

Sarah Jones

From: Wilcox, Nick - RPC <Nick.Wilcox@rpc.co.uk>
Sent: 01 March 2013 16:53
To: Sarah Jones
Cc: Julian Payne
Subject: Pollard Review: email on behalf of George Entwistle

Dear Sarah,

Thanks for drawing my attention to last week's Broadcast article. My recollection from both before and after I became Director-General is that the team in the DG's office worked with a consistently high standard of professionalism during a very demanding time.

On re-reading my Pollard interview transcript, however, I can see I didn't recall exactly when I was made aware of ITV Exposure's right of reply letter, which arrived at the BBC before I became DG. I have now had the opportunity to check this point and it's clear that the DG's team did make sure I was aware BBC Legal had received the ITV letter on the day it arrived. That meant I was able to confirm the same day that BBC lawyers were looking into the material and working on a reply. I understand that Nick Pollard did in fact check with BBC Legal to establish the correct position on this at some stage after my interview. As I told the Review, I saw and signed off the reply to ITV once it was ready (by which time I had become DG).

I know none of these issues figured in Nick Pollard's final report but I am happy to try to clear up any confusion my transcript may have caused on this point.

I have copied this email to Julian Payne. I'd also be grateful if you would let Nick Pollard see it as a courtesy.

Yours sincerely,

George Entwistle

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1 Monday, 26 November 2012
 2 (10.00 am)
 3 (Proceedings delayed)
 4 (10.20 am)
 5 MR GEORGE ENTWISTLE (called)
 6 MR POLLARD: George, good morning and welcome. Thanks for
 7 coming along today and your associates. Most of the
 8 questioning will be led by Mr Maclean. I will jump in
 9 as appropriate, if it seems right moment. We will be
 10 transcribing the session. Mr Spafford has a few
 11 procedural points with which we will kick off with.
 12 MR SPAFFORD: Thank you. There is a transcript, my two
 13 friends here are the transcript writers. It will be
 14 available at the end of the day to you for typographical
 15 errors, I imagine you will pass it to RPC. There will
 16 be breaks during the day to enable them to have a short
 17 break, probably in an hour and a half something like
 18 that we will stop. If you want to stop at any stage
 19 outside of our standard break, obviously just say.
 20 The second point is confidentiality. You have
 21 provided a confidentiality agreement. Thank you for
 22 that. I want to make sure for the record that you
 23 understand that these discussions are confidential on
 24 the terms of that agreement. Is that understood?
 25 A. Yes, it is.

1 MR SPAFFORD: Thank you, great.
 2 Questions by MR MACLEAN
 3 MR MACLEAN: We have provided you with some documents,
 4 I think.
 5 A. Yes.
 6 Q. You will see we are not short of paper. We're working
 7 from these bundles.
 8 A. Yes.
 9 Q. Most of the documents I will show you, you will have
 10 seen in these packs. There may be some that you won't
 11 have seen. If so, obviously, you will have a chance to
 12 read them before I ask any questions about them.
 13 Can I ask you first of all about something called the
 14 Managed Risk Programme List?
 15 A. Yes.
 16 Q. Can you please explain to us your understanding of first
 17 of all the purpose of that document?
 18 A. Yes, it was introduced after the series of editorial
 19 difficulties we had in around 2007 when it was felt that
 20 there wasn't enough awareness across the organisation
 21 necessarily, or inside divisions of the organisation,
 22 about what might be said to be potentially problematic
 23 pieces of work, and the idea of the Managed Risk
 24 Programme List was to identify pieces of work that had
 25 potentially challenging implications about them: legal,

1 reputational, taste, anything of that kind.
 2 Q. Whose reputation? Could it be the BBC's reputation?
 3 A. Yes, yes. Yes.
 4 Q. So it's a mechanism for, for example, Vision to know
 5 what News is up to?
 6 A. Well, it -- first, I think, it has two functions. It is
 7 to make sure that inside a division, a division knows
 8 what it is up to. Then beyond that for the BBC's
 9 Editorial Standards Board, which is the destination of
 10 the BBC-wide Managed Risk Programme List to look at it,
 11 take a view of the kind of challenging pieces for the
 12 organisation as a whole and then distribute it on to the
 13 divisions so that they have a broader sense.
 14 Q. Right. So if I ask you to take bundle 4 and turn to
 15 page 29, please.
 16 Then if you go over the page, you should see
 17 a number, 29.001, which is an insert. If you keep
 18 going, please, until you get to 29.004 -- I'm not sure
 19 whether you saw this in the last couple of days, you
 20 probably saw it last year -- I just want to understand
 21 what this is. It's a document dated 7 December. Do you
 22 see? It says:
 23 "Dear all, please find attached the ESB papers for
 24 tomorrow's meeting."
 25 There is a whole bunch of attachments. If you go

1 over the page, you have a document headed "Editorial
 2 Standards Board Managed Risk Programme List For Noting
 3 at the meeting on 8 December".
 4 A. Yes.
 5 Q. Do you see?
 6 A. Yes.
 7 Q. Then it says:
 8 "Purpose: the Managed Risk Programme List identifies
 9 programmes to be transmitted in the coming three months
 10 which have potential risks and also those whose
 11 production may be sensitive during the whole of the
 12 production process up to transmission. The programmes
 13 identified are now discussed at divisional boards before
 14 they are forward to the ESB."
 15 So far as News is concerned, the stage before would
 16 be the Divisional News Board which would be chaired by
 17 Helen Boaden?
 18 A. Yes.
 19 Q. At this stage of course you are in Vision, so nothing to
 20 do with -- News is nothing to do with you. So were you
 21 a member of this Editorial Standards Board?
 22 A. No, not at this stage.
 23 Q. Mr Jordan is identified as being the author and sponsor.
 24 He was invited to note the contents of this.
 25 A. Yes.

1 Q. If you go over the page, you will see the list. It
 2 starts with Vision, starts with BBC1. Then it goes to
 3 BBC2. If you go to page .009, that's the start of BBC2,
 4 and if you go over the page, at 10, you will see there
 5 is a bunch of Newsnight stories there. What you won't
 6 see, take it from me, is Jimmy Savile.
 7 A. Right.
 8 Q. If you go over 11 and 12, by the time you get into 12
 9 you see we have finished BBC2 and are on to BBC3?
 10 MR POLLARD: Why wouldn't you be a member of the -- you were
 11 Director of Vision at that stage.
 12 A. Yes.
 13 MR POLLARD: Would you have somebody, say channel
 14 controllers on --
 15 A. No, when I was the Controller of Knowledge Commissioning
 16 I was also Jana's controller of editorial standards
 17 provision and I sat on Editorial Standards Board for
 18 her. When I took over as Director of Vision I asked
 19 Mark Linsey to become the Controller of Editorial
 20 Standards and he sat on the Editorial Standards Board
 21 for Vision.
 22 MR POLLARD: Got it, thanks.
 23 MR MACLEAN: You see this list that gets produced for this
 24 Editorial Standards Board meeting. We have not seen
 25 Mr Jordan yet.

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1 anybody had seen anything they wanted to raise, they
 2 would raise it there. So we didn't do an item by item
 3 work through at the board.
 4 Q. Just let me be clear about this, this Vision entity that
 5 is consuming this list, if you like.
 6 A. Yes.
 7 Q. Who is on that board? Quite a senior level --
 8 A. Yes.
 9 Q. -- committee?
 10 A. Yes, it was chaired -- that would have been chaired by
 11 me or by somebody else if -- somebody senior if I wasn't
 12 there. By Roly Keating for most of the time, who was
 13 effectively functioning as my deputy when I was in
 14 Vision, or Danny Cohen was the other person who tended
 15 to chair it if I wasn't there. Yes, it would be channel
 16 controllers, genre commissioning controllers,
 17 strategists, marketing, heads of those kinds of things.
 18 Q. So the version of the list they would be looking at,
 19 would be this one which had been to the Editorial
 20 Standards Board?
 21 A. Yes.
 22 Q. Vision itself was also presumably a contributor to
 23 this --
 24 A. Yes.
 25 Q. -- by feeding its own stuff up.

