 **reporting directly to the Director General who after all**  
 17 **sits on the Executive Board with the other directors of**  
 18 **the BBC but then is representing part of the BBC at the**  
 19 **same time so is no longer, as it were, in a primus inter**  
 20 **pares role vis-a-vis those particular responsibilities,**  
 21 **to see that it has structural implications which are not**  
 22 **necessarily beneficial.**  
 23 Q. So previously, for example, if I was the head of BBC  
 24 Scotland I would have reported -- my line manager would  
 25 have been the Mark Byford figure?  
 Page 24

<p>1 A. That's correct.</p> <p>2 Q. So the DG is then one stage removed --</p> <p>3 A. The DG literally sits above all the output divisions and</p> <p>4 if there are, for example, disagreements between them he</p> <p>5 can adjudicate. Whereas if he is the line manager of</p> <p>6 BBC North, BBC Wales, BBC Scotland, BBC Northern</p> <p>7 Ireland, he, as it were, has cards in the game when he</p> <p>8 sits on the Executive Board which I don't think as</p> <p>9 a structural issue is desirable.</p> <p>10 MR POLLARD: Can I just take you back to something you said</p> <p>11 earlier to see if I understood you properly, suggesting</p> <p>12 that if the Mark Byford role had been in place, then he,</p> <p>13 or whoever that person was, would inevitably have known</p> <p>14 about the Savile -- Newsnight Savile investigation and</p> <p>15 then you would have got involved as well, because</p> <p>16 I think we all understand that the knowledge about that</p> <p>17 investigation when it was running ended with Helen. We</p> <p>18 also know about the brief discussion that Helen had with</p> <p>19 George Entwistle at the dinner and so on. But you</p> <p>20 didn't know about it. And the debate about whether it</p> <p>21 should have gone further or shouldn't, is an ongoing</p> <p>22 one.</p> <p>23 But is your view that the absence of the Mark Byford</p> <p>24 figure, the head of journalism figure, was a -- was</p> <p>25 a negative effect in that situation?</p> <p style="text-align: center;">Page 25</p>	<p>1 could, because after all Mark Byford and the role were</p> <p>2 made redundant. So it would not have been easy for</p> <p>3 anybody to recreate it in quite that form.</p> <p>4 Q. So just encapsulate for us if you can in a couple of</p> <p>5 paragraphs the Entwistle changes?</p> <p>6 A. The Entwistle changes were designed to focus the</p> <p>7 organisation more on creative output and on editorial</p> <p>8 and therefore a lot of the people who were involved in</p> <p>9 providing what you might call the support services to</p> <p>10 the organisation no longer sat on what was called the</p> <p>11 BDG, and that when the management board was slimmed down</p> <p>12 to twelve people and you had the representatives of all</p> <p>13 the output divisions and then a more restricted</p> <p>14 representation of the support services.</p> <p>15 Q. We know for example Mr Mylrea was one of those who lost</p> <p>16 his seat at the top table?</p> <p>17 A. Yes, although he attended every meeting for a portion of</p> <p>18 it.</p> <p>19 Q. What other roles were slimmed off this organisation, or</p> <p>20 this board?</p> <p>21 A. Well, that's a sort of quiz question. The -- the boss</p> <p>22 of technology for example was taken off. A lot of</p> <p>23 people who were on the board who were also responsible</p> <p>24 to the chief operating officer, Caroline Thompson, no</p> <p>25 longer stayed on the board. So there were a number of</p> <p style="text-align: center;">Page 27</p>
<p>1 A. Yes, that is my view. Because knowing what I know about</p> <p>2 Mark and knowing what I know about the relationship</p> <p>3 between Mark and me and what we used to discuss I am</p> <p>4 absolutely certain he would have known about an</p> <p>5 investigation of this sort, this sort of sensitivity</p> <p>6 that was being undertaken by one part of News. He would</p> <p>7 have discussed it with me. We would have talked</p> <p>8 about it.</p> <p>9 Q. Then what would have happened vis-a-vis Mr Entwistle who</p> <p>10 is sitting as Director of Vision?</p> <p>11 A. Well, not necessarily anything. Not necessarily</p> <p>12 anything, but we would have monitored what was going on</p> <p>13 and made sure that if there was a need to tell Vision</p> <p>14 about it, that they were told at the appropriate moment.</p> <p>15 Q. We have heard a bit -- not a huge amount -- about the</p> <p>16 management changes that Mr Entwistle introduced or was</p> <p>17 in the process of introducing when he became DG, as</p> <p>18 slimming down one of the top boards?</p> <p>19 A. Yes.</p> <p>20 Q. So what extent did those changes address the previous</p> <p>21 removal of the Byford role? Or were they completely</p> <p>22 different?</p> <p>23 A. I don't think they could. Even if he had wanted to.</p> <p>24 I'm not sure whether he wanted to. I am sure he will</p> <p>25 explain what he wanted to do to you, but I'm not sure he</p> <p style="text-align: center;">Page 26</p>	<p>1 functions that she managed which somehow were also on</p> <p>2 the board, like policy and strategy was another one, for</p> <p>3 example, all of those support services were taken off</p> <p>4 the board and the board was then focused more on the</p> <p>5 editorial.</p> <p>6 Q. And her role also disappeared?</p> <p>7 A. Her role disappeared when she left after the DG contest,</p> <p>8 yes, and her role was subsumed within finance. So</p> <p>9 finance became a finance and business function as</p> <p>10 opposed to having a separate finance and chief operating</p> <p>11 officer function.</p> <p>12 Q. Right. Okay.</p> <p>13 Do you want to say any more about the Managed Risk</p> <p>14 Programme List --</p> <p>15 A. No, thank you.</p> <p>16 Q. -- before I leap to October?</p> <p>17 MR POLLARD: Could I just, almost as a little interlude</p> <p>18 before we get to some specifics, just ask you a question</p> <p>19 that we have asked other witnesses?</p> <p>20 You will, I suspect, have thought quite a lot about</p> <p>21 this and it's the area of, if you like, the right of the</p> <p>22 editor to edit. You will know, of course, that one of</p> <p>23 the issues that we're looking at is the issue of</p> <p>24 pressure, influence, whether pressure or influence was</p> <p>25 improper or proper. In other words, how the decision</p> <p style="text-align: center;">Page 28</p>

7 (Pages 25 to 28)

<p>1 was made.</p> <p>2 I just wondered about your view -- you spent a lot</p> <p>3 of time in the BBC at senior editorial levels -- about</p> <p>4 how you would define this right of the editor to take</p> <p>5 the final decision, bearing in mind that all editors, of</p> <p>6 course, have line managers -- and the line went from</p> <p>7 Peter Rippon to Steve Mitchell to Helen Boaden -- how do</p> <p>8 you see that issue of the right of the editor to make</p> <p>9 the final decision?</p> <p>10 A. Yes. May I first of all say that I think you have</p> <p>11 identified for me what is the absolutely core issue in</p> <p>12 your review, and indeed more importantly for the BBC,</p> <p>13 which is that to me the most significant issue is</p> <p>14 whether or not pressure was brought to bear on an editor</p> <p>15 not to run an investigation which he or she wanted to</p> <p>16 run. That is core to the reputation of the BBC; it is</p> <p>17 core to the reputation of BBC News. I haven't ever</p> <p>18 experienced a situation where that has been the case,</p> <p>19 but that is clearly for you to decide whether it was in</p> <p>20 this instance, but it is absolutely at the core of this.</p> <p>21 On the editor's right to decide, another absolutely</p> <p>22 crucial aspect is that the editor has the right to</p> <p>23 decide what he wants his stories to be about. If you</p> <p>24 read -- if you have read the press over the last six or</p> <p>25 eight weeks, which I am sure you have, you might have</p> <p style="text-align: center;">Page 29</p>	<p>1 10 O'Clock News rather -- or whatever it may be. There</p> <p>2 are expectations around that. They work within</p> <p>3 a framework. They work within a knowledge of what</p> <p>4 audience they are serving and all of those things are</p> <p>5 known not simply to the editor but also to their line</p> <p>6 managers and so on. And if you suddenly start doing as</p> <p>7 it were 5 Live material on the Today Programme or vice</p> <p>8 versa then very quickly somebody is going to say "Hold</p> <p>9 on, I'm not sure that programme is supposed to be</p> <p>10 serving that audience; it is supposed to be serving</p> <p>11 a different audience".</p> <p>12 So they are not working, as it were, completely</p> <p>13 without constraint or completely without a framework.</p> <p>14 They are working within that framework and within that</p> <p>15 framework in addition, as an editor, you would discuss</p> <p>16 on a regular basis with your line manager what had been</p> <p>17 in your programmes, what you intended to put in your</p> <p>18 programmes, and clearly those discussions wouldn't just</p> <p>19 consist of you telling them what you were going to do,</p> <p>20 but also them saying "Well, are you sure you want to do</p> <p>21 that? Is that right for the audience you are doing? Is</p> <p>22 that the right kind of story? Isn't there a better</p> <p>23 story you could be doing? Isn't this more significant?"</p> <p>24 Those sorts of conversations go on all the time.</p> <p>25 So there is no sort of veto being operated by</p> <p style="text-align: center;">Page 31</p>
<p>1 got the impression that reporters and producers decide</p> <p>2 what stories are going to be about and if they want it</p> <p>3 to be about something it is going to be about that.</p> <p>4 Clearly there are times when reporters are sent into the</p> <p>5 field and asked to describe what they see and so on and</p> <p>6 so forth where they do to a large extent determine what</p> <p>7 the story is about, but in investigations the editor</p> <p>8 decides what the investigation is going to be about, and</p> <p>9 if he wants to pursue a particular angle, if he wants it</p> <p>10 to be about this rather than about that, then he or she</p> <p>11 has the final say in that matter.</p> <p>12 If you are talking -- I think you are talking in</p> <p>13 a broader context as well, aren't you?</p> <p>14 MR POLLARD: Yes.</p> <p>15 A. About whether as it were the Newsnight editor acts as</p> <p>16 a kind of Independent Republic of Newsnight and has no</p> <p>17 need to take account of anything that is going on in the</p> <p>18 rest of the organisation in relation to what he does or</p> <p>19 she does on the programme.</p> <p>20 The answer to that is that is more -- that, I think,</p> <p>21 is more complex. It is not as simple as that. It is</p> <p>22 not as simple as saying that editor can do what the hell</p> <p>23 he or she likes. Certainly there are certain</p> <p>24 expectations of a programme, of any given programme, of</p> <p>25 Newsnight or the 9 O'Clock News or whatever -- or the</p> <p style="text-align: center;">Page 30</p>	<p>1 anybody but there are conversations around everything</p> <p>2 that you do and clearly they influence what your final</p> <p>3 decision is going to be. If somebody "I think that is a</p> <p>4 very poor story. I don't think that's the right kind of</p> <p>5 story for Newsnight at all", then you are clearly going</p> <p>6 to take that into account.</p> <p>7 When I was editing On The Record or Panorama and the</p> <p>8 other things I have edited, of course you had</p> <p>9 conversations all the time about what sort of programmes</p> <p>10 you were going to do. Those conversations went up the</p> <p>11 line management chain: sometimes they got a long way up</p> <p>12 the line management chain if they thought you were being</p> <p>13 thoroughly misguided or, on the other hand, if they</p> <p>14 thought you were being absolutely right on. And those</p> <p>15 conversations, they happen in all news organisations</p> <p>16 constantly.</p> <p>17 MR POLLARD: And all you have described there you would</p> <p>18 define as, if pressure is involved, proper pressure</p> <p>19 rather than improper pressure?</p> <p>20 A. I don't regard that as pressure. I don't regard that as</p> <p>21 pressure. That is conversations you have in a normal</p> <p>22 day to day business in any news organisation or current</p> <p>23 affairs organisation that I have worked in. It happened</p> <p>24 at London Weekend Television just as much as it happens</p> <p>25 at the BBC. Those conversations take place everywhere</p> <p style="text-align: center;">Page 32</p>



1 as I understand it from my other contacts in the  
 2 industry. I would define pressure as people actually  
 3 actively trying to stop you doing something that you  
 4 want to do.  
 5 MR MACLEAN: If I'm the editor of, say, Newsnight and I have  
 6 a story and I'm in two minds as to whether it really is  
 7 a Newsnight story, just by nature of its subject matter,  
 8 and/or I'm not entirely sure whether it's strong enough  
 9 to run, and I go to my line manager and I say "What do  
 10 you think about this?" Let's say to Steve,  
 11 hypothetically, and my line manager takes a different  
 12 view, one way or the other as to whether on balance this  
 13 story should be run, who gets the final decision?  
 14 **A. Usually the editor will get the final decision. Usually**  
 15 **the editor will get the final decision. And if the line**  
 16 **manager thinks a massive error is being made, then they**  
 17 **can escalate that decision up the line management chain.**  
 18 Q. He would go to the next person up the chain?  
 19 **A. And say "I think a huge mistake is about to be made".**  
 20 Q. And say "I think so-and-so wants to run this story.  
 21 I think it is a mistake, can you have a word with them?"  
 22 **A. Yes.**  
 23 MR POLLARD: That is quite an interesting point, isn't it?  
 24 So you are suggesting if it was a sort of 60/40 decision  
 25 and the line manager thought on balance "That's not the  
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1 way I would do it and I don't really agree with it, but  
 2 that's the editor's view", and obviously personalities  
 3 come into play here and relationships, you think that  
 4 the tradition and the culture is that the editor should  
 5 have the say unless, as you say, the line manager thinks  
 6 it is a glaring error?  
 7 **A. Yes, I do. The same applies to me. I mean I have, you**  
 8 **know, nuclear options if I want to exercise them in the**  
 9 **job that I do.**  
 10 **My job is an advisory job but I have a direct line**  
 11 **to the Director General at any given time or to any**  
 12 **senior manager in the organisation. If I think**  
 13 **something catastrophic is about to happen and I have**  
 14 **advised strongly against it and the people concerned are**  
 15 **determined to go ahead with it, then I can exercise that**  
 16 **nuclear option and go higher and get it stopped, if**  
 17 **that's what I think ought to happen. Or at least get it**  
 18 **reconsidered by the people whose, you know, reputations**  
 19 **may be on the line if it goes ahead.**  
 20 MR POLLARD: Sorry, one further thought on this. One of the  
 21 press officers at one stage -- I don't need to find  
 22 it --  
 23 MR MACLEAN: Is that where you are going?  
 24 MR POLLARD: -- gets into a bit of a tangle about  
 25 definitions. And -- exactly. Mr Maclean is reading my  
 Page 34

1 mind.  
 2 I will read it out to you, because I think in a way  
 3 it sort of encapsulates this fine distinction that  
 4 I think probably journalists understand instinctively  
 5 but some people outside would struggle. It is this, it  
 6 is Helen Deller in the News press office who was asked  
 7 by a reporter about whether the Newsnight decision was  
 8 referred upwards, and she says:  
 9 "Talked to Peter. As I said, there were discussions  
 10 as per normal in our editorial processes but it was not  
 11 referred up or sideways or wherever. Peter took the  
 12 decision as editor of the programme. As I said, there  
 13 was no internal pressure so cannot possibly be any  
 14 discussion about people involved and what they knew."  
 15 And there, in many ways, in three lines is an  
 16 encapsulation of quite a difficult issue to explain.  
 17 **A. Yes.**  
 18 MR POLLARD: But where I think there is a slight danger of  
 19 misunderstanding is the distinction between  
 20 discussion -- editorial discussion -- and referring  
 21 upwards. Can you define what you might --  
 22 **A. Yes.**  
 23 MR POLLARD: How you might look at those?  
 24 **A. Yes, I can. Because I quite often insist that someone**  
 25 **who is making a particular programme or a line manager**  
 Page 35

1 **lower down the management chain refers a decision up to**  
 2 **a senior manager. Okay?**  
 3 **I won't give -- I won't give specifics but I have**  
 4 **just done it in the case of a particular comedy on BBC3**  
 5 **where I have real worries about the nature of the comedy**  
 6 **material in one aspect and I have insisted that that**  
 7 **goes up to the Director of Vision and is personally --**  
 8 **a personal decision that they are okay with it goes to**  
 9 **the Director of Vision. That's what I mean by referral.**  
 10 **So if in -- sorry, to cut you off, I will finish and**  
 11 **then -- if in the case of Savile I had known about it**  
 12 **and say I had reservations about it, for example,**  
 13 **I would have said to the editor of Newsnight if I did**  
 14 **"Look, I want you to refer this to Steve Mitchell**  
 15 **formally, that he must be okay with this story before it**  
 16 **runs. It's not up to you any longer, it is up to**  
 17 **somebody more senior in the organisation." That's what**  
 18 **I mean by referral.**  
 19 MR MACLEAN: So the distinction then is that compared to the  
 20 example I gave you earlier where I simply had  
 21 a discussion with my line manager, but ultimately it is  
 22 up to me even if he would take a different view left to  
 23 his own devices, once it becomes a referral up then the  
 24 decision is in effect delegated, if that is the right  
 25 word, from me to the line manager and it becomes the  
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1 line manager's decision?  
 2 **A. Yes, the line manager must -- must -- okay it and say,**  
 3 **"That's all right, I'm happy that that should go ahead**  
 4 **in that form".**  
 5 **I think that is a distinction between having the**  
 6 **normal editorial discussions which you have all the time**  
 7 **that they go on throughout news and current affairs and**  
 8 **indeed many other parts of the organisation.**  
 9 Q. Nick has shown you that example of something that was  
 10 said to the press with this distinction about normal  
 11 editorial processes, referral up?  
 12 **A. Yes.**  
 13 Q. The BBC also has said in recent weeks, amongst many  
 14 other things, the following, and I will just read this  
 15 to you:  
 16 "George Entwistle has made it absolutely clear as  
 17 has the editor of Newsnight that he and every other  
 18 senior manager at the BBC had no influence whatsoever  
 19 over the decision to drop the Newsnight investigation.  
 20 The Newsnight decision was taken solely by the editor of  
 21 that programme."  
 22 Now that, may I suggest, goes slightly too far,  
 23 doesn't it? Because as part of the normal editorial  
 24 processes in the kind of example I gave you --  
 25 **A. Yes.**

1 **programme that I have ever been involved in.**  
 2 Q. One of the problems may I suggest, for the BBC in recent  
 3 weeks, is that -- probably in part, let me suggest to  
 4 you, because it was focusing on this rather toxic  
 5 allegation of improper pressure; the editor having been  
 6 leant on for nefarious reasons, that being the focus of  
 7 what was being rebutted, and perhaps these distinctions  
 8 that Nick has been discussing with you being rather  
 9 subtle -- that some of the subtleties of exactly how the  
 10 process works tend to get lost in these press  
 11 statements, don't they?  
 12 **A. Yes, I agree that that is the case and that's**  
 13 **inevitable. I mean, when I first arrived to work in**  
 14 **television, a famous old producer told me that the**  
 15 **secret of television was first simplify and then**  
 16 **exaggerate, and I think that there is some truth in**  
 17 **that. So, yes, I would agree that it does get lost.**  
 18 **I think there is another issue, however, as well as**  
 19 **that, which obtains in relation to members of the press,**  
 20 **which is that of course the operational independence of**  
 21 **editors in the BBC is completely outwith the experience**  
 22 **of members of the press, who regularly don't write**  
 23 **things or write things at the behest of their own owners**  
 24 **and the behest of their editors, whether they want to**  
 25 **write them or whether they don't want to write them.**

1 Q. -- of course the line manager may well have influence  
 2 over the decision?  
 3 **A. It depends what you mean by influence, doesn't it, in**  
 4 **that particular instance? That's the problem, it**  
 5 **depends what you mean by influence.**  
 6 **If you mean by influence "Was pressure applied? Did**  
 7 **he attempt to influence the decision in one direction or**  
 8 **another?", then in that sense he didn't have influence.**  
 9 **If you mean "Were there discussions held and might those**  
 10 **discussions have had some impact on the eventual**  
 11 **decision that was made?", influence in that sense, then**  
 12 **maybe there was influence. So it is not the best word**  
 13 **to use, is it, because it is capable of more than one**  
 14 **meaning.**  
 15 Q. If you were to take, for example, an editor of  
 16 a programme who explained that he valued the editorial  
 17 judgment of his line manager very highly, it would not  
 18 be surprising for him to have normal editorial process  
 19 discussions with him and that the view expressed by the  
 20 line manager whose opinion he valued very highly would  
 21 have some influence on the ultimate result?  
 22 **A. Yes, I would expect that to happen in the normal course**  
 23 **of events. I would expect that to happen in relation to**  
 24 **every single programme that gets produced in the BBC and**  
 25 **certainly every single news and current affairs**

1 **I think it is quite difficult for some people in the**  
 2 **press to understand that the Director General of the BBC**  
 3 **does not set the editorial line for every programme in**  
 4 **the BBC and for every news bulletin in the BBC. It is**  
 5 **quite difficult for them to understand and often quite**  
 6 **difficult for other people who have a vague acquaintance**  
 7 **with newspapers to understand.**  
 8 **So I think it is partly about the issue that you**  
 9 **raised; it is partly about the different culture that**  
 10 **exists within broadcasting and within the other parts of**  
 11 **the news media that a misunderstanding arises.**  
 12 MR POLLARD: Thank you.  
 13 MR MACLEAN: A few minutes later than advertised, can we go  
 14 to October?  
 15 **A. Yes.**  
 16 Q. What involvement did you have in the commissioning, if  
 17 I can put it like that, of a briefing note or a chain of  
 18 events from Peter Rippon, some written exposition of  
 19 what had gone on?  
 20 **A. None.**  
 21 Q. You presumably at some point became aware of the fact  
 22 that the blog -- The Editors blog -- had been posted on  
 23 2 October?  
 24 **A. Yes, I became aware of the fact that there was to be**  
 25 **a blog before there was a blog, because I had**