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1 A. No.
 2 Q. We are going to see him and obviously we will ask him
 3 and maybe he is better placed to answer than you are,
 4 but what is your understanding of what happens to this
 5 once it is noted by the Editorial Standards Board at the
 6 meeting?
 7 A. I couldn't tell you what happens in every division. But
 8 inside Vision it would go to a thing called the Vision
 9 Commissioning Services Group, which was a sort of board
 10 level -- slightly broader than Vision board, it has the
 11 channel controllers and genre controllers on, and the
 12 plan was -- whether it happened every month or not,
 13 I couldn't say, but it was certainly supposed to -- that
 14 every month there would be a Vision Commissioning
 15 Services Group that would -- that would look at the --
 16 that would go through the Editorial Standards Board --
 17 sorry, the Managed Risk Programme List.
 18 Q. If Vision saw something in, for example, an upcoming
 19 Newsnight story that it was concerned about, or had
 20 implications for Vision, what would Vision do and how
 21 would it do it?
 22 A. The way it would have worked, it would have been
 23 circulated in advance and the item would have come up
 24 and we would have said "Is there anything anybody wants
 25 to raise about the Managed Risk Programme List?" and if

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1 A. Yes.
 2 Q. So, for example, if you look at page 006, presumably The
 3 Royal Bodyguard was a Vision --
 4 A. Yes, that is right.
 5 Q. -- programme?
 6 A. The way it works in Vision is a guy called Harry Dean,
 7 who was the head of Editorial Standards and Complaints
 8 Division was the person anybody who had a programme
 9 inside Vision, if they thought it ought -- there was
 10 a question about whether it ought to be on the list or
 11 not, they would approach him. He would discuss things
 12 with them about whether or not he thought it was right
 13 to go onto the list.
 14 There was a period we felt that too much was going
 15 on to the lists. An awful lot of stuff was going on,
 16 which we didn't think particularly deserved to be on.
 17 So he was exercising a relatively tight control over
 18 what went on, and he would produce Vision's final
 19 version of the list which would be submitted to
 20 editorial policy, to David Jordan, for compilation into
 21 the BBC-wide version of it.
 22 Q. So Vision had, as it were, a single filter in the person
 23 of Mr Dean?
 24 A. Yes.
 25 Q. Who decided --

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2 (Pages 5 to 8)

<p>1 A. In conversation with executive producers of programmes 2 who thought perhaps they had something that ought to be 3 on the list. 4 Q. But he was the point of contact, as it were? 5 A. Yes, he was the point of contact between Vision and 6 editorial policy. 7 Q. Maybe you didn't, but did you understand News to have 8 a similar character to Mr Dean? 9 A. I genuinely -- I feel I have more of an insight into how 10 things worked in News from the documents that I have 11 looked at in this context than I would have had before, 12 so I didn't really. 13 Q. So if we looked at the list as it was in 14 November/December 2011, sitting where you were as 15 Director of Vision, you would have seen, presumably, 16 this list and I guess its predecessor the previous 17 month, which unfortunately we haven't got. You would 18 have seen to once it had been to the Editorial Standards 19 Board at this Vision committee that you outlined? 20 A. Yes, I might -- I might have glanced at a version of 21 what had gone in from Vision, but I would not 22 necessarily routinely have done it. 23 Q. In terms of Vision as consumer, rather than Vision as 24 contributor to this list, it would have been at the 25 stage I mentioned?</p>	<p>1 A. It seems to me the kind of programme that I would have 2 expected them to put on, yes. Yes. 3 Q. Pretty obvious that it should be on the list? 4 A. Well, yes, and perhaps more surprising in the light of 5 looking at the documents, the circumstances in which it 6 came off the list. 7 Q. I'm going to -- 8 A. Is that where you are going? 9 Q. I'm going to explore that with you. I understand you 10 were in Vision in all this -- 11 A. Just to stress, obviously, the only role I'm functioning 12 in here is as someone who looked at these timelines and 13 found it interesting to try to work out what did happen. 14 Q. Yes, if you take bundle 2 and turn to page 188. 15 A. I made a few notes myself. 16 Q. Can I ask you a couple of questions. If they don't 17 cover the points you want to make -- it's not my show, 18 if you have something to say, then by all means -- 19 A. Let's see where you get to. 20 Q. Look at page 188 at the bottom, there is an email 21 between Liz Gibbons who, as you know, is a deputy editor 22 of Newsnight, and Sara Beck who, as you may or may not 23 know, worked in Steve Mitchell's office. 24 A. Yes. Was she the equivalent of Harry Dean for 25 Steve Mitchell? Perhaps.</p>
<p style="text-align: center;">Page 9</p> <p>1 A. Yes. 2 Q. So forget about 2012 and the last two months if you 3 can -- 4 A. Yes. 5 Q. -- what was your understanding in November/December 2011 6 about the Jimmy Savile piece and the Managed Risk 7 Programme List? 8 A. I must admit I don't remember reflecting on the 9 Jimmy Savile piece and the Managed Risk Programme List. 10 Q. It was never on any Managed Risk Programme List that you 11 saw? 12 A. Not that I recall, no. 13 Q. Do you now know that it was in fact on the list at 14 an early stage of the process within News? 15 A. I have inferred that from reading the documents, that it 16 was briefly on inside News and was taken off. 17 Q. So that is something you have discovered in the last few 18 days? 19 A. Just since I was supplied with the documents by 20 Reed Smith, yes. 21 Q. So knowing what you now know about the Jimmy Savile 22 piece that Newsnight was investigating, does it strike 23 you as appropriate or inappropriate that Newsnight 24 originally put that piece on to the Managed Risk 25 Programme List?</p>	<p style="text-align: center;">Page 11</p> <p>1 Q. Perhaps. But she was -- 2 A. She was in Steve's office and she was something to do 3 with News planning, it seemed to me. 4 Q. Yes, but Steve Mitchell is only in charge of one bit -- 5 he's in programmes? 6 A. Yes. 7 Q. So he's not looking across -- 8 A. So he doesn't own the whole of Sara Beck's output, as it 9 were? 10 Q. Well, he doesn't own the whole -- she is only in 11 Steve Mitchell's office, not in the whole of News. 12 A. Okay. 13 Q. Anyway, at all events, you can see from the middle of 14 the page at some point, probably before this, Newsnight 15 Jimmy Savile had been put on the Managed Risk Programme 16 List? 17 A. Yes. 18 Q. You see investigation by Liz MacKean. The risks are 19 identified as legal taste. Transmission date is to be 20 confirmed, the programme is Newsnight, and the executive 21 producer is Peter Rippon? 22 A. Yes. 23 Q. So at that stage, on 17 November and probably before -- 24 although we haven't bottomed out precisely when -- it is 25 on the list?</p>
<p style="text-align: center;">Page 10</p>	<p style="text-align: center;">Page 12</p>

1 A. Um-hm.
 2 Q. Just leave a open, if you wouldn't mind, and take
 3 bundle 3, and go to page 66. This is -- you will see
 4 this is 28 November and it is going from Sara Beck and
 5 it is going to Stephanie Harris. I don't know if you
 6 know who --
 7 A. I think of Stephanie Harris might be said to be closer
 8 to being News' Harry Dean, actually. She is head of
 9 complaints for News, certainly, so she probably
 10 coordinates managed risk type stuff well.
 11 Q. I think that is probably right, and Emma Wilson, who is
 12 described to us as a business manager for BBC News. You
 13 see Sara Beck has taken the Programmes -- with a capital
 14 P -- entries on to the Managed Risk Programme List, and
 15 is now sending it to become the list that goes to the
 16 News board. You can anticipate the point here, if you
 17 go to page 70 and 71 --
 18 A. Savile has gone missing, hasn't it?
 19 Q. Savile has disappeared.
 20 A. Yes.
 21 Q. That's on the 28th. Now, why should that be? Well, if
 22 you go back to the other bundle, go to page 276.
 23 A. Yes.
 24 Q. Go to 277, first of all, which is the end of the thread.
 25 Do you have 276?