<p>1 a conversation with George Entwistle and Paul Mylrea on                  2 the morning of Tuesday, October 2 -- I think it was                  3 October 2 --                  4 Q. Yes.                  5 A. -- before a management board meeting in which we                  6 discussed what had happened in the press over the                  7 previous few days and the unremitting hostility of press                  8 coverage to the BBC and to the BBC's position, and the                  9 fundamental posing of two questions, really: one, the                  10 question which we have already talked about, which is                  11 the one fundamental issue in relation to all of this,                  12 namely was pressure applied to the Newsnight editor to                  13 drop an investigation on the basis of corporate                  14 interest; and the second issue was, as it were, what did                  15 people at the BBC know about Jimmy Savile's activities                  16 and when did they know them, to encapsulate it.                  17 Q. Yes.                  18 A. Those two issues were running very hot in the press and                  19 we had a discussion about it. And in the course of the                  20 discussion I suggested -- it was agreed that we would                  21 need to do some media interviews about all of this at                  22 some stage and we had -- in the course of further                  23 discussions I suggested that as The Media Show had bid                  24 for an interview that that would be an appropriate                  25 interview for Peter Rippon to do as the editor of                  Page 41</p>	<p>1 A. I don't recall that one in my bundle, but that's not --                  2 I have read a lot in the last two days. That may not                  3 be --                  4 Q. Let me just show you. It is bundle 7 at 178.                  5 A. Yes.                  6 Q. Unless the management board sits rather early, this must                  7 have been before that meeting took place?                  8 A. Yes.                  9 Q. At 8.43. You see:                  10 "Given the press this morning this isn't yet going                  11 away so it might be a good idea for you to draft                  12 a briefing note for our use on the decision-making                  13 process from commission to decision not to proceed as                  14 best you can recall."                  15 And he did.                  16 A. Yes.                  17 Q. And that becomes known as the chain of events. And                  18 that's at 191. That is slightly longer --                  19 A. I have seen that one in my bundle.                  20 Q. You have only seen it recently?                  21 A. I had never seen it before I saw it in the bundle.                  22 Q. You can see, from 191, Peter Rippon is essentially                  23 saying "This is a chain of events. I will now work on                  24 a blog".                  25 A. That is at 12.25. So by that time he would have known                  Page 43</p>
<p>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?                  Page 42</p>	<p>1 that he had been asked to do a Media Show interview and                  2 that he was going to do the blog instead, yes.                  3 Q. In fact, if you go back to 179 --                  4 A. Yes.                  5 Q. -- in his response to Mitchell, at 11 minutes past 9, he                  6 says:                  7 "Will do by lunch time."                  8 We have just seen he does by 12.15:                  9 "I agree it may be a good idea to get my side out                  10 there [ie to the public] as it seems to be my reputation                  11 in the firing line, although it is tricky as I cannot                  12 point to many of the weaknesses in the story that meant                  13 I judged on balance not to run it."                  14 In other words, the public exposition of the                  15 position was going to be not the whole truth, if I can                  16 put it like that, because he was going to keep things                  17 back because he was wary of being seen to be critical of                  18 some of the people from whom they had gathered evidence?                  19 A. Yes. I didn't know that at the time but I knew that                  20 quite soon afterwards.                  21 Q. From Peter Rippon's point of view, one might think that,                  22 given the invitations or instructions he was given that                  23 morning, that he wasn't being asked to produce something                  24 which was going to be leant on by the BBC like a crutch                  25 for several weeks as the font of all wisdom as to what                  Page 44</p>

11 (Pages 41 to 44)

1 had gone on with Newsnight. All he had been asked to do  
 2 was to produce a briefing note to the best of his  
 3 recollection, which he does. The recollection might not  
 4 be perfect, but that's the best of his recollection?  
 5 **A. Well, you could look at it like that. On the other**  
 6 **hand, this particular briefing note, as far as I'm**  
 7 **aware, wasn't about to be published and I don't know**  
 8 **what the changes were, the differences were, between the**  
 9 **briefing note and the blog that eventually appeared.**  
 10 **But once it was clear that you are going to produce**  
 11 **a piece of material for publication then the nature of**  
 12 **it does change from that which you might produce for**  
 13 **internal consumption.**  
 14 Q. Now unless you want to, I wasn't proposing to get into  
 15 the minutiae of what was in the blog and what wasn't in  
 16 the blog.  
 17 **A. Sure.**  
 18 Q. That doesn't seem like a useful way of spending our  
 19 time.  
 20 **A. I'm perfectly happy not to do so.**  
 21 Q. What I want to ask you about is how it came about that  
 22 by 4 October, a couple of days later, you come to be in  
 23 email contact with Mr Jones and how that relates to the  
 24 interview that was given, I think on the 3rd?  
 25 **A. Yes, I'm not sure whether it relates specifically to the**  
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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."  
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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 misconception 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**  
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1 the questions might be and so on and so forth.  
 2 MR MACLEAN: But you don't remember seeing the briefing note  
 3 which I think was sent --  
 4 **A. I certainly did not see the briefing note, no.**  
 5 Q. It was sent to Mylrea?  
 6 **A. It may have been, but I didn't see it. I saw the --**  
 7 **I saw the blog which was the published manifestation, if**  
 8 **you like, of the briefing note and what we were prepared**  
 9 **to stand by in public.**  
 10 Q. Right, okay. On the morning of the 4th, were you  
 11 present at a meeting which involved Mr Entwistle and  
 12 Mr Mylrea and Helen Boaden and perhaps others at which  
 13 the making of the -- the Director General making  
 14 a statement was considered? This was the morning after  
 15 the ITV programme?  
 16 **A. Um --**  
 17 Q. And specifically -- specifically a statement the effect  
 18 of which would be to force Peter Rippon to resign?  
 19 **A. Um, no, I wasn't at that. Not to my recollection, no,**  
 20 **I wasn't. I heard that that suggestion had been made**  
 21 **but I wasn't at the meeting at which it was made.**  
 22 Q. What's your understanding of the genesis of that  
 23 suggestion?  
 24 **A. I don't know the genesis of it, I'm sorry.**  
 25 Q. Do you have an understanding of why the statement was  
 Page 48

<p>1 not in the end made?</p> <p>2 A. Well, there were a lot of discussions, you know, about</p> <p>3 how best to approach the situation that we found</p> <p>4 ourselves in: whether it was best to be doing</p> <p>5 interviews; whether it was best to be doing statements;</p> <p>6 whether we should be doing press conferences. You know,</p> <p>7 these are the kinds of discussions that take place all</p> <p>8 the time in those situations.</p> <p>9 Q. But specifically, what about pushing an editor of</p> <p>10 Newsnight out the door?</p> <p>11 A. Well, I wasn't --</p> <p>12 Q. That's rather different.</p> <p>13 A. I agree that is different. That's of a different order.</p> <p>14 I hadn't -- I wasn't involved in discussions to do that</p> <p>15 at that time. And I did hear that the suggestion had</p> <p>16 been made at a later time but I wasn't involved in the</p> <p>17 discussion about whether that should happen. Not to my</p> <p>18 recollection, anyway.</p> <p>19 Q. So you really can't help us with any understanding of</p> <p>20 where that suggestion came from?</p> <p>21 A. I'm sorry to say that I can't. I wish I could, but</p> <p>22 I can't.</p> <p>23 Q. So if you take bundle 8, Mr Jordan, at page 420, this is</p> <p>24 the 4th October and there's an exchange --</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 49</p>	<p>1 meeting to be? Is this a confidential meeting?" to</p> <p>2 which he said, "Yes".</p> <p>3 "And is this going to be, as it were, within these</p> <p>4 four walls only?", "Yes", he said. So we had that</p> <p>5 conversation, so what I'm about to tell you now is what</p> <p>6 was the contents of a confidential meeting.</p> <p>7 Q. The confidence in this was subsequently blown, for this</p> <p>8 meeting?</p> <p>9 A. Well, I think it has been blown, yes. Yes. I mean</p> <p>10 I think -- I think the problem is that if you have</p> <p>11 a meeting of that sort the mere fact that you make</p> <p>12 available the knowledge that there was a confidential</p> <p>13 meeting essentially blows the confidentiality, I am</p> <p>14 afraid. Just as if you tell Private Eye that you sent</p> <p>15 a confidential email with a script attached --</p> <p>16 Q. I'm coming to Private Eye.</p> <p>17 A. Okay. Then that rather blows that too, in my view.</p> <p>18 Anyway, what happened was that he started off</p> <p>19 talking about whistle blowing. He started off</p> <p>20 suggesting that he had called Editorial Policy at some</p> <p>21 stage, he wasn't clear about when, in the period since</p> <p>22 the story was stood down by Peter Rippon on Newsnight,</p> <p>23 to enquire about whistling-blowing about the decision,</p> <p>24 about which he was clearly unhappy. And that he had</p> <p>25 called Editorial Policy and been told that there was no</p> <p style="text-align: center;">Page 51</p>
<p>1 Q. -- Meirion Jones sends you an email in the middle of the</p> <p>2 afternoon:</p> <p>3 "David, this is the original script from</p> <p>4 29 November."</p> <p>5 You reply saying:</p> <p>6 "Thank you, and thank you for calling by earlier.</p> <p>7 I had a hectic round of interviews today so I will now</p> <p>8 reflect on what you have told me."</p> <p>9 A. Yes.</p> <p>10 Q. Can you flesh out for us the conversation that is</p> <p>11 referred to there?</p> <p>12 A. Yes, yes. On the -- on the morning of the 4th, after</p> <p>13 I had done The Today Programme interview, I had a call</p> <p>14 from Meirion Jones asking if he could come and see me</p> <p>15 and I said, "Of course you could come and see me". I'm</p> <p>16 not sure I would have said that now but I said of course</p> <p>17 you can come and see me, and I, er -- I arranged to meet</p> <p>18 him.</p> <p>19 He said he could come in some time around 11 or so</p> <p>20 and I had a gap in my diary and I said we could do that.</p> <p>21 Then I got a text from him saying he couldn't make it</p> <p>22 until 12, and I had a meeting at 12.30 but I could see</p> <p>23 him at 12 so he arrived around about 12 o'clock. We</p> <p>24 went into a private room and I said to him at the</p> <p>25 outset, "How do you want this? What do you want this</p> <p style="text-align: center;">Page 50</p>	<p>1 way of whistle-blowing on a decision of that sort.</p> <p>2 I expressed extreme surprise at that -- because</p> <p>3 I had been whistle-blown to personally on a number of</p> <p>4 occasions about editorial matters -- because there was</p> <p>5 no record in our duty log of Meirion having called</p> <p>6 anybody. He couldn't recall the name of the duty person</p> <p>7 he had spoken to and he had a very good relationship</p> <p>8 with Roger Mahony who he spoke to about lots of other</p> <p>9 things --</p> <p>10 Q. And he hadn't put it in writing?</p> <p>11 A. He hadn't put it in writing. He didn't need to put it</p> <p>12 in writing, to be fair, but he had no specifics. And</p> <p>13 he, um -- and I would have expected any of my advisers,</p> <p>14 faced with somebody coming to them with a suggestion as</p> <p>15 important as that, to have spoken to me about it. And</p> <p>16 I -- you know, they speak to me about a huge number of</p> <p>17 things every day. I'm very accessible. I sit in an</p> <p>18 open plan office in amongst the 14 advisers I have</p> <p>19 working for me and they talk to me about all manner of</p> <p>20 things all the time.</p> <p>21 So I expressed surprise. I also said that if that</p> <p>22 had happened as he said I deeply regretted and was sorry</p> <p>23 that he hadn't been routed to me or referred to the</p> <p>24 whistling-blowing line.</p> <p>25 Now the whistle-blowing line exists on -- you know,</p> <p style="text-align: center;">Page 52</p>

13 (Pages 49 to 52)

1 there is a clear whistle-blowing policy and to be honest  
 2 you might expect an investigative reporter to have been  
 3 able to find it --  
 4 MR POLLARD: And it existed then?  
 5 A. Oh, yes, sitting on the Gateway site. So you would only  
 6 have had to put "whistling-blowing" into our internal  
 7 search engine and up it would have come.  
 8 MR MACLEAN: So I could find this --  
 9 A. Very simply.  
 10 Q. -- if I worked at the BBC in less than a second?  
 11 A. Very simply. I mean, I can come back to it. I think  
 12 there is an issue with it which we're now looking at,  
 13 which is something I was thinking about in relation to  
 14 what he said to me, about editorial whistle-blowing as  
 15 opposed to whistle-blowing about other sorts of things,  
 16 but I can come back to that if you wish me to.  
 17 So we started with that discussion and he then very  
 18 quickly talked me through the genesis of the story on  
 19 Savile: the fact that his aunt had worked at the  
 20 approved school for girls; that he had visited there  
 21 with his parents; that his father had allegedly  
 22 protested to his aunt at -- at various times about  
 23 seeing girls go off in Jimmy Savile's car, et cetera,  
 24 et cetera. He told me about the genesis of the story.  
 25 He then essentially expressed his unhappiness that