1 about the Vision issues surrounding Savile, so that
 2 sounds sensible."
 3 Before I tell you what they suggested was sensible,
 4 can you think of a reason why this Jimmy Savile story
 5 should drop off the Managed Programme Risk List and in
 6 particular whether the fact that the document goes quite
 7 far in Vision provides a reason for doing so?
 8 A. Well, I -- obviously, I didn't know about any of this so
 9 is there a danger I'm just speculating about it. But,
 10 um, in the 22 November email -- these were the two that
 11 I extracted from the stuff you sent me -- I took the
 12 phrase "The document goes quite far in Vision",
 13 et cetera to mean that they didn't want Vision to see
 14 the Savile entry.
 15 Q. Yes.
 16 A. That's what I inferred --
 17 Q. Right.
 18 A. -- and then I don't know what the nature of the Peter
 19 and Steve conversation about the Vision issues that is
 20 referred to in the next email -- I don't know what
 21 happened this that conversation.
 22 Q. If you assume that the Vision issues comprised, or at
 23 least included, reference to the upcoming tributes --
 24 A. Yes.
 25 Q. -- in other words Steve and Peter knew that Vision

1 A. I do.
 2 Q. Go to 277, which is the end of the email thread. That's
 3 it. Jimmy Savile in the middle of the page.
 4 A. Yes.
 5 Q. Go back to 276, so this is Liz Gibbons to Sara Beck on
 6 21 November --
 7 A. Yes.
 8 Q. -- so three days later.
 9 A. And it's there.
 10 Q. It's there:
 11 "Here you are, I feel that there is something I have
 12 forgotten. It will come back to me."
 13 It does come back to her, it is something to do with
 14 a football club, you see at 1437. So it is on the list
 15 of 21 November from Gibbons to Beck?
 16 A. Yes.
 17 Q. So, as it were, pause there. Then the 22nd, the second
 18 email from the top at 9.41:
 19 "Just so you know, have taken Jimmy Savile off for
 20 now and will put back on when it's imminent. The
 21 document goes quite far in Vision, et cetera, and we
 22 thought it might be best to keep it off just for now."
 23 A. Yes.
 24 Q. Then email at the top of the paper, Gibbons to Beck:
 25 "I know Peter [Rippon] and Steve [Mitchell] talked

1 was --
 2 A. Was planning to do things, yes.
 3 Q. Whether they knew exactly what is another matter but
 4 they knew that BBC Vision was going to do something
 5 about Jimmy Savile. So if you assume for the purposes
 6 of the discussions that Vision issues, as you say, it
 7 comprises or includes --
 8 A. Yes, are those.
 9 Q. -- tributes, what would you say about the dropping this
 10 off the list?
 11 A. Well, I -- I guess are they thinking that they want
 12 to -- that they intend to address Vision issues, in the
 13 sense is that you give, in a way different to the
 14 Managed Risk Programme List?
 15 Q. One suggestion was that the Managed Risk Programme List
 16 was not concerned with items or programmes where the
 17 risk was a reputational risk to the BBC, and therefore
 18 Savile wasn't an appropriate story to be on the Risk
 19 List in the first place at all. That's one suggestion
 20 we have had, do you recognise that?
 21 A. In Vision, reputational risk to the BBC would one of the
 22 reasons we would have contemplated putting something on
 23 the list.
 24 Q. Another argument or suggest that has been made to us is
 25 that the Savile story was dropped off the list in order

1 in some sense to maintain "Chinese walls" was the
 2 impression that was used to us --
 3 A. Yes.
 4 Q. -- to maintain Chinese walls, perhaps to ensure that
 5 Vision --
 6 A. Didn't make any attempt to intervene?
 7 Q. Yes. To which one might say, well, maybe -- maybe --
 8 News is concerned about influence or pressure from
 9 Vision, but if one was in Vision -- which of course is
 10 where you were, so you are well equipped to deal with
 11 this -- if one is sitting in Vision, it rather seems to
 12 subvert of purpose of the list if a story like this is
 13 dropped off because then Vision can't, as it were, see
 14 it.
 15 A. I can't dissent from that.
 16 Q. We will come obviously to the 2 December awards lunch
 17 and obviously spend a bit of time on that. But it has
 18 been suggested to us by somebody who works in production
 19 at Vision that if this list works properly it's not, as
 20 it were, necessary for ten-second conversations or any
 21 second conversations between the Director of Vision and
 22 the Director of News so that the Director of Vision can
 23 be told what News is up to, because here's the
 24 mechanism.
 25 A. Yes. Well, the whole thought behind the Managed Risk
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1 Programme List was to make sure that there was a better
 2 flow of information around the organisation, such that
 3 if it was doing things that would be of interest to
 4 other bits, that appropriate amounts of information were
 5 communicated in a forum that would allow them to be
 6 thought about properly.
 7 It has always been striking that people are very
 8 sensitive about what they are putting on to the list for
 9 journalistic reasons or any other reason. We're capable
 10 of making very Delphic entries, so they would say
 11 nothing more than a single identifying word over on the
 12 left and there would be nothing in the box marked where
 13 it says "Investigation into academics", or whatever it
 14 might be, or next to nothing, but that might be
 15 enough -- just a word or a subject, might be enough to
 16 alert people to the possibility that further enquiries
 17 might be made.
 18 Q. You used the word "Delphic", one might think that the
 19 entry in the list, when it was there at 277, is fairly
 20 bland, just as a matter of English. It simply says
 21 "Jimmy Savile investigation".
 22 A. Investigation, yes. That is as -- that is as minimalist
 23 as I think you could ask it to be and still be of any
 24 use.
 25 Q. Of course, one might -- obviously, one could enquire as
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1 to what the nature of the investigation was -- but there
 2 might be people who would know from the very words
 3 "Jimmy Savile" and "investigation" -- they would have
 4 a shrewd idea of what it was likely to be about.
 5 A. Yes.
 6 Q. Can I just show you, just on this list, unfortunately we
 7 have to go to 16, and 215. This is the following month,
 8 this is December. Now, before we look at this document,
 9 which again you might not have -- I don't know if you
 10 saw this in the last few days or not. 215, 8 December,
 11 but confusingly at the top of the page it says
 12 October 2012, which is the day it was produced, but go
 13 by the numbers at the bottom.
 14 A. Yes.
 15 Q. You probably know now that the transmission date for the
 16 Jimmy Savile piece had been more or less fixed for
 17 7 December?
 18 A. Yes.
 19 Q. So this is the following day. Your discussion with
 20 Helen Boaden was on the 2nd --
 21 A. Yes.
 22 Q. -- and this is the 8th. You see that Sara Beck to
 23 Liz Gibbons:
 24 "MRPL, does this need changing? Jimmy Savile is not
 25 on it."
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1 Liz Gibbons replies by saying:
 2 "I think that just about covers it aside from
 3 Savile-gate."
 4 It doesn't go on and, as far as we can tell, it just
 5 doesn't get mentioned again so far as the Managed Risk
 6 Programme List is concerned.
 7 At the 7/8 December -- we will come to your
 8 discussion with Helen Boaden, you had had that
 9 discussion on the 2nd -- did you have a further
 10 conversation with her telling you the story wasn't
 11 running and, if so, when was that?
 12 A. I don't recall doing so. I have thought about that and
 13 I can't recall having a conversation like that. So
 14 I can't -- I can't say.
 15 Q. So your recollection is that you had the discussion on
 16 the 2nd --
 17 A. Yes, and --
 18 Q. -- and, as it were, heard no more about it?
 19 A. That's my recollection. I have thought -- I have tried
 20 to think about the follow-up conversations and I have
 21 not been able to recall them.
 22 Q. So before we leave the Managed Risk Programme List, you
 23 said that you had identified the one at especially
 24 A2/276, of being of some importance. You said you made
 25 some notes. Have we covered what you wanted to say or
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5 (Pages 17 to 20)

<p>1 is there something you wanted to add?</p> <p>2 A. I think you have. The note -- the thing that I was</p> <p>3 struck by was that it had been specifically taken off</p> <p>4 the list because of considerations about Vision. That</p> <p>5 was -- because a lot of questions were asked about the</p> <p>6 Managed Risk Programme List and whether it was on it and</p> <p>7 when, and we, as part of trying to understand what had</p> <p>8 happened -- we had looked at the corporate Managed Risk</p> <p>9 Programme List and not -- and never found that it was on</p> <p>10 there. We hadn't got down as far as the News ones.</p> <p>11 It seemed to me -- I noted that particular email,</p> <p>12 LG2047, Liz Gibbons to Sara Beck:</p> <p>13 "I know Peter and Steve talked about the Vision</p> <p>14 issues surrounding Savile, so that sounds sensible."</p> <p>15 Then my note is:</p> <p>16 "This in response to Sara Beck's email revealing she</p> <p>17 has taken it off the MRPL, so I think you have probably</p> <p>18 covered that.</p> <p>19 Q. Yes. The risk that is identified is said to be "legal"</p> <p>20 and "taste". Can I just ask you about the taste side of</p> <p>21 things? Some people have suggested to us that a reason</p> <p>22 to be wary of the Jimmy Savile story in late</p> <p>23 October/early November last year was that the guy had</p> <p>24 just died --</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 21</p>	<p>1 Journalistic revelations that would indicate that</p> <p>2 another attitude should be taken towards Savile.</p> <p>3 So I always have thought it would be an argument</p> <p>4 rather than a clear rule that you would want to go one</p> <p>5 way or another.</p> <p>6 Q. So far as "legal" is concerned, obviously we don't have</p> <p>7 to worry about defamation, because a dead man cannot</p> <p>8 sue --</p> <p>9 A. Um-hm.</p> <p>10 Q. -- and, as we understand it, the script, such as it was,</p> <p>11 was sent to Mr Law, a BBC lawyer.</p> <p>12 A. Yes.</p> <p>13 Q. He never identified any legal problem with the running</p> <p>14 of the story, subject to one way in which one of the</p> <p>15 people who was still alive was to be dealt with, ie not</p> <p>16 mentioned.</p> <p>17 A. Yes.</p> <p>18 Q. Subject to that, there was no legal problem. What do</p> <p>19 you say about the question of where the editorial bar</p> <p>20 should be set in the case of somebody who is dead, as</p> <p>21 opposed to somebody who is alive? One view is it does</p> <p>22 not matter, the fact that you can't get a libel writ is</p> <p>23 neither here nor there, you apply the same editorial</p> <p>24 standards. Another view is that you can be a bit freer</p> <p>25 and easy with the --</p> <p style="text-align: center;">Page 23</p>
<p>1 Q. -- and that there might be some relationship between the</p> <p>2 length of time he was dead and the running of the story.</p> <p>3 You've had a lot of experience in News and in Vision,</p> <p>4 but in a situation such as that, what do you think the</p> <p>5 impact of the fact that the subject is only recently</p> <p>6 dead is, if any?</p> <p>7 A. I think it -- from some of the stuff I've seen it was on</p> <p>8 people's minds, and I'm not surprised it was on people's</p> <p>9 minds. The prevailing culture was, you know, one of</p> <p>10 a funeral in which many tens of thousands of people had</p> <p>11 been out on the streets of Yorkshire marking his</p> <p>12 passing, and there was a sense of enthusiasm for him,</p> <p>13 for his life and his works. I would imagine that people</p> <p>14 were anxious about the notion of how quickly you could</p> <p>15 pile in after that and say there's another way of</p> <p>16 looking at this story.</p> <p>17 Q. That would --</p> <p>18 A. Might you categorise that under the word "taste".</p> <p>19 Q. That would dissipate over time, so that as an editor one</p> <p>20 might be more amenable to the story in three months --</p> <p>21 A. I think that is just a judgement. I think that is just</p> <p>22 a judgement you'd have to make. You might feel that the</p> <p>23 key thing was that you wanted to get it out as fast as</p> <p>24 you possibly could, because the fact that there was one</p> <p>25 popular attitude to Savile needed to be corrected by the</p> <p style="text-align: center;">Page 22</p>	<p>1 A. Faster and looser?</p> <p>2 Q. Yes.</p> <p>3 A. Well, I would have -- my view, as a BBC editorial</p> <p>4 manager would be that you -- there was no capacity for</p> <p>5 fast and loose. You were -- the legality -- the libel</p> <p>6 risk was removed, in respect of Savile, and of course</p> <p>7 that is a advantage --</p> <p>8 Q. Yes.</p> <p>9 A. -- if you are planning a piece of journalism. But the</p> <p>10 need to be accurate and the need to have done your</p> <p>11 journalism properly would have been just as strong for</p> <p>12 somebody dead as it would be for somebody alive, would</p> <p>13 have been my view. So you would have had to have been</p> <p>14 able to recognise what the lack of libel risk -- what</p> <p>15 sort of advantage the lack of libel risk represented</p> <p>16 but, at the same time, I would not have seen that as</p> <p>17 meaning you could be -- you could have lower standards</p> <p>18 of proof about what you were saying about Savile, would</p> <p>19 be my view.</p> <p>20 Q. So if a manager had said to the editor of the programme</p> <p>21 "You better make sure you apply same standards of</p> <p>22 editorial rigour as you would if Jimmy Savile was still</p> <p>23 alive", that would be entirely appropriate?</p> <p>24 A. I -- I -- obviously, this was a conversation I had with</p> <p>25 Helen when I was talking with to her about whether she</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

1 had -- I said to her "Do you think anything that you
 2 have -- could have said to them could have been
 3 construed as a steer away from doing it", and she said
 4 the only thing I recall saying -- again, this is
 5 a paraphrase -- is something of the sort of the -- some
 6 of phrases you just used -- the sorts of phrases you
 7 just used, ie just as he's dead doesn't mean you don't
 8 have to do a journalistically thorough and proper job.
 9 My instinct when I heard that was that that was not
 10 an inappropriate thing to say. He, Savile, seemed to be
 11 somebody who a lot of people loved and liked and
 12 therefore a journalistic piece about him making
 13 allegations as serious as these would be one you would
 14 have to be able to stand by, ie you would have to get it
 15 right. So that didn't feel like an inappropriate
 16 intervention to me.
 17 Q. Right.
 18 A. I don't know exactly how it was put. But the substance,
 19 ie just because someone is dead --
 20 Q. The bar stays in the same place?
 21 A. -- you can't do sloppy journalism about them, doesn't
 22 seem like a bad sentence to me.
 23 Q. Mr Entwistle, I think you can put bundle 2 away for the
 24 moment. Can I just ask you to look at bundle 3? Before
 25 we dive into a page, what I'm going to ask you about is

Page 25

1 there is a bit of BBC News called Impact, the Impact
 2 team?
 3 A. Yes.
 4 Q. Presumably you know what that team does?
 5 A. Well, I have only recently heard about it. But I think
 6 it's -- I think it's a team which is trying to make sure
 7 that any good potentially high profile piece of
 8 journalism that is going on anywhere in News is spotted
 9 sufficiently early and given the press support and the
 10 support across the rest of the news outlets to give it
 11 as much impact responsible.
 12 Q. So where, for example, Newsnight has a story, it is
 13 a way of fanning that out across BBC News?
 14 A. Yes, increasing its impact.
 15 Q. Do you have a view about the stage at which the Impact
 16 team should be contacted by a programme that is running
 17 a piece, how close to transmission?
 18 A. My -- my guess would be there are journalists in the BBC
 19 who phone the Impact team the second the thought has
 20 sprung into their mind, so convinced are they that they
 21 will produce a piece of high impact and there will be
 22 other bits of the BBC, where they are so focused on
 23 doing what they are doing that they forget to ring the
 24 Impact team until the last possible minute and try to
 25 bang it all together then, and there is -- probably

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1 everything between those two poles is possible, as
 2 an approach.
 3 Q. Is there a rule or a practice about whether the editor
 4 or the executive producer or the producer or the
 5 reporter contacts the Impact team?
 6 A. I don't -- Impact came in after I had left News. The
 7 notion of coordinating if there is a specific
 8 department -- the notion of coordinating all this is
 9 something that was not operating when I was last in
 10 News. So I don't feel I know chapter and verse about
 11 how it would be expected to work. I would have
 12 thought -- I mean, it doesn't seem to me necessarily to
 13 be wrong for a producer of an item to contact the Impact
 14 team, but I -- I guess if I were the editor of
 15 a programme I would want to have a pretty clear grip on
 16 which of my work in progress projects were being, um,
 17 put out to the Impact lot, because I would want to be
 18 sure that they were being brought to Impact's attention
 19 at the right moment, in terms of, you know, was I -- as
 20 an editor, am I sure that I'm going to go ahead with it,
 21 am I sure that I have considered all the risks, if it
 22 gets broader in circulation inside the BBC, is it good
 23 enough yet to have that broader circulation? So
 24 thoughts like that.
 25 Q. Does it follow from what you just said that it is only