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1 himself. No, this was the one he had sent to  
 2 Peter Rippon which raised the prospect of reputational  
 3 consequences if this story didn't run.  
 4 Q. Yes.  
 5 A. So essentially he -- he was -- he was very unhappy about  
 6 the decision that had been taken not to run the story.  
 7 He thought the story it stood up on its own and it  
 8 should have been run and he thought -- convinced  
 9 himself -- that pressure had been applied to  
 10 Peter Rippon not to run the story.  
 11 Q. And you referred to that as a self-fulfilling prophecy  
 12 because?  
 13 A. [REDACTED]  
 14 [REDACTED]  
 15 [REDACTED]  
 16 [REDACTED]  
 17 [REDACTED]  
 18 [REDACTED]  
 19 [REDACTED]  
 20 [REDACTED]  
 21 [REDACTED]  
 22 [REDACTED]  
 23 MR MACLEAN: I think that is probably a convenient moment  
 24 for a short break for five/ten minutes.  
 25 (3.32 pm)

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1 the story of Jimmy Savile's sexual abuse had not run as  
 2 a story which he thought it should have, and he made it  
 3 clear to me that that was the starting point for the  
 4 investigation taking place. He made that absolutely  
 5 clear to me.  
 6 He then ran through the three emails which you later  
 7 saw on Panorama on his iPhone. He had them on an iPhone  
 8 or a smart phone, not on a laptop or anything. He  
 9 showed me the two mails that he thought proved  
 10 conclusively that Peter Rippon had pressure put on him,  
 11 ie the emails which said on the one hand, "Excellent, we  
 12 can make plans", the one going cold on the story roughly  
 13 five days or a week later --  
 14 Q. Yes.  
 15 A. -- and he showed me another one, the email which I call  
 16 the self-fulfilling prophecy email, which says there  
 17 will be reputational consequences if the story doesn't  
 18 run.  
 19 Q. Is that the short one to Peter Rippon or the longer one  
 20 which he calls his red flag email?  
 21 A. No, it was not the red flag email, no, it was the  
 22 shorter one to Peter Rippon. The red flag email, as  
 23 I understand it, was never sent.  
 24 Q. Only to himself.  
 25 A. Yes. No, he didn't show me an email he sent only to

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1 (A short break)  
 2 (3.41 pm)  
 3 MR MACLEAN: I was just asking you about the self-fulfilling  
 4 prophecy.  
 5 A. Yes.  
 6 Q. I don't know whether you have seen emails which --  
 7 I will show you one if I can get to my note from  
 8 February 2012, where the press office had formed  
 9 a pretty clear view it would seem about the source of  
 10 some of the information that was appearing in the press?  
 11 A. Yes.  
 12 Q. And in particular that there is one reference from  
 13 Mr Hardy to pouring poison, if you have seen --  
 14 A. I don't recall that, but I know that there were a large  
 15 inform number of emails of that ilk.  
 16 Q. [REDACTED]  
 17 [REDACTED]  
 18 A. [REDACTED]  
 19 Q. [REDACTED]  
 20 A. [REDACTED]  
 21 [REDACTED]  
 22 [REDACTED]  
 23 [REDACTED]  
 24 Q. Is this in the context of Private Eye?  
 25 A. This is in the context of Private Eye. I think it was

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1 the Private Eye piece that convinced me, if you have  
 2 read the Private Eye piece, I don't know if you have.  
 3 Q. I don't think we have been to these documents for  
 4 a while. In bundle 14 we have an exchange about  
 5 Private Eye. This is in October 2012.  
 6 A. Yes. This is in relation to the appearance in  
 7 Private Eye of an article which refers specifically to  
 8 an email sent from Meirion to myself which fairly  
 9 obviously only two people could have known about, and it  
 10 was marked "confidential".  
 11 Q. Yes, in fact the email which starts all of this is the  
 12 one I showed you a minute ago in a different part of the  
 13 bundle, page 134?  
 14 A. Yes, that is correct.  
 15 Q. You will see the same email here again at the bottom of  
 16 the chain?  
 17 A. Which then led to an exchange between Meirion and  
 18 myself.  
 19 Q. Let's just look at that. On 4 October, which is the one  
 20 I showed you earlier, in an email marked "confidential",  
 21 Meirion Jones sent you the script?  
 22 A. Yes.  
 23 Q. And then you reply --  
 24 A. Presumably it was marked "confidential", incidentally,  
 25 because I don't thin -- I think he was being quite  
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1 liberal with his distribution at the time, but I assume  
 2 it was marked confidential because of the nature of our  
 3 confidential discussions which had preceded it, so it  
 4 was, as it were, respecting the confidentiality of what  
 5 had gone before by calling it confidential. I presume  
 6 that was the idea, I don't know.  
 7 Q. What you took from that was that he was impressing upon  
 8 you an obligation of confidence in the document he was  
 9 sending you?  
 10 A. Yes. That's what I understand by the meaning of the  
 11 word "confidential" used on a document.  
 12 Q. Then as you say on your email of the 17th:  
 13 "As you will see, this email is marked confidential  
 14 by you [ie Jones] nonetheless I read that you sent the  
 15 script to me in the latest Private Eye. As only you and  
 16 I know it was sent to me and I have told no one because  
 17 that is my understanding of the word confidential,  
 18 perhaps you can explain to me how an account of your  
 19 sending it to me arrived in Private Eye."  
 20 A. Yes. I thought that was quite restrained.  
 21 Q. And his reply, which we can see at the bottom of the  
 22 next page and the top of the page we have just been  
 23 looking at, he says he can't give an account. He can't  
 24 explain how this happened, but he says:  
 25 "It reads as if it has come from someone I have  
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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 recall exactly what it was about.  
 2 Q. It's the one in bundle 4, at page 44?  
 3 A. It's okay, I don't need to see that.  
 4 Q. Which says:  
 5 "I'm dealing with a BBC which doesn't want to put  
 6 out a piece about Jimmy Savile being investigated by  
 7 police about sexual offences against 13, 14 and 15  
 8 year-olds, including interviews with victims, because it  
 9 might damage the audience for the Jim'll Fix It  
 10 Christmas Special."  
 11 A. I did see that one, yes.  
 12 Q. And one to Mr Lomax?  
 13 A. Yes, I saw that one too. I think that is all general  
 14 background. Evidently those people, those individuals,  
 15 could have told people about that. But in the  
 16 Private Eye article it is very, very specific. Very,  
 17 very specific, and an email was sent by him to me.  
 18 Obviously two of us knew that, and then a quotation with  
 19 the word -- beginning with the word "I", talking about  
 20 reputational damage which absolutely mimics what he said  
 21 in his email and what he said to me. It is very  
 22 difficult to prove these things as you well know --  
 23 Q. Of course.  
 24 A. -- as you well know. And very difficult verging on  
 25 impossible, but I came to the conclusion at that point  
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1 that, at the very least, it seemed to me there was very  
 2 considerable evidence based on the Private Eye that he  
 3 was -- he had been speaking to Private Eye.  
 4 Q. [REDACTED]  
 5 [REDACTED]  
 6 [REDACTED]  
 7 [REDACTED]  
 8 [REDACTED]  
 9 [REDACTED]  
 10 [REDACTED]  
 11 [REDACTED]  
 12 [REDACTED]  
 13 [REDACTED]  
 14 [REDACTED]  
 15 [REDACTED]  
 16 [REDACTED]  
 17 [REDACTED]  
 18 Q. Well you could name them if you chose to, couldn't you?  
 19 A. Yes, but I'm not going to.  
 20 MR POLLARD: Could I just ask -- and this may be beyond,  
 21 I think, anything that you know about -- Meirion Jones  
 22 does mention in one of his emails there in that exchange  
 23 with you --  
 24 A. Yes.  
 25 MR POLLARD: -- his view that there was briefing going on by  
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1 the BBC management or by parts of the BBC management or  
 2 perhaps the press office against him. We did see that  
 3 note earlier on in the year by James Hardy saying "I'm  
 4 going to drip poison about Meirion's role in that".  
 5 Do you think there was any briefing or planting of  
 6 stories in the press, like counter briefing by the BBC?  
 7 A. I'm not aware of any planting stories in the press of  
 8 that sort. I am sure there was counter briefing in the  
 9 sense of trying to counter the tonnes of bile that was  
 10 coming in our direction which clearly was briefed on  
 11 a very intricate and detailed level. I mean, when, for  
 12 example, the fact that Meirion Jones and Liz MacKean are  
 13 going to meet Ken MacQuarrie or have met Ken MacQuarrie  
 14 seems to be reported within hours of it happening,  
 15 things like --  
 16 MR MACLEAN: That was a Guardian is piece, two sources.  
 17 A. Like that, it just -- it does begin to get a bit  
 18 worrying and there are many -- lots and lots of very  
 19 detailed allegations appearing particularly in The Times  
 20 newspaper which very, very few people would have known  
 21 about. That's all I can say. You can never be  
 22 absolutely sure with these things and certainly you can  
 23 never be sure that the person -- the part of it is doing  
 24 it himself, licensing others to do it on his behalf, you  
 25 know -- or they could just be very, very gossipy  
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1 friends. You can never be absolutely sure about these  
 2 things so I can't sit here -- I haven't investigated --  
 3 a lot of my friends in Fleet Street seem to think that  
 4 they are on sort of speed dial, but again, that's not  
 5 proof.  
 6 MR POLLARD: But there were a couple of stories specifically  
 7 about Meirion's -- about his aunt and about the slightly  
 8 mysterious second interview which clearly did appear in  
 9 some of the papers to his detriment. And logically,  
 10 I imagine, would have to have originated from within the  
 11 BBC?  
 12 A. I remember those. Clearly somebody got fed up and --  
 13 yes. I do remember those stories and you are right,  
 14 those couldn't really have come from anywhere other than  
 15 somewhere else within the organisation. Quite who knew  
 16 about that, I don't know. Quite a lot of people on  
 17 Newsnight knew about it. I think I saw an email from  
 18 Peter Rippon suggesting some considerable surprise that  
 19 there was a second interview, at some point, which was  
 20 circulated quite widely.  
 21 MR MACLEAN: Can I just ask about the BBC's IT system. Is  
 22 there any need --  
 23 A. You can, yes.  
 24 Q. -- for a BBC employee to, in order to do his or her job,  
 25 to email documents to a non-BBC email address? In other  
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1 words I'm working at home, can I log in?  
 2 A. I will not say that that is inconceivable, but it seems  
 3 unlikely because most of us are able to log in very  
 4 straightforwardly to our own BBC email accounts. For  
 5 example I don't have a private email address at all, so  
 6 all of my work is done through a BBC account and I can  
 7 log in from home to my BBC account. So there is no  
 8 reason why if you are working for the BBC you can't  
 9 always be working within a BBC environment.  
 10 Q. You can send Word documents?  
 11 A. You can access all your Word documents and if you want  
 12 to you can send them by email to yourself on your BBC  
 13 account, which is what occasionally I do, and then I can  
 14 look at them very easily at home without even having to  
 15 go into Microsoft Word.  
 16 Q. Or you can store them on the BBC server and access them  
 17 remotely?  
 18 A. They are all stored on the BBC server and accessed  
 19 remotely. You don't need to be working on them in your  
 20 own account at any time.  
 21 Q. If it were to be suggested to us that it was necessary  
 22 to email documents to a private email address because  
 23 accessing remotely the BBC's server was difficult in  
 24 some way or other, you wouldn't recognise that?  
 25 A. No, it's very, very easy. It used to be quite  
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1 difficult. But it is very easy. It is one of the  
 2 easier aspects of our IT set-up which managed to lose my  
 3 entire cache of emails from October 31 of last year to  
 4 November -- beginning of November this year at the very  
 5 moment when you were seeking to have access to them.  
 6 MR POLLARD: But found them again?  
 7 A. Well, only just, yes. Fortunately I had already printed  
 8 them out before they lost them.  
 9 MR MACLEAN: Now, I have asked you --  
 10 A. But incidentally that may mean that there may be odd  
 11 emails I have not been able to find simply because of  
 12 that. But I think I have the vast bulk of them.  
 13 Q. We've got a back-up system for checking these.  
 14 A. That might have been the problem, actually.  
 15 Q. Now you went to the committee with Mr Entwistle on  
 16 the 23rd?  
 17 A. Yes.  
 18 Q. Can I just show you a little about of that? It is in  
 19 bundle 17. The start of it, I think, is at page 55.  
 20 Before we go into two or three details, extracts here --  
 21 A. Yes.  
 22 Q. -- do you now know about the arrangements that were made  
 23 for Mr Jones to be on the Panorama team for the Panorama  
 24 that was broadcast the night before this committee took  
 25 place?