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1 when the editor has basically decided to run the piece
 2 that Impact would be contacted?
 3 A. I don't know. I don't know what the rules are. I mean,
 4 if Impact had been operating when I was editor of
 5 Newsnight, I would have wanted to be across the point at
 6 which Impact was being brought in, because I would have
 7 wanted to be confident that things were going to be
 8 handled in the right way. This is where, to a degree,
 9 my knowledge of some of the people involved, you know,
 10 gives me a slightly different insight and, you know,
 11 I don't know in detail how the first contact around
 12 Impacts was made in this case.
 13 Q. Let's presume it was made by Meirion Jones?
 14 A. I was going to say, if it was made by Meirion Jones,
 15 that would not surprise me. As I understand it, he had
 16 become Newsnight's designated investigative producer or
 17 investigative lead and I would have thought that person
 18 would fairly have a good relationship with an Impact
 19 function because, apart from anything else, the Impact
 20 team had probably got in the habit of going to him to
 21 say "Do you have anything for us?"
 22 Q. The evidence we have is that the Impact team were
 23 gearing up for a bit of a show here.
 24 A. Yes. That's what I have read --
 25 Q. If you look, for example, at page 174:

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7 (Pages 25 to 28)

1 "Hi Meirion, here's my prediction of what we will
 2 need from Liz."
 3 That is Liz MacKean, the reporter, she's going to be
 4 on all sorts of radio programmes and TV and on-line, and
 5 so on.
 6 A. Yes.
 7 Q. You might just glance at Mr Jones's response at
 8 page 178. I don't know whether you have any observation
 9 about that.
 10 A. Um, it looks like a pretty culturally standard level of
 11 humour about the relationship between News and the rest
 12 of the BBC to me.
 13 Q. Then at 179, Jo Mathys, who is in the Impact team, now
 14 contacts the editor, Peter Rippon, to say she has had
 15 a very helpful chat with Meirion about Jimmy Savile.
 16 A. Yes.
 17 Q. "I won't mention anything to Programmes until you and he
 18 are ready for me to do so but it is safe to assume
 19 a huge amount of interest in the story."
 20 A. Does Jo Mathys at that point mean "Programmes" as in
 21 Steve Mitchell's managerial entity or just --
 22 MR POLLARD: News programmes.
 23 A. -- individual news programmes.
 24 MR MACLEAN: I think the latter. So then, I can just ask
 25 you to look at page 181 and you have a particularly
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1 interesting cocktail of experience for us, because not
 2 only have you been Director of Vision, Director General
 3 of the whole organisation, but you also were in News and
 4 indeed were editor of Newsnight.
 5 A. Yes.
 6 Q. So this email is from Gibbons to Rippon on 29 November.
 7 She says:
 8 "Are you going to exec this?"
 9 Now, as it happens, Peter Rippon was not only the
 10 editor of the Newsnight programme as a whole, he was
 11 also the executive producer of this piece.
 12 A. Yes.
 13 Q. I don't know, that might be important. Can you just
 14 help me with -- forget about the fact that Peter Rippon
 15 was editor of the whole programme --
 16 A. Yes.
 17 Q. -- as executive producer of the piece, what does that
 18 demand of him, in your view?
 19 A. Well, this -- I think this may have been a system
 20 I introduced when I was editor, which was I had -- I was
 21 an editor with two deputies and I think Peter, prior to
 22 the departure of Shaminder to Channel 4 -- I'm not quite
 23 sure when that happens in this -- I think she was still
 24 there at this point.
 25 Q. Yes, absolutely, she has only left in the last few
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1 weeks.
 2 A. I think Peter ran the same system, and the system was
 3 that every film coming out of Newsnight needed to have
 4 one of the three most important people on the programme
 5 attached to it as the executive producer. It is an idea
 6 borrowed from, sort of, long form television, the notion
 7 that would you have an executive producer of a film.
 8 The thing I was trying to do by introducing it was to
 9 make sure nothing came through the Newsnight machine
 10 that hadn't had proper attention from one of the most
 11 senior three people on the programme.
 12 So I would say it is important, because it is the
 13 most senior programme -- well, in the end, obviously,
 14 Newsnight is configured in such a way that anything on
 15 that programme, if the editor deems it fit to go to air,
 16 can go to air with his authority. So in other words, he
 17 doesn't need to refer it any higher to take something to
 18 air, it is a matter of judgement whether he would need
 19 to refer it further up the system.
 20 Q. He's the captain of the ship?
 21 A. He's the captain of the ship and he has the right to
 22 publish. Now, the truth is on Newsnight you publish
 23 with devolved responsibility a heck of a long way down
 24 the system. So in other words a researcher might make
 25 a three minute package on a late breaking news story
 Page 31

1 that will come you out of the cutting room with 30
 2 seconds to go to air and will go straight onto the
 3 television without any one of those senior three people
 4 seeing it, but obviously the responsibility for it, if
 5 that researcher messes it up and gets it wrong or
 6 includes a libel or whatever, they would not be held
 7 responsible in that programme, the managerial trio of
 8 the programme would be held responsible, the output
 9 editor or one of the late editors. The three executives
 10 are also called the late editors because between them
 11 one of them will always stay late for that night's
 12 edition of the show.
 13 Q. One of them is actually present --
 14 A. One of those three will always be present -- in the way
 15 I ran it, would always be present for the show going
 16 out. They would not be the actual output editor of the
 17 show, they would be helping the output editor of the
 18 show and providing a bit of oversight to make sure there
 19 wasn't anything that caught the output editor out.
 20 It would not necessarily be -- this was
 21 a complexity -- it would not necessarily be that a film
 22 slated for a night would necessarily have the output --
 23 the late editor who happened to have exec-ed it, but
 24 that shouldn't have been a problem. The executive
 25 producer of a film, one of those three figures would
 Page 32

1 have discharged their responsibility towards it in such
 2 a way that by the time it got to the night of broadcast
 3 it was ready to go if they say it was ready to go.
 4 Q. Because it was in the can; literally, it was in the can?
 5 A. It might not be, in fact, because a lot of Newsnight
 6 films, even if they had been worked on quite a long way
 7 before the planned TX date might actually still be in
 8 the edit suite on the day of transmission, but
 9 fundamentally they would be working to an approved
 10 script which had been legalised and signed off, and so
 11 on.
 12 I have slightly gone down a rabbit hole here.
 13 Q. We were just on the executive producer --
 14 A. So the responsibilities of executive producer?
 15 Q. Yes, that's what I want to get from you.
 16 A. In my view, the executive producer should be the most
 17 senior figure who knows that film most well and in fact
 18 knows it backwards and knows everything that has been
 19 got for it, is really closely acquainted with any number
 20 of the threads and angles within it and is the person
 21 actually, really in charge of what it is about, what
 22 kind of film it is going to be.
 23 I'm really struck by reading all this stuff about
 24 the sense of a kind of lack of agreement about what this
 25 film was actually about between the person who I now
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1 know was exec-ing it, Peter Rippon, and the people who
 2 were making it. But I would have expected the executive
 3 producer to be the person upon whom one could most rely
 4 to say "This is what it is about, this is what is going
 5 in it, this is what we have that's not going in it, this
 6 is why the stuff that is not going in it isn't going in
 7 it, this is why the stuff that is going in it is going
 8 in it", et cetera.
 9 Q. You have seen in this pack, I assume, something called
 10 ROUGHSAVILE. There is ROUGHSAVILE 2 and there is
 11 ROUGHSAVILE 5, which you won't have seen at the time.
 12 A. No, I didn't see it at the time.
 13 Q. You can take whichever one you like. You will find them
 14 in bundle 3 at 232, examples --
 15 A. Is that 5?
 16 Q. That's 5. I don't know if that's the one you have
 17 looked at. That's the last one, I think.
 18 A. Yes.
 19 Q. Just help us with this, if you wouldn't mind. We've had
 20 some discussion about whether this is a script --
 21 properly described as a "script". You will see from
 22 233, you have probably picked this up in your reading of
 23 it, this included words from Mr Williams-Thomas which he
 24 had not yet spoken --
 25 A. Yes.
 Page 34

1 Q. -- and indeed never did speak, so far as I'm aware.
 2 A. Yes.
 3 Q. But you see there were words that he was intended --
 4 A. They hoped he would say.
 5 Q. Yes, it was anticipated he would say, which is about
 6 hushing up, do you see at 233?
 7 A. Yes.
 8 Q. By the end of the piece, if you go to 329, the end of
 9 the piece is a PTC:
 10 "Duncroft or Television Centre with any statement
 11 from police or CPS and line about girls not believing it
 12 just happened at Duncroft."
 13 It begins to look as if the piece is about
 14 Jimmy Savile being a paedophile but in some sense the
 15 focus of it is that the police and the CPS have missed
 16 a trick or hushed something up. But what I want to ask
 17 you is: is this document the sort of thing that the
 18 editor of Newsnight would get and read and use as
 19 a basis for deciding whether the piece should run or
 20 not?
 21 A. It certainly is what the executive producer of
 22 a Newsnight film would be using. So in other words it
 23 wouldn't necessarily -- if one of deputies had been
 24 designated as the executive producer of the Savile film,
 25 it could be that the editor of Newsnight would not
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1 necessarily have been poring over pre-edit scripts like
 2 this. I'm not quite sure how this comes in terms of the
 3 editing days that were booked --
 4 Q. It is before them?
 5 A. It looks like a --
 6 Q. It is a few days before?
 7 A. It looks like a rather -- and I have seen these a lot,
 8 but it looks like a rather dangerous mixture of
 9 pre-shooting script, ie "We have not shot a thing, this
 10 is what we hope we will get, would you like to ask us to
 11 make it?" and "We have started to populate it with stuff
 12 we have got, but it still contains elements of stuff we
 13 haven't got".
 14 There is always a bit of a risk when you do that
 15 trick of combining the material you have really gathered
 16 with the material you had originally hoped to gather, in
 17 that there is a -- the danger, I think, is that it
 18 creates that script that means that when people look at
 19 it, they are not quite sure what they are looking at.
 20 MR POLLARD: But Peter Rippon and Meirion Jones, both very
 21 experienced people, would understand that innately,
 22 wouldn't they?
 23 A. I would have thought so.
 24 MR POLLARD: They would see immediately that this is
 25 actuality that is already in the can and this is clearly
 Page 36

1 speculative.

2 A. I say what I say about them being a bit of a dangerous

3 thing. It's a sort of parenthetical observation,

4 because I think that everybody involved should be having

5 the kind of conversations that mean that everybody

6 understands what this is.

7 MR POLLARD: Can I just ask, do you think, looking at the

8 exec producer's role, rather than the programme editor's

9 role or the editor's role, around about this time would

10 you expect the exec producer to be seeing some of the

11 content, looking at some of what has been filmed

12 particularly if they were slightly in two minds about

13 it?

14 A. Um, yes, my guess is that, after the 25th, which I think

15 is when Peter Rippon said "Excellent", gives it the kind

16 of "We're no longer in any doubt between us whether we

17 are going for this or not" -- because there seems to be

18 quite a lot of quite interesting doubt prior to that

19 moment -- that from then on he might well want to start

20 to see things.

21 MR MACLEAN: I'm not sure it is quite right to say there was

22 not any doubt thereafter.

23 A. You are right, there is doubt later on, but there is

24 a window, it seems to me, between the 25th and the 29th

25 where everybody is agreed they are making something,

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1 Q. So Mr Mylrea is his direct boss?

2 A. Yes.

3 Q. We can get this in a whole range of places but this is

4 something called "Savile briefing note" from 16 October.

5 But what I want to ask you about is, if you go to

6 page 190, do you see that the bold words, a third of the

7 way down the page:

8 "Was any influence brought to bear by any senior

9 management either directly or indirectly to cancel the

10 Newsnight investigation?"

11 Third paragraph:

12 "George Entwistle has made it absolutely clear, as

13 has the editor of Newsnight, that he and every other

14 senior manager at the BBC had no influence whatsoever

15 over the decision to drop the Newsnight investigation.

16 The Newsnight decision was taken solely by the editor of

17 that programme as he has made clear himself in his

18 blog."

19 We will come to the blog. In fact, Mr Rippon's blog

20 does make clear that he had discussions up the chain a

21 bit, doesn't it?

22 A. Yes.

23 Q. So is it right to say that --

24 A. So "no influence whatsoever", looks to me like a strong

25 phrase --

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1 whereas prior to that, there are periods of agreement

2 that may be they are making something, but I'm not sure

3 there is agreement about what they are making.

4 MR POLLARD: Yes.

5 MR MACLEAN: So, by this time, as you will have seen,

6 Meirion Jones had, I think it is called "synced" the cut

7 bits from the interview of [REDACTED]

8 A. Yes, he had done the [REDACTED] interview, yes.

9 Q. Then he and Liz MacKean had worked up this script

10 between them. The details of that don't matter. Then

11 this one, or may be the predecessor, ROUGHSAVILE 2, gets

12 sent to Peter Rippon on the 29th. At the time you

13 weren't aware of all of this, I think it is right to say

14 that the first you knew about any of this was the lunch,

15 which we are coming to, the awards.

16 A. In all my trying to recall it, that is when I became

17 aware. I can't think of an occasion when I was told

18 before that.

19 Q. The BBC, for example -- yes, this is as good a way --

20 yes, bundle 13, page 186. Jumping ahead to 16 October

21 this year, this is an email from Mr Payne to Mr Mylrea.

22 Now, as I understand it, Mr Payne --

23 A. Yes, he's --

24 Q. -- reports to Mr Mylrea?

25 A. That's right, the head of the press office.

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1 Q. Yes.

2 A. -- in a world where there may have been, you know,

3 wholly appropriate influence exercised by his

4 managers --

5 Q. Yes, exactly.

6 A. -- as in journalistic support. So I think the thing we

7 need to be -- the thing that we need to be clear about

8 is the difference between any influence that would be

9 appropriate and inappropriate, I suppose.

10 Q. We will come to this later. I'm going to suggest to you

11 later that when you look at the BBC lines as a whole, in

12 around about this time --

13 A. Yes.

14 Q. -- they might, to the uninitiated, or even to the

15 initiated, give the impression that Mr Rippon is doing

16 all this in his little box, entirely on his own?

17 A. Entirely on his own, yes, which would not have been the

18 right impression.

19 Q. Which isn't true --

20 A. Yes.

21 Q. -- because he had discussions, one discussion with

22 Helen Boaden and in particular discussions with

23 Mr Mitchell, didn't he?

24 A. I think this is a classic press office syndrome, which

25 is, under the pressure of being endlessly asked "Didn't

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<p>1 management intervene inappropriately to stop this 2 decision?" it reads like a sort of undenuanced 3 overreaction to that.</p> <p>4 Q. We have to jump around a bit at times, but if you put 5 that one away and take bundle 7 and go to page 187, just 6 to show you what this is, it is an email thread which 7 is, I am afraid -- actually this one is quite short but 8 some of them are very lengthy -- between Mr Webster of 9 The Times and the BBC.</p> <p>10 A. Yes, yes.</p> <p>11 Q. I don't think we need to go into the detail of it, but 12 at 187, Helen Deller, who is a publicist in News and 13 Current Affairs -- is that the same as the press office?</p> <p>14 A. Works for the overall press operation, yes.</p> <p>15 Q. But in News, because there are two different press 16 operations, aren't there?</p> <p>17 A. Every division has its own press set-up and the head of 18 the divisional press reports into the overall head of 19 Corporate Press.</p> <p>20 Q. The latter is Mr Mylrea?</p> <p>21 A. I think they report into -- into Julian and Mr Mylrea. 22 So I think the two figures who represent and bind the 23 whole thing together -- it is not just Mylrea, I think 24 it is --</p> <p>25 Q. Payne and Mylrea?</p> <p style="text-align: center;">Page 41</p>	<p>1 would be if Peter Rippon had reached the stage where he 2 said:</p> <p>3 "I have the Savile thing to the best possible point 4 I believe I can get it, but I can't make my mind up 5 about whether it is good enough to go. Steve, I would 6 like to refer it to you about whether or not it is fit 7 to air."</p> <p>8 That would be a formal referral of the programme and 9 at that point Peter would have to say "I have gone as 10 far as I can, and I can't make my mind up", I can't 11 decide".</p> <p>12 Q. So he would be handing over the decision to his 13 immediate superior?</p> <p>14 A. Yes, and that can happen right the way up through the 15 organisation. So, under those circumstances, if Steve 16 had referred it to Helen and if Helen had been unable to 17 decide and had referred it to Mark, none of that is 18 impossible.</p> <p>19 Q. So, in fact, Mr Rippon told us that he and Mr Mitchell 20 never did disagree about whether a story should run or 21 not. The example you gave was of the editor essentially 22 saying "I can't make up my mind". What about if the 23 editor goes to his line manager and says "I think this 24 should run, what do you think?" and gets the answer 25 back, "Well, actually, I don't think it should run",</p> <p style="text-align: center;">Page 43</p>
<p>1 A. -- Payne and Mylrea.</p> <p>2 Q. Helen Deller to Ben Webster:</p> <p>3 "As I said, there were discussions as per normal in 4 our editorial processes, but it was not referred up or 5 sideways or wherever. Peter took the decision as editor 6 of the programme. As I said, there was no internal 7 pressure, so cannot possibly be any discussion about 8 people involved or what they knew."</p> <p>9 This is 2 October, this is the day the blog went up.</p> <p>10 A. Yes, yes.</p> <p>11 Q. One might think this is a rather similar phenomenon from 12 the example I showed you a moment ago. There seems to 13 be some distinction being drawn between normal editorial 14 process discussions on the one hand and referred up on 15 the other.</p> <p>16 A. Yes, but I think that is --</p> <p>17 Q. Is that a valid distinction?</p> <p>18 A. I think there is a valid distinction there.</p> <p>19 Q. What is the distinction?</p> <p>20 A. I think the distinction would be that, if I had five or 21 six controversial investigations going on as editor of 22 Newsnight, I would expect to be talking to my line 23 manager about those, apart from anything else, just to 24 have the benefit of their experience and insight into 25 what we were attempting journalistically. A referral</p> <p style="text-align: center;">Page 42</p>	<p>1 ultimately, who has the casting vote now?</p> <p>2 A. Well, the manager. Because that -- that's very close to 3 a formal referral. If -- if at that point he's saying 4 "I'm ready to go with this and I need to know whether 5 you think it is ready to go or not", then that feels to 6 me like the casting vote has gone to the manager.</p> <p>7 Q. Right. Can I then ask you to turn your mind to the 8 Women in Television Awards lunch?</p> <p>9 A. Yes.</p> <p>10 Q. You may have seen this in the documents we sent you. If 11 we take bundle 3 and go to page 231 -- I should have 12 said at the beginning that we've obviously received from 13 you the various notes that you have supplied.</p> <p>14 A. Yes.</p> <p>15 Q. We have them and have read them. If I don't take you 16 through them, that's not an indication that we have not 17 read them.</p> <p>18 A. No, no, that's fine.</p> <p>19 Q. 231 --</p> <p>20 A. On the table plan?</p> <p>21 Q. -- the table plan. The covering email is the page 22 before. You have been given the heads up by your 23 special assistant about the seating plan, who you were 24 going to be sitting beside and between.</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 44</p>