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1 A. When you say "arrangements", I was aware that he was, as  
 2 it were, seconded from the Newsnight team into Panorama  
 3 to help make a programme which I think the editor  
 4 thought was about the Savile issues in general.  
 5 Q. The editor of Panorama, Mr Giles?  
 6 A. No, the editor of Newsnight. I don't know what the  
 7 editor of Panorama thought. And that -- it then became  
 8 clear that Panorama was not simply about Jimmy Savile's  
 9 activities but was also about, um, the BBC in relation  
 10 to Jimmy Savile, the BBC management's activities. And,  
 11 um, I think at that point it was -- there was some  
 12 conversation given to whether it was appropriate that  
 13 Meirion Jones served both as a maker of the programme  
 14 and, as it were, a witness for the programme. And some  
 15 attempt was then made to, I think, to row back on  
 16 a position, but frankly far too late for it to have made  
 17 any difference.  
 18 Q. So the consideration to which you have just referred in  
 19 that answer about whether it was appropriate, who gave  
 20 that consideration? Is that an EdPol thing or --  
 21 A. No, it wasn't an EdPol thing, although Ceri Thomas did,  
 22 on behalf of Peter Rippon, write an email to a number of  
 23 people about that issue and I was included in it.  
 24 Q. What was your understanding of who the person who had  
 25 effected the secondment of Jones from Newsnight to

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1 Panorama?  
 2 A. My understanding was that Peter Rippon agreed it and  
 3 that Steve Mitchell agreed it on behalf of Newsnight.  
 4 And Steve Mitchell of course is in overall charge of  
 5 Panorama, so he would have -- and of Newsnight, so he  
 6 would have been able to effect the transfer.  
 7 Q. If you had been in Steve Mitchell's position, would you  
 8 have effected that secondment?  
 9 A. No.  
 10 Q. Why not?  
 11 A. Because I would have thought it was inappropriate for  
 12 Meirion Jones to be working on a programme in which he  
 13 was a key -- in effect a key witness.  
 14 Q. It would have been appropriate for him to be interviewed  
 15 in the way that Liz MacKean was?  
 16 A. Absolutely. Well, provided the BBC was prepared to  
 17 allow that, which they were, yes. Yes. But not --  
 18 I thought it was inappropriate for him to be both  
 19 working on the programme as a member of the programme  
 20 team and also to be a witness on the programme.  
 21 Q. So if you look in page 55 --  
 22 A. Yes.  
 23 Q. -- to Mr Entwistle's answers to Mr Whittingdale's  
 24 questions, do you see just above the word "Philip  
 25 Davies"?

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1 A. Yes.  
 2 Q. "The Director General said 'I regard last night's  
 3 Panorama as a symptom of the fundamental health of BBC's  
 4 journalism.'"  
 5 A. Yes.  
 6 Q. It follows from what we have just been discussing that  
 7 you would not in all respects agree with that?  
 8 A. There are some respects in which I would have answered  
 9 the question -- some of the questions that George was  
 10 asked on that subject slightly differently.  
 11 I do believe that it is a fundamental health of BBC  
 12 that it can report on itself objectively and  
 13 impartially, in a way that other news organisations  
 14 sometimes find difficult, and I'm not referring here  
 15 to -- you know, to ITV and I'm not referring here to Sky  
 16 News, actually, but I can show you a clip on Fox News,  
 17 for example, where the same is not true. I can show you  
 18 a clip of a presenter on Fox News interviewing  
 19 Rupert Murdoch and trying to ask him about events in  
 20 England only to be told that he didn't want to talk  
 21 about that, to get the answer, "Okay, Mr Chairman,  
 22 that's fine". So there are different traditions in  
 23 different parts of the news media on these things and  
 24 I'm not suggesting that would happen on Sky which has  
 25 a very different tradition from Fox and in my view is

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<p>1 a fine organisation.</p> <p>2 But you know, I regard it as a part of the health of</p> <p>3 the BBC that whether it was in relation to</p> <p>4 Hutton/Gilligan or in relation to this issue, in</p> <p>5 relation to a whole number of issues that the BBC is</p> <p>6 prepared, as it were, to be tough with itself and</p> <p>7 applies the same standards to interviews with its</p> <p>8 corporate bosses as it would to interviews with other</p> <p>9 corporate bosses, and I think that is a jolly good</p> <p>10 thing. Do I entirely agree that everything about that</p> <p>11 Panorama was good? No, I don't. For example I was</p> <p>12 offered as an interviewee to that Panorama at around</p> <p>13 about 10.30 on Monday morning, which ought to be time</p> <p>14 enough in these days of digital linear editing to get</p> <p>15 their contribution in, and that -- that offer was turned</p> <p>16 down by Panorama. They didn't take an interview from</p> <p>17 the management. They then empty chaired us in the</p> <p>18 programme which I thought was kind of curious given that</p> <p>19 I had offered to do an interview with them. So there</p> <p>20 are aspects of that -- and I tended to agree with</p> <p>21 Paul Farrelly actually that the contribution of</p> <p>22 Meirion Jones to the programme was perhaps not</p> <p>23 scrutinised as much as it might have been.</p> <p>24 But in the overall context -- that is in the overall</p> <p>25 context of thinking that it is a good thing that the BBC</p> <p style="text-align: center;">Page 69</p>	<p>1 A. Yes.</p> <p>2 Q. "Have we exhausted all chances of getting the letter".</p> <p>3 Mr Entwistle was asked about this by the committee,</p> <p>4 by Theresa Coffey in particular, it is at page 58, if</p> <p>5 you cast your eye on that?</p> <p>6 A. Yes, I remember it well.</p> <p>7 Q. Mr Entwistle says "that phrase is indefensible", but the</p> <p>8 culture has changed since the 1970s and so on. Then the</p> <p>9 MP asked him another question and Mr Entwistle says:</p> <p>10 "I understand why you think the phrase is disturbing</p> <p>11 but I hope we don't feel that way."</p> <p>12 You were there. What did you understand</p> <p>13 Mr Entwistle to know, if you can help us with this,</p> <p>14 about the context in which that email had been sent,</p> <p>15 which led him to give that answer?</p> <p>16 A. I -- I didn't know anything about the context in which</p> <p>17 the email was sent and I didn't know what he knew about</p> <p>18 the context in which the email had been sent.</p> <p>19 Q. What preparation and training sessions had there been</p> <p>20 before this committee and who had conducted them, for</p> <p>21 you or Mr Entwistle?</p> <p>22 A. Er --</p> <p>23 Q. Was that a legally led thing or a comms led thing or</p> <p>24 what?</p> <p>25 A. The weekend of the, um, 19/20/21 through to</p> <p style="text-align: center;">Page 71</p>
<p>1 can examine itself robustly on occasion.</p> <p>2 Q. In summary the big picture point that it is good that</p> <p>3 the BBC can investigate itself was a sign of the health</p> <p>4 of BBC's journalism, but there are some rather important</p> <p>5 flaws in this particular process?</p> <p>6 A. I'm not saying there were big flaws, but there were</p> <p>7 small flaws, yes.</p> <p>8 Q. Mr Entwistle was asked by Theresa Coffey about</p> <p>9 particular words having been used by Mr Rippon in one of</p> <p>10 his emails, you may remember? If you can't remember</p> <p>11 I will show you.</p> <p>12 A. Yes "it was only about the girls", or something like</p> <p>13 that, "it was just the girls" or something like that.</p> <p>14 Q. It is what we call the "pondering overnight" email of</p> <p>15 30 November where he says he pondered overnight:</p> <p>16 "I think the key is whether we can establish the CPS</p> <p>17 did drop the case for the reason the women say."</p> <p>18 That is obviously very important to one aspect of</p> <p>19 the investigation?</p> <p>20 A. Yes.</p> <p>21 Q. But the next sentence says:</p> <p>22 "That makes it a much better story" which you might</p> <p>23 think it would. Then this sentence:</p> <p>24 "Our sources so far are just the women and the</p> <p>25 secondhand briefing".</p> <p style="text-align: center;">Page 70</p>	<p>1 22nd October, was an extraordinary weekend. A number of</p> <p>2 sessions where we were going to prepare for the Select</p> <p>3 Committee had been arranged, and those sessions would</p> <p>4 have been place under the auspices of Andrew Scadding,</p> <p>5 who is the head of public affairs, and with other people</p> <p>6 involved including myself. As it transpired very little</p> <p>7 of that preparation actually took place and most of</p> <p>8 George Entwistle's preparation for the Select Committee</p> <p>9 took place in the company of some lawyers, although</p> <p>10 a lot of it was -- a lot of the time was taken up in</p> <p>11 dealing with issues around the blog and changes to the</p> <p>12 blog. So sessions that were arranged, for example, for</p> <p>13 the afternoon of Sunday 21st didn't happen, because --</p> <p>14 because he was closeted with lawyers, talking, I think,</p> <p>15 about changes to the blog.</p> <p>16 So very little -- very little preparation of the</p> <p>17 normal sort took place before the Select Committee</p> <p>18 meeting on the Tuesday. And certainly George did not go</p> <p>19 through the kind of pummelling which I would normally</p> <p>20 expect to go through if I went to a Select Committee and</p> <p>21 which is normally laid on by our communications team by</p> <p>22 the -- by the public affairs team who are exceptionally</p> <p>23 good at preparing for Select Committee and have always</p> <p>24 prepared me for the Select Committee appearances which</p> <p>25 I was going to make. I did -- I did more preparation</p> <p style="text-align: center;">Page 72</p>

1 probably than George did, in the end. For my very  
 2 limited role.  
 3 Q. Mr Bradshaw asked Mr Entwistle whether he, Entwistle,  
 4 accepted in light of the Panorama the decision to drop  
 5 Newsnight was a mistake, and Mr Entwistle replied:  
 6 "I came away from Panorama thinking that Newsnight  
 7 should have been allowed to continue".  
 8 A. Yes.  
 9 Q. What would your answer to that question be?  
 10 A. I think there are two questions about Newsnight, two  
 11 important questions. One is would -- should the story  
 12 have been run as it was? Okay? And I don't think the  
 13 answer to that is necessarily yes. Particularly if you  
 14 know anything about, shall we say, the credibility of  
 15 the witnesses that Newsnight had got.  
 16 The second question is should the investigation have  
 17 continued. And I think what George was getting at there  
 18 was that he thought the investigation should have  
 19 continued into the straightforward allegations against  
 20 Jimmy Savile, nothing to do with the police or the CPS  
 21 or any of that, but there was a case for continuing the  
 22 investigation and turning up what the ITV Exposure  
 23 programme eventually turned up, which incidentally did  
 24 not involve many of the people that Newsnight had  
 25 originally spoken to.

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1 MR POLLARD: I appreciate you were not involved or didn't  
 2 even know that that investigation had been commissioned  
 3 and then come to a halt.  
 4 A. Yes.  
 5 MR POLLARD: But from your knowledge of the personalities  
 6 involved, why do you think it wasn't continued? Because  
 7 there is obviously editorial process by which evidence  
 8 can be examined, found not to be, by the editor -- the  
 9 editor's view, up to broadcasting. "Let's go and get  
 10 some more evidence, let's do some more work on it". Why  
 11 do you think that didn't happen?  
 12 A. I really don't know. Ultimately, clearly, I'm sure this  
 13 Peter Rippon would have been conscious of the length of  
 14 time the investigation had taken place, the resources  
 15 that had been involved in it, and he may -- and I don't  
 16 know this to be the case -- he may have been, um, less  
 17 than happy about what had happened over Christmas  
 18 with -- leading to the Sunday Mirror story as well. For  
 19 all I know, that -- certainly that would be a natural  
 20 reaction. I think it is unfortunate that was the case  
 21 because clearly there was a case for continuing if we  
 22 possibly could have.  
 23 But you know, investigative reporting costs a lot of  
 24 money. I can't tell you how many times I was asked in  
 25 the course of making the programme on Robert Maxwell,

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1 for Panorama 1991, by my editor who was Mark Thompson,  
 2 I was the deputy editor, whether we were ever going to  
 3 get a programme out of this, and whether it was going  
 4 to, you know, see the light of day. And that  
 5 investigation took six months and cost a lot of money.  
 6 It was worth every penny but, you know, editors are  
 7 entitled to ask, "Are we going to get something that is  
 8 actually broadcastable out of this at the end of the  
 9 day, considering how much resource we are putting into  
 10 this?"  
 11 MR MACLEAN: He still has a copy of the writ that was served  
 12 shortly before Mr Maxwell had his --  
 13 A. He does, and I have a copy of the copy.  
 14 MR MACLEAN: : -- shortly before he met his end.  
 15 A. It was my idea, it was my programme. But it led to  
 16 Mr Maxwell's demise. We have a moment's silence to  
 17 remember him now.  
 18 Q. Yes, so the point that -- I think we're now into Mr --  
 19 we are back to Theresa Coffey, actually.  
 20 A. Yes.  
 21 Q. Who makes a point at page 64 of this transcript to the  
 22 committee in the middle of the page, do you see the  
 23 discussion about the difference between standing  
 24 something up legally and the appropriateness of showing  
 25 tribute programmes?

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1 A. Yes.  
 2 Q. The point that is being made here is 17, page 064 --  
 3 A. Yes.  
 4 Q. -- in the middle of page?  
 5 A. Yes.  
 6 Q. This is in the context of the discussion between  
 7 Mr Entwistle and Helen Boaden at the awards lunch on  
 8 2 December, which you were not at. Unless you want me  
 9 to? Unless you have something to add about that,  
 10 I wasn't going to go there with you. But one of the  
 11 curiosities is -- and this is what this question is  
 12 going to -- whether or not the Newsnight story stood up  
 13 editorially at that time, on any view they had gathered  
 14 some intelligence and some evidence to the effect that  
 15 Jimmy Savile wasn't the wholesome TV star that others  
 16 thought he might have been, and that Vision might have  
 17 wanted to know that.  
 18 And that's really the point that's being got at  
 19 here. Where Mr Entwistle says:  
 20 "I didn't ask the questions as I thought the  
 21 investigation might not come to anything" in other words  
 22 the Newsnight story might not run. The question is to  
 23 the effect of, "Well, that's not the end of the enquiry  
 24 if you are sitting in Vision's position because News  
 25 might nonetheless have information that you would find

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<p>1 useful."</p> <p>2 Going back to our discussion earlier about the MRPL,</p> <p>3 and presumably once Newsnight decided not to run that</p> <p>4 programme, let's assume they had decided quite early on</p> <p>5 that this investigation was a nonstarter, such that it</p> <p>6 never made it on even to the bottom rung of the MRPL at</p> <p>7 all, is there something missing from the BBC's</p> <p>8 procedures that would allow this type of point to be</p> <p>9 picked up? That's the first question.</p> <p>10 Secondly, if there is a lacuna of this nature, how</p> <p>11 is it to be addressed?</p> <p>12 <b>A. Well, George actually addresses that point in the rest</b></p> <p>13 <b>of his evidence, doesn't he? He comes specifically to</b></p> <p>14 <b>that point. He says there may be situations in which we</b></p> <p>15 <b>conduct investigations where they don't reach the level</b></p> <p>16 <b>of evidential proof which we require to broadcast, but</b></p> <p>17 <b>nonetheless turn up evidence which would be of</b></p> <p>18 <b>importance and value to the rest of the organisation.</b></p> <p>19 Q. What he says is:</p> <p>20 "I realise systems may need to be better</p> <p>21 collaborated", he told us that calibrated is probably</p> <p>22 what he said.</p> <p>23 <b>A. Yes.</b></p> <p>24 Q. But it is a bit opaque.</p> <p>25 <b>A. He and I have discussed this --</b></p> <p style="text-align: center;">Page 77</p>	<p>1 a connection, or somebody on the board might have done,</p> <p>2 and said, "Look we're planning big tributes to this</p> <p>3 fantastic BBC star and another part of the BBC is, um --</p> <p>4 has him under investigation, although there isn't</p> <p>5 a second line. What is that about? Is there</p> <p>6 a potential problem here?" And I think it is apparent</p> <p>7 that at least an argument to be made that that was</p> <p>8 a crucial step that was missed and, shall we say, not</p> <p>9 accidentally either?</p> <p>10 <b>A. Well, I couldn't comment on the "not accidentally" --</b></p> <p>11 <b>MR POLLARD: Only in the sense that it was taken off rather</b></p> <p>12 <b>than it just fell accidentally.</b></p> <p>13 <b>A. I think taken off for a different reason from what I can</b></p> <p>14 <b>see, but, yes, your point I entirely accept.</b></p> <p>15 <b>MR POLLARD: And that is something that the Managed Risk</b></p> <p>16 <b>Programme List for all its general purposes, that's</b></p> <p>17 <b>something that it is designed to do, isn't it?</b></p> <p>18 <b>A. Yes. Yes, I think your point is a correct one. I would</b></p> <p>19 <b>accept it.</b></p> <p>20 <b>MR MACLEAN: And the different reason that you see now for</b></p> <p>21 <b>it being taken off the list, is this aspect of the list</b></p> <p>22 <b>going quite far in Vision?</b></p> <p>23 <b>A. Yes. Clearly the email that you showed me is capable of</b></p> <p>24 <b>more than one interpretation. But the interpretation --</b></p> <p>25 <b>I think it is capable of the interpretation very</b></p> <p style="text-align: center;">Page 79</p>
<p>1 Q. That's what I wanted to --</p> <p>2 <b>A. -- as well, and I think we both agree -- I confess this</b></p> <p>3 <b>is not something that either of us had contemplated</b></p> <p>4 <b>before this incident and quite conceivably it will not</b></p> <p>5 <b>happen again in to our lifetimes, but nonetheless we</b></p> <p>6 <b>both think that there is a piece of guidance which we</b></p> <p>7 <b>have on investigative programming which is one of the --</b></p> <p>8 <b>which sits on the editorial guidelines website and talks</b></p> <p>9 <b>about investigations, we both believe that we should</b></p> <p>10 <b>update that and add in something to it which draws</b></p> <p>11 <b>specific circumstances in which investigations are</b></p> <p>12 <b>carried out which throw up evidence which might be of</b></p> <p>13 <b>importance to the rest of the organisation, and about</b></p> <p>14 <b>making that evidence available to the rest of the</b></p> <p>15 <b>organisation even though -- even though -- the</b></p> <p>16 <b>investigation itself doesn't go ahead and is not</b></p> <p>17 <b>broadcast.</b></p> <p>18 <b>MR POLLARD: It struck us, again if you are talking in many</b></p> <p>19 <b>ways in a perfect world, that if the story about</b></p> <p>20 <b>Jimmy Savile, the investigation, had stayed on the</b></p> <p>21 <b>Managed Risk Programme List, and got to the level of the</b></p> <p>22 <b>Editorial Standards Board, there was at least</b></p> <p>23 <b>a possibility what the person representing Vision who</b></p> <p>24 <b>would presumably know about the commissioning of the</b></p> <p>25 <b>Jimmy Savile Christmas programmes, might have made</b></p> <p style="text-align: center;">Page 78</p>	<p>1 straightforwardly that what they did not want to do was</p> <p>2 sort of alarm Vision when they had an investigation</p> <p>3 which they didn't know if it was going to culminate in</p> <p>4 anything, and they wanted to keep that quiet for the</p> <p>5 time being.</p> <p>6 Q. They didn't want to alarm them?</p> <p>7 <b>A. Yes, I don't think they wanted to set in train anybody</b></p> <p>8 <b>in Vision running around thinking there was going to be</b></p> <p>9 <b>some great kerfuffle over Jimmy Savile if it doesn't</b></p> <p>10 <b>happen.</b></p> <p>11 <b>MR POLLARD: Which with hindsight you said is exactly</b></p> <p>12 <b>what --</b></p> <p>13 <b>A. You might say that, yes. Yes, I think that comes to</b></p> <p>14 <b>your point about the Managed Risk Programme List and the</b></p> <p>15 <b>helpfulness would have been if it had been on it and it</b></p> <p>16 <b>had been seen by a variety of people.</b></p> <p>17 <b>But, remember, the way in which I would have put it</b></p> <p>18 <b>on, had I been advising, would have been in some form of</b></p> <p>19 <b>disguise but at least the people at the top of the</b></p> <p>20 <b>organisation would have known what that meant, and if</b></p> <p>21 <b>they were also aware of Savile -- this is where the Mark</b></p> <p>22 <b>Byford role would probably have come in, if they were</b></p> <p>23 <b>aware of Christmas plans to have Savile programming</b></p> <p>24 <b>on -- which I'm assured by everybody in Vision it would</b></p> <p>25 <b>have been no problem to take it off -- then they could</b></p> <p style="text-align: center;">Page 80</p>