1 Q. We can see that Steve Mitchell is there, Helen Boaden,
 2 Peter Rippon and you.
 3 A. Um-hm.
 4 Q. So just tell us about, first of all, at what point in
 5 this event did Helen Boaden side up to you?
 6 A. My recollection, I arrived -- I was ill that day and
 7 I hadn't done the work I was going to do in the morning.
 8 I had stayed in bed and I went from -- I didn't want to
 9 miss the lunch because I thought -- I understood
 10 Janice Hadlow was going to win an award and I wanted to
 11 be there for Janice's award, so I went from home --
 12 there was a lot of talk about were we going to share
 13 a lift in, but I didn't in the end share a lift with
 14 anybody because I went from home to the lunch and
 15 I didn't -- I recall arriving not late but relatively
 16 close to the start of the thing.
 17 There were a lot of people around. It was very busy
 18 and I -- Frances, who was the one who sent me the stuff,
 19 was introducing me to a lot of people I didn't know,
 20 people connected with women in film and television and
 21 other people around me. But my recollection is that
 22 Helen -- in the period before we sat down, Helen came up
 23 to me and mentioned the, um -- mentioned the Savile
 24 investigation.
 25 Q. She was doing that because she had learned from
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1 Peter Rippon and/or Steve Mitchell that Newsnight was --
 2 A. Looking at --
 3 Q. -- looking at this and had something in the pipeline and
 4 at that stage her expectation was that the piece might
 5 well be broadcast; is that right?
 6 A. Well, I have -- I have answered this question so many
 7 times I'm -- I'm starting to wonder whether I can't
 8 remember some of the ways I have answered the question
 9 or whether I can't remember the situation itself. But
 10 my recollection is that she was open ended about whether
 11 or not anything would come of it. That was my
 12 recollection of that exchange.
 13 So she didn't say "We're days away" or "This is
 14 imminent and it is stood up and you need to know because
 15 we're about to press the go button on it". It felt much
 16 more like "Newsnight are looking at Savile and if
 17 anything comes of it" -- and I have used these phrases
 18 and I don't know whether they are absolutely right or
 19 not, but -- "if it stands up, if any thing comes of it,
 20 if it pans out", something like that, "then may be
 21 implications for your Christmas schedule".
 22 I remember saying "Thanks" and I think I might have
 23 said thanks in an ironical way, but I didn't mean to be
 24 discouraging. I just wanted to reflect the view
 25 television might generally have of News' capacity for
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1 creating problems for it. But -- which is pride in it
 2 on the one hand and the recognition that sometimes it
 3 creates practical problems on another.
 4 Q. So she had at least potentially put something onto, as
 5 it were, your plate?
 6 A. She definitely put something on my radar, was my
 7 feeling. I didn't feel she had put something on my
 8 plate because I felt that she had been so clear about
 9 the -- or I took away from the conversation so clearly,
 10 my recollection is, the conditionality of it. It felt
 11 to me that there was an "if". The key thing was "If we
 12 move to the next stage" or whatever the phrase might
 13 have been.
 14 MR POLLARD: Any journalist would say "What are you
 15 investigating him for?"
 16 A. I know. I didn't. I don't recall asking her that.
 17 I asked her afterwards when I -- when I talked about the
 18 conversation "Do you remember me asking?" She said
 19 "I don't remember you asking, I don't remember whether
 20 I told you or not". So I don't have a recollection of
 21 asking it and I agree that question has been put to me
 22 a lot, I understand that. I have thought a lot
 23 about it. Thinking a lot about it hasn't brought back
 24 a memory of my asking or her telling me.
 25 We were in a sort of thoroughfare between two
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1 tables, people kept coming up and saying "Oh, hello" and
 2 air kissing each other because this is television, and
 3 it could well be that our conversation was interrupted
 4 by another introduction. Frances was rather
 5 industrially bringing people up to me to meet, and that
 6 was good, in a sense, that was what I was there for.
 7 Q. As a mechanism of putting something, whether on your
 8 radar or on your plate, it is a pretty hopeless forum to
 9 do it in, isn't it?
 10 A. Well, it -- everything I say now is post hoc, ie this is
 11 me rethinking about it now rather than thinking about it
 12 at the time. The only way in which it seems to me that
 13 that would have been -- would have made sense, is if it
 14 was a -- it was the beginning of a conversation that
 15 would have a second part.
 16 Q. Helen Boaden, I think, explained to us that she
 17 anticipated that you would take this information away,
 18 back to Vision, and --
 19 A. And do something with it?
 20 Q. -- and do something which it?
 21 A. Which I didn't do, so far as I'm aware.
 22 Q. What would the -- I mean, the "something" might have
 23 been to, first of all, get a firm grip of what the --
 24 what was on the Vision menu, but perhaps you knew that
 25 already, so far as Savile was concerned.
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1 A. What are we on, 2 December? I didn't know -- I didn't
 2 know -- I couldn't have told you exactly how many
 3 programmes there were, but I knew there was the BBC1,
 4 sort of, Jim'll Fix It remake --
 5 Q. Yes.
 6 A. -- and I expected that there were one or two, I suppose,
 7 archive-type programmes, but I didn't -- what I did
 8 know, or felt I knew, because I had only signed off the
 9 Christmas schedule in the last few days -- I think that
 10 was signed off on the 29th.
 11 Q. Certainly for BBC -- would they both have been signed
 12 off on the same day? The BBC2 one was certainly
 13 published on the 29th.
 14 A. I think we signed off the whole Christmas schedule on
 15 the 29th. That's my recollection of it. I suppose
 16 I didn't have in my mind an overpowering sense that
 17 Savile and Savile commemoration was a massive part of
 18 our Christmas plan.
 19 Q. Right. So --
 20 A. I -- I think that, you know, if I had done something
 21 with that information, it would have been to say to
 22 other people, possibly controllers, you know, "Newsnight
 23 may do something on this and we may have to be able to
 24 react to that". But I didn't do that, and, um -- and,
 25 um, I can't -- I can't in all honesty say why I didn't,
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1 but I didn't.
 2 MR POLLARD: You have mentioned -- I think Mr Maclean will
 3 be coming to it -- the way perhaps you put this at the
 4 Select Committee.
 5 A. Yes.
 6 MR POLLARD: You made quite a strong element at that
 7 committee of not just, if you like, a sort of passive
 8 "In fact, I didn't do much about it", but a positive
 9 reason for not doing something about it, or not asking
 10 more about it because of the danger of influencing --
 11 A. Well, that's --
 12 MR POLLARD: -- can you explain that?
 13 A. Yes, it's something that's always in my mind because
 14 coming from the News side to Television it -- it
 15 seemed -- it has seemed to me -- I can't think of any
 16 specific examples -- but it has seemed to me that some
 17 of that defensiveness one perhaps detects in the
 18 Newsnight coming off the Managed Risk Programme List,
 19 about whether or not Television could be expected to
 20 be -- to understand what News' prerogative were here was
 21 an area one needed to be sensitive about, and I felt
 22 that one of the things I -- I would especially -- could
 23 especially bring -- or should especially bring to doing
 24 my job in Television, with the awareness I had of News,
 25 was to be sure that we didn't misbehave in that regard,
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1 that we didn't try to put pressure on.
 2 Therefore it was a consistent issue for me, this
 3 business of trying to make sure that News were given the
 4 space they needed to do stuff, even if it was
 5 disadvantageous to Television, or problematic to
 6 Television.
 7 MR MACLEAN: But Helen Boaden was, as it were, a very
 8 experienced person in her role.
 9 A. Yes, yes.
 10 Q. She wouldn't have dreamt of you doing or saying
 11 something that was inappropriate and, if you had, she
 12 would have told you politely to get lost, wouldn't she?
 13 A. I think that's right, but at the same time, I think
 14 I would have wanted to show to Helen, as a peer, that
 15 I was very much alive to the notion of not sticking my
 16 nose into her business. So it would not just have been
 17 "I will count on Helen telling me to clear off", I would
 18 want to show to her that I was alive to the dangers and
 19 she could fairly expect me to be alive to the dangers
 20 given my background.
 21 Q. Nick mentions the parliamentary committee, if you want
 22 to be reminded of what you said, it's in various places.
 23 If you go to 17, please, the start of it is page 55.
 24 This bit really starts about 63. This is Mr Farley(?),
 25 I think, who is asking the questions. He starts at 61.
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1 Do you see at 63, just by the top hole-punch, he raises
 2 a question of what he calls a BBC drinks party. You
 3 correct him about that.
 4 A. Yes.
 5 Q. Then the reference to the discussion with Helen Boaden.
 6 Then the bit that I think Nick has been on about, the
 7 lower hole-punch:
 8 "My assumption was that, if there was anything
 9 I needed to know I would be told. Is this something
 10 I have reflected on a lot it has been made plan that
 11 I have this determination to observe the separate
 12 organisation of News and Television."
 13 Then you were asked:
 14 "Is this not a blind spot in the organisation?"
 15 Then you said this, which is what I want to ask you
 16 about:
 17 "No, because if anything of seriousness is going on
 18 then the DG can review and pass information on."
 19 How would that happen? How would that work?
 20 A. Well, the way -- if you sort of spool on into a world
 21 where -- I mean this is -- I through have -- I'm in
 22 danger of trying to interpret myself here because
 23 I can't for certain remember what I was thinking at this
 24 time. But I guess that if -- if you -- if -- my
 25 impression after the Helen conversation was that they
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1 were looking at something and something might come of
 2 it. My assumption would have been that if something
 3 were to have come of it, she would have let the DG know
 4 about it potentially, because it would have fallen on to
 5 the kind of list of -- small number of list of projects
 6 that she would have mentioned to the DG in a routine,
 7 just as I had a number of things in my routine that
 8 I might have mentioned to the DG.
 9 Q. Why would that be, because the subject matter --
 10 A. Because Savile was a BBC star and that, just the --
 11 Savile being who he was might have been the sort of
 12 thing Helen would have a thought Mark might have found
 13 interesting. But, even if it hadn't gone that way, even
 14 if Helen hadn't mentioned it to Mark, and I have seen no
 15 evidence that she ever did mention to Mark, you know,
 16 she might have come back to me and said "Well, it has
 17 stood up, it has panned out, this is when we propose to
 18 broadcast it, this is the kind of thing we're going to
 19 say".
 20 At that point I would have said "Right, well, that
 21 obviously has direct implications for what we should
 22 do". I think I would have said at that point that
 23 I think this is something we should both talk to Mark
 24 about. This feels to me that Mark needs to be aware
 25 that there could be an investigation in News that could
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1 have an impact on published plans in Vision.
 2 Q. So if it was right that -- if you had got the message
 3 that the Savile piece was a piece about sex abuse and
 4 Jimmy Savile, if you had got that message, then that
 5 would be the sort of topic that you think Vision and
 6 News would have wanted to take to the DG.
 7 A. Well, not if it was an investigation into allegations
 8 about sex abuse that hadn't stood up. This was another
 9 point I tried to make at the Select Committee. The key
 10 thing here is: is it going ahead? Because -- because --
 11 in my journalistic career, I don't ever recall --
 12 I don't believe Newsnight ever -- you know, even was
 13 given any Savile stories when I was there. So, I can't
 14 draw on any specific expertise in that regard, but, you
 15 know, there were a lot of -- there were some stories,
 16 serious stories, serious allegations that were brought
 17 to me as editor of Newsnight, which I didn't rush
 18 straight upstairs because the allegation was so
 19 enormous -- and some of them were allegations not
 20 necessarily about the BBC, but of such significance they
 21 would have been the kind of thing I would have expected
 22 the DG to know about -- I waited to see whether they
 23 were true or not and whether or not I thought I had
 24 a story that I would go to air with.
 25 Q. I will come back to what precisely was said in the
 Page 54