1 have thought about that issue.  
 2 MR MACLEAN: The mechanism, such as it was, that was chosen  
 3 to tell Vision about this was, so it seems, the  
 4 discussion at the award lunch?  
 5 A. Yes.  
 6 Q. It may be -- we welcome your views on this -- that in  
 7 a funny way Mr Entwistle's background in News meant that  
 8 he was a particularly unreceptive recipient of that  
 9 news. For reasons he explained in the Committee he was  
 10 anxious not to be seen to be interfering with News and  
 11 so on. If he, as Director of Vision, had not had the  
 12 News background that he had had, he may have been more  
 13 amenable to is asking some questions?  
 14 A. My view is yes, it is an entirely fair point. It comes  
 15 back to the sort of arcane senses of these things that  
 16 Mr Pollard was referring to earlier about how News  
 17 people instinctively know what the boundaries here are,  
 18 which other people perhaps might not know. I think you  
 19 are right that George Entwistle did react in a way in  
 20 which other people who hadn't had a News background and  
 21 a Newsnight background might not have reacted by  
 22 realising immediately that there were, as it were,  
 23 dangers in him knowing any more than that at this stage.  
 24 Of course, as it turned out, there were dangers in him  
 25 not knowing any more than that at this stage as well,  
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1 I think he was more taken with the former than the  
 2 latter at the time stage. I think that is a perfectly  
 3 reasonable explanation.  
 4 Q. A couple more points for you. You mentioned earlier you  
 5 went back on the Media Show?  
 6 A. Yes.  
 7 Q. I think on 24th of October?  
 8 A. That's right.  
 9 Q. You refused to take part in a discussion -- which, in  
 10 the end, did not happen for other reasons -- with  
 11 Liz MacKean?  
 12 A. Yes.  
 13 Q. Why were you not willing to discuss the things with  
 14 Liz MacKean?  
 15 A. It was not particularly Liz MacKean. I was not going to  
 16 do a discussion with anybody. I rang Steve Hewlett on  
 17 Monday, 21st October, and I said, "Look, I made  
 18 a mistake when I came on your programme the last to him  
 19 round. If you want me to come on, I will come on and  
 20 I will correct that mistake and I will do an interview  
 21 about any questions you want to ask me" and  
 22 I specifically said interview not discussion. I just  
 23 didn't want to have a discussion with anybody. It was  
 24 not about Liz MacKean specifically.  
 25 Q. Right. Can I just show you a couple of points about  
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1 this? Bundle 17 --  
 2 A. Yes.  
 3 Q. -- if we go first of all to 276?  
 4 A. Yes. This is me to Julian Payne yes. An altercation.  
 5 Q. This is concerned with an altercation which took place,  
 6 I think, in the newsroom --  
 7 A. No, in the Panorama office.  
 8 Q. In the Panorama office after your interview with  
 9 Hewlett, and the altercation was between you and  
 10 Meirion Jones?  
 11 A. Yes.  
 12 Q. This came about because of something Mr Hewlett had  
 13 asked you about in the course of the programme which was  
 14 evidence to your mind that the confidence of your  
 15 discussion with Meirion Jones had been blown by  
 16 Meirion Jones?  
 17 A. Well, again it is impossible to say it had been blown  
 18 directly by Jones, but it was -- it was impossible to  
 19 say that Steve Hewlett's source was Jones, but the  
 20 information had to have come from Jones.  
 21 Q. Let me put it this way: the confidence had not been  
 22 maintained and you did not consider that you had broken  
 23 that confidence?  
 24 A. That's correct, yes. I was in -- I mean this is the  
 25 interview which I volunteered to do, which, you know,  
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1 not many people would have done in the circumstances,  
 2 I suggest, to correct a misapprehension and  
 3 a misimpression that I had given to the listeners to The  
 4 Media Show. But, I volunteered to answer any questions  
 5 that he put to me and I was slightly surprised to be  
 6 ambushed with this suggestion part way through.  
 7 I had been attending a management board meeting that  
 8 afternoon, and I left the management board meeting to go  
 9 to do the interview. And I came back to the management  
 10 board meeting to tell them that I needed to tell them  
 11 about a confidential meeting I'd had which I told none  
 12 of them, including the Director General, about up to  
 13 that point.  
 14 So you could say I wasn't best pleased.  
 15 Q. So the nature of the ambush was what, precisely?  
 16 A. The nature of the ambush was Steve Hewlett asking me --  
 17 he clearly knew it to be the case -- whether I had met  
 18 the, um, producer -- he initially said the producer and  
 19 reporter, which I denied because I had not met the  
 20 producer and reporter -- sorry this is dancing on the  
 21 heads of pins, I know -- he then asked me whether I had  
 22 met the producer, I wasn't going to tell a lie, so  
 23 I said that I had, it was a confidential meeting and  
 24 I had not breached the confidence. Words to that  
 25 effect, you have the transcript I am sure.  
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1 Q. Yes. We get the flavour, I think, of your state of mind  
 2 at 276. You were, to say the least, angry about this,  
 3 is that right, you thought it was despicable?  
 4 A. I thought that what had been done was despicable, yes,  
 5 to -- to reveal -- he had now revealed a confidential  
 6 email that he had sent from him to me, and now revealed  
 7 the confidential meeting that we had had. I wasn't --  
 8 you know, I take seriously the notion of confidentiality  
 9 in the job that I do. I'm told things all the time that  
 10 have to remain extremely confidential and I'm trusted by  
 11 programme makers and by my colleagues to be able to do  
 12 that. I had never come across anybody in my entire time  
 13 in the BBC and in particular in relation to  
 14 investigative journalists -- and I have worked with some  
 15 of the best investigative journalists in the country and  
 16 in the BBC, John Ware, Jane Corbyn, Tom Mangold, all of  
 17 these people have worked for me and made programmes for  
 18 me. I have never come across a case where any of them  
 19 regarded confidentiality as telling people about things.  
 20 Q. So we can see what you made of it. One of the points  
 21 that you made, I think, in your altercation, to Mr Jones  
 22 was you pointed out to him that he couldn't even  
 23 remember "what you've briefed to whom any longer"?  
 24 A. Yes. I will tell you exactly how the conversation went.  
 25 I can't give you the exact words but the conversation

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1 went as follows -- I wasn't trying to see Mr Jones, nor  
 2 did I storm into the Panorama office shouting, I was  
 3 speaking at roughly this level, but I was trying to see  
 4 Tom Giles who was the Panorama editor. I happened to go  
 5 past Mr Jones who was sitting down at a desk at the end  
 6 of a row and I turned to him and said I thought it was  
 7 despicable that he revealed details of a confidential  
 8 meeting in the way that he had. And I repeated the word  
 9 despicable some times. He got to his feet and followed  
 10 me around the office with Tom Giles and said, "It was in  
 11 Private Eye. It was in Private Eye" and I said,  
 12 "Meirion you have briefed so many newspapers about so  
 13 many different things you can no longer remember what  
 14 you have briefed to whom. It wasn't mentioned in  
 15 Private Eye", which it wasn't. He started calling me  
 16 a management liar, and I turned to him and I said,  
 17 "Meirion, a number of people are wondering why if you  
 18 knew Jimmy Savile was a paedophile for 30 years you  
 19 didn't do something about it a bit sooner". And he  
 20 said, um, "I'm going to quote you on that". I notice  
 21 that he never has incidentally. "I'm going to quote you  
 22 on that, is that on the record or off the record. Is  
 23 that on the record or off the record?" And I said,  
 24 "Meirion, with you, it makes no difference." That was the  
 25 conversation.

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1 Q. Can I just show you his account of this which he sent to  
 2 Peter Horrocks?  
 3 A. I saw it.  
 4 Q. At 281.  
 5 A. I thought it was hilarious.  
 6 Q. I want to ask you about one aspect of it in particular?  
 7 You may want to say some other things about it, in which  
 8 case you can.  
 9 Do you see two-thirds of the way down the page,  
 10 a paragraph beginning "40 years ago".  
 11 A. Yes.  
 12 Q. In that paragraph he says in the second sentence:  
 13 "In the mid 1990s when I moved into television  
 14 I started to hear the same rumours as everyone in  
 15 television including David Jordan."  
 16 A. Yes, it is an extraordinary statement.  
 17 Q. Is that correct?  
 18 A. No.  
 19 Q. What rumours if any had you heard?  
 20 A. None. I never worked in entertainment. I never worked  
 21 in Television Centre actually other than to go there to  
 22 broadcast on the record. And to TX Panorama.  
 23 I never -- I have never shared any -- any offices with  
 24 people who worked in the entertainment industry. I've  
 25 never had anything to do with Radio 1. I made

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1 programmes for Radio 4 and Radio 5 Live. I have never  
 2 heard anything about Jimmy Savile. I didn't know  
 3 Jimmy Savile, I didn't manage Jimmy Savile, I knew  
 4 nobody who knew Jimmy Savile, I never watched his  
 5 programmes -- my parents didn't have a television until  
 6 I was 21 years old. It is a preposterous suggestion and  
 7 why he should say that is beyond me.  
 8 Q. Can I just make sure I have the facts right about your  
 9 appearance on Newswatch?  
 10 A. Yes.  
 11 Q. It is not the most important point, you might think, but  
 12 just so that I have it in my head. Newswatch went out  
 13 the day after your interview with it had been recorded,  
 14 is that right?  
 15 A. No, goes out on the night that you record it, and is  
 16 repeated on the day after in the morning. So it goes  
 17 out on a Friday night --  
 18 Q. Right.  
 19 A. -- on the News Channel and is repeated as part of  
 20 breakfast news on the Saturday morning.  
 21 Q. And your interview was recorded in the course of the  
 22 Friday then?  
 23 A. In the course of Friday afternoon, mid-afternoon on  
 24 Friday.  
 25 Q. That was before an email came from Mr Jones that

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1 evening --  
 2 **A. To George Entwistle.**  
 3 Q. -- to George Entwistle, is that right?  
 4 **A. That's correct, yes.**  
 5 Q. Is that -- that's the email, that first weekend. There  
 6 was another email --  
 7 **A. That is the 6/11 email on the Friday evening.**  
 8 Q. Yes. There was another email at a later weekend from  
 9 Mr Jones to Mr Entwistle which he then sent to you, is  
 10 that right? Because he remembered that, um -- or was it  
 11 Ken MacQuarrie. It was Ken MacQuarrie.  
 12 **A. It wasn't me, he didn't send it to me.**  
 13 Q. There was one more which he sent to George Entwistle and  
 14 then he realised that that email box wasn't picked up  
 15 until the Monday?  
 16 **A. That's right. What happened with the 6/11 -- I knew**  
 17 **this later because I -- until you had sent it to me in**  
 18 **the bundle I had never seen the 6/11 email or the**  
 19 **Liz MacKean email to the DG.**  
 20 Q. On the 8th.  
 21 **A. On the 8th. But what happened with the Meirion Jones**  
 22 **email, or the 6/11 email as I call it of Friday**  
 23 **5th October, is that it didn't actually reach**  
 24 **George Entwistle 'til the morning of Monday 8th because**  
 25 **it was sent to the general inbox which goes to his PAs**  
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1 **rather than to his own personal one.**  
 2 Q. By which time, as luck would have it, Mr Entwistle had  
 3 been on the Today programme that morning?  
 4 **A. Yes.**  
 5 MR POLLARD: I just want to go back, because we left the  
 6 discussion with Meirion on the 4th, was it?  
 7 **A. Yes, it was.**  
 8 MR POLLARD: After the --  
 9 **A. Noon on 4 October, yes.**  
 10 MR POLLARD: Yes. I just want to sort of pick up the story  
 11 then, and take perhaps the end of that meeting and what,  
 12 if you like, Meirion had been hoping that you would do  
 13 with the information he had given you then?  
 14 **A. Yes.**  
 15 MR POLLARD: And what happened afterwards?  
 16 **A. Well I specifically asked him what he wanted me to do.**  
 17 **I asked him that at the end of the meeting. Because**  
 18 **I thought he might want me to do something about**  
 19 **something so I specifically said, notwithstanding that**  
 20 **we had agreed at the outset it was going to be**  
 21 **confidential, "Do you want me to do anything with the**  
 22 **information", to which his answer was, "No, at any rate**  
 23 **not for the moment". Words to that effect. Neither of**  
 24 **us took a contemporaneous note so I don't have**  
 25 **a contemporaneous note but it was words to that effect,**  
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1 "No, nothing at the moment".  
 2 So as there was nothing -- he'd said nothing that --  
 3 that changed my general view of what had gone on. Apart  
 4 from making it absolutely clear that the investigation  
 5 hadn't started out as an investigation into the police  
 6 and the CPS and had started out as an investigation into  
 7 Savile's activities. He made that absolutely clear. He  
 8 said nothing because Peter Rippon had already indicated  
 9 that there had been disagreement with his decision to  
 10 drop the investigation, and it was already, as it were,  
 11 in the newspapers that the allegation that the  
 12 investigation had been dropped for, you know, reasons of  
 13 pressure being put on the Newsnight editor. And there  
 14 was no discussion in that meeting at all of -- of errors  
 15 in the blog. He didn't say there are these specific  
 16 errors in the blog or anything like that. If he had  
 17 said that, I might have said "Meirion, we can't sort of  
 18 not doing do nothing, if you are making allegations of  
 19 specific errors here". But he didn't. He was much more  
 20 concerned about the decision which had been taken not to  
 21 run a story which he thought was runnable in the form in  
 22 which he delivered it.  
 23 MR POLLARD: But there wasn't anything in what he said about  
 24 the general content of what was in the blog, and the way  
 25 the story had been developed and dropped, that required  
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1 you in your mind to change the line that you were going  
 2 to take, say, on the --  
 3 **A. No.**  
 4 MR POLLARD: -- to Newswatch?  
 5 **A. No, there wasn't. The curious thing about the Newswatch**  
 6 **interview is I don't think I say anything on the**  
 7 **Newswatch interview which I have not said on other**  
 8 **interviews, although I'm cut short at a moment where I'm**  
 9 **going to slightly expand. If you watch the Newswatch**  
 10 **interview, because sometimes reading these things does**  
 11 **not give you the full flavour, if you watch the**  
 12 **Newswatch interview -- I subsequently wrote to**  
 13 **Steve Mitchell about the Newswatch interview and said,**  
 14 **"Did you watch it?" Because I thought it fell foul of**  
 15 **a problem that we have a lot in the BBC with presenters,**  
 16 **and this was a new presenter, trying to imitate**  
 17 **Jeremy Paxman in their approach to interviews. And**  
 18 **I felt for a long time that Newswatch should be**  
 19 **a programme that reflects the concerns of the viewers**  
 20 **who get in touch with it. And a poor man had come all**  
 21 **the way up from Woking or somewhere else beginning with**  
 22 **a W in the south of England to talk to the programme,**  
 23 **and essentially having made his points, the presenter**  
 24 **then ignored them and laid into me in a very interrupted**  
 25 **style. I am not against -- I'm perfectly prepared to be**  
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1 robust and to answer anything that people want to ask  
 2 me, but I thought in that style of programme you  
 3 shouldn't really do that. So I wrote to Steve Mitchell  
 4 afterwards.  
 5 But one of the consequences of this style of the  
 6 interview that was conducted was I was cut short on lots  
 7 of things that I said. However, I don't think I said  
 8 anything different in that interview from any of the  
 9 other interviews that I've done on the same subject.  
 10 I think it reflect the same general approach I had been  
 11 taking all the way through.  
 12 MR POLLARD: There hadn't been anything in your discussion  
 13 with Meirion the previous day that made you think --  
 14 A. No.  
 15 MR POLLARD: -- okay, the things I have been saying so far  
 16 I see that slightly different light.  
 17 A. No, I didn't. And on -- you know, in fact, as you  
 18 know -- because you have a copy of it -- Meirion Jones  
 19 sent me an email unrequested at 1 am, around about 1 am  
 20 on Friday morning, 5 October, ie a Thursday night,  
 21 saying, "Well done on your interviews today", and not in  
 22 any way suggesting that I had, um, you know,  
 23 misconstrued his position. I also sent an email to  
 24 Peter Rippon asking him, you know, am I representing you  
 25 correctly, and got an email back saying it's fine.

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1 As it happens, I bumped into both of them in the  
 2 course of doing the series of interviews I described  
 3 earlier which -- most of which were done on the terrace  
 4 of Television Centre where I did BBC News. I went into  
 5 the studio to do the News Channel. I came back to do  
 6 ITV News, I did Channel 4 News all from that terrace.  
 7 I bumped into both Meirion Jones and to Peter Rippon.  
 8 Neither of them raised with me any objections to  
 9 anything I aid had said. The one thing they were  
 10 interested in -- the one thing Meirion was interested  
 11 in -- was my suggestion made on the News Channel that  
 12 they could use the material collected for the News  
 13 Channel interview if they wanted to in other parts of my  
 14 news output, and Peter Rippon was concerned about that  
 15 as well but for different reasons, and I said to Peter  
 16 "Look, I'm not prepared to go on any of these interviews  
 17 and not be open and straightforward about what is going  
 18 on and what has happened, and if people want to get  
 19 access to the material that has already been shot --  
 20 I didn't know what had and hadn't been at that point --  
 21 then I can't see any objection provided, you know, that  
 22 the women concerned have no issues with it", and so on  
 23 and so forth.  
 24 So that was the only issue that was raised with me.  
 25 There was no issue saying, you are completely

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1 misrepresenting, you know, everything that we're doing  
 2 here from either Peter or from Meirion Jones at the  
 3 time.  
 4 MR MACLEAN: What were the different reasons that -- about  
 5 their concern about showing the film, I think it is put  
 6 at one point?  
 7 A. Peter Rippon seemed to be concerned about the notion of  
 8 showing the film. But I think that may be because there  
 9 wasn't a film as such.  
 10 Q. There was no film?  
 11 A. And I think it was misinterpreted by some people and  
 12 I take some responsibility for this because I should  
 13 have made it --  
 14 Q. You used the word "film" and that got people excited?  
 15 A. I did, and I should have caveatted that more than I did.  
 16 Q. That was his concern. What was Meirion Jones's concern?  
 17 A. Meirion Jones just wanted to know that they could use  
 18 the material, he wanted to make the material available.  
 19 Not that he had a great deal of material as it  
 20 transpired but he wanted to make it available.  
 21 Q. You say you didn't see the 6/11 email as you call it --  
 22 it's not really point for you --  
 23 A. No.  
 24 Q. -- but Mr Entwistle made the point to us that the Jones  
 25 email at 6/11 does not complain about the blog and it

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1 was only the MacKean email on the 8th that really got  
 2 him focused on the blog and led to the MacQuarrie  
 3 business?  
 4 A. Yes.  
 5 Q. But I suppose one might say that the 6/11 email not  
 6 mentioning the blog is consistent with the position he  
 7 took in his discussion with you?  
 8 A. It absolutely consistent with the position he had taken  
 9 because he was not interested in the details of the  
 10 blog, he didn't raise those, so it is completely  
 11 consistent, I didn't know that until you sent me the  
 12 bundle because I had never seen that email.  
 13 MR MACLEAN: Those are all the questions I wanted to ask  
 14 you. Nick may have another couple, but if there is  
 15 anything else that you want to say, as it were, now is  
 16 your chance.  
 17 A. No, I have made the points.  
 18 Questions by MR POLLARD  
 19 MR POLLARD: I just really want to get a sense of what your  
 20 role was from then onwards between the 4 October meeting  
 21 and during your sort of final interview with Newswatch  
 22 and so on. Over the next fortnight, were you closely  
 23 involved in the corporate side of it, or preparing  
 24 answers for Panorama and so on?  
 25 A. I -- I wasn't closely involved in the sense that

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1 I wasn't actually in the Entwistle office or near to it,  
 2 because my -- I don't reside in New Broadcasting House  
 3 which is where the DG's office now is, I'm in  
 4 White City, but I was consulted over a number of  
 5 different nights and I was consulted over the strategy  
 6 that we were pursuing and I was consulted for example  
 7 over setting up the inquiries. I did attend the press  
 8 conference on the 12th, I think it was, that  
 9 George Entwistle announced the inquiries and so on and  
 10 so forth, so I was concerned with our overall strategy  
 11 in response to the crisis that we were facing, yes.  
 12 MR POLLARD: I think it is fair to say for the BBC and for  
 13 the people involved, it was an extremely testing time,  
 14 was it?  
 15 A. I -- I have been through some pretty difficult times in  
 16 the BBC. I mean, I went through Brand/Ross with  
 17 Mark Byford, I went through the telephony and  
 18 interactivity stuff, Queengate. I wasn't involved in  
 19 going through Hutton/Gilligan but I was the chief  
 20 adviser for Politics when the report came out. I have  
 21 been through things like the -- you probably won't even  
 22 remember this, the John Major interview on Panorama  
 23 before the Scottish elections that got injunctioned. I had  
 24 a programme pulled off Panorama when I was Panorama's  
 25 acting editor, Sliding into Slump, with Peter Jay.

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1 I had a programme stopped by John Hurt on Super Gun, you  
 2 will remember that one, so I have been through a lot of  
 3 editorial crises at the BBC.  
 4 This one was as difficult as any of them in the  
 5 sense that it was completely uncontrollable from the BBC  
 6 point of view. There were so many parts in play here,  
 7 so many possibilities for tabloid newspapers to come up  
 8 with new stories about the victims, the police doing  
 9 their thing, all kinds of other people doing it, it was  
 10 very, very difficult for the BBC to control.  
 11 And we also found ourselves playing into  
 12 a pre-Leveson agenda in a number of newspapers, which  
 13 made the whole thing infinitely more unpleasant than it  
 14 might have been if it happened at another time. It was  
 15 never going to be an easy thing, finding out that one of  
 16 your major stars had been a serial sexual abuser over  
 17 the course of 30-40 years was never going to be easy to  
 18 put it mildly, and the Newsnight issue brought it, as it  
 19 were, into the present for us. So it was never going  
 20 easy. But I think the sort of particular pot into which  
 21 these ingredients were thrown in media terms, already  
 22 simmering with pre-Leveson tensions, added hugely to the  
 23 difficulties of handling it from a BBC perspective.  
 24 MR POLLARD: We're obviously not looking beyond the  
 25 period -- largely beyond the period of Panorama and

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1 so on. So we're obviously not looking at the whole  
 2 McAlpine issue.  
 3 A. Yes.  
 4 MR POLLARD: But looking at that period through October, the  
 5 BBC's ability to communicate externally and also to deal  
 6 with the unique position of having to explain itself to  
 7 Panorama as well, was sort of tested to destruction.  
 8 What lessons do you think the corporation needs to  
 9 learn from that period?  
 10 A. If you will forgive me, I think it is all a bit too raw  
 11 and recent for me to start thinking about -- I am sure  
 12 we will have -- your review will contribute to this  
 13 hugely, I am sure. But I am sure we will have a look  
 14 back at everything that happened, and look at the  
 15 learnings of it from the point of view of a corporate  
 16 response to a developing crisis. Clearly we can't have  
 17 done everything right, but I think that the particular  
 18 crisis that we had would have tested the mettle of any  
 19 Director General that I have served under, and I have  
 20 served under John Birt and Mark Thompson, I think any  
 21 Director General would have found it enormously  
 22 difficult, let alone one that had just been in place ten  
 23 day before it all happened. At precisely the moment  
 24 when we did think that the waters were beginning to  
 25 calm, slightly, of course the second Newsnight issue

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1 came along and completely threw everything into tumult  
 2 yet again. So the similar combination of circumstances  
 3 were extremely difficult and very testing. And, in  
 4 a sense, it's a shame that in these circumstances you  
 5 don't get a camera crew in to just record everything  
 6 that is going on. Because although that would expose  
 7 you in many respects, actually, in terms of learning  
 8 about how you cope with, you know, just so many  
 9 different aspects of a crisis. You are not just  
 10 dealing -- you are dealing with the newspapers, the news  
 11 media who in this instance seem to be extremely well  
 12 informed about every detail of what had gone on in the  
 13 investigation and so on and so forth. So you are  
 14 dealing with huge numbers of accusations coming in from  
 15 large numbers of news sources; that in itself can be  
 16 testing. But at the same time as you are trying to do  
 17 that, you are trying to set up systems within the BBC to  
 18 cope with allegations of sexual abuse, sexual  
 19 harassment. You are trying to sift those to make sure  
 20 that the rights ones go on to the police; that the BBC  
 21 deals with any appropriately that relate to, you know,  
 22 existing stars. You are talking about the sort of  
 23 issues that I get involved in: what programming should  
 24 you take down that is currently up there. What of  
 25 Jimmy Savile should you leave online and in your

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<p>1 archive, there are just so many --</p> <p>2 Q. Desert Island Discs and all that stuff?</p> <p>3 A. Who would have thought that Desert Island Discs with</p> <p>4 Jimmy Savile you would have to take down because he had</p> <p>5 taken a young girl from Stoke Mandeville hospital into</p> <p>6 the studio with him. Who would have imagined that that</p> <p>7 would have been the situation. There were just so many</p> <p>8 dimensions of the issue that you are trying to cope with</p> <p>9 simultaneously, a vast range of different things, it was</p> <p>10 a very, very testing series of events.</p> <p>11 MR POLLARD: David, thank you very much. Unless you have</p> <p>12 anything else you want to say to us, I appreciate your</p> <p>13 time and your candour very much.</p> <p>14 A. Thank you very much.</p> <p>15 (4.38 pm)</p> <p>16 (The Inquiry adjourned until 11.30 am,</p> <p>17 Thursday, 29 November 2012)</p> <p>18 I N D E X</p> <p>19 DAVID JORDAN (called) .....1</p> <p>20 Questions by MR MACLEAN .....1</p> <p>21 Questions by MR POLLARD .....96</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: center;">Page 101</p>	