1 conversation, but arising from what you have just said,
 2 knowing what we now know, that at least from
 3 Peter Rippon's perspective, the reason why this story
 4 didn't run was not that there was no evidence that
 5 Jimmy Savile was a paedophile --
 6 A. No.
 7 Q. -- and wasn't even that he thought that Jimmy Savile
 8 probably wasn't a paedophile.
 9 A. No.
 10 Q. It was rather that --
 11 A. Surrey Police, CPS.
 12 Q. -- what did it in the end was that there was no evidence
 13 to show that the CPS hadn't pursued the story because he
 14 was old and infirm, but rather for lack of evidence, and
 15 that made it, on one view, not a Newsnight story.
 16 A. Yes.
 17 Q. But, on any view Newsnight had some --
 18 A. Information.
 19 Q. -- first hand evidence -- first hand evidence --
 20 A. Yes.
 21 Q. -- that Jimmy Savile had been guilty of rather
 22 unpleasant activities?
 23 A. Yes, yes.
 24 Q. Now, that information, even if Newsnight had not run the
 25 story, might still have been of use to the Director of
 Page 55

1 Vision, who has two or three programmes coming up at
 2 Christmas,
 3 A. And the Director General, yes. One of the things I'm
 4 really struck by in all this is that I, throughout my
 5 career as a journalist -- and I think this is a view on
 6 reflection that I have held on to -- the hurdle for
 7 journalistic revelation, I have had in my mind as the
 8 same hurdle for corporate relevance. I think this is
 9 quite an important point and it is one I have thought
 10 about a lot, ie for better or for worse, right or wrong,
 11 the thing that triggers -- that would have triggered my
 12 thinking about it and moved it from one place to another
 13 would have been "Is it fit to air?" and having reflected
 14 on this, I think I have regarded "Is it fit to air?" as
 15 to proxy for "Is it of corporate significance?"
 16 Q. But the "it" is different. Because the it for
 17 Peter Rippon was different from the "it" for you, when
 18 your responsibility was to run or not to run these
 19 tributes --
 20 A. Yes.
 21 Q. -- and if he's a paedophile, then --
 22 A. Yes.
 23 Q. But if you had --
 24 A. But I think this is me speculating about what I might
 25 have thought rather than being able to get you a perfect
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1 account of what I did think. But I think I was in
 2 a place which was "If Newsnight stand up their story
 3 then there is a corporate issue and if they do not stand
 4 up their story then there isn't a corporate issue".
 5 MR POLLARD: I get the impression from you way you said that
 6 you think those things are not now absolutely equal or
 7 shouldn't be.
 8 A. I think, on the basis of this, they shouldn't be and
 9 this is something I have reflected about.
 10 MR POLLARD: You have obviously thought an awful lot about
 11 this in recent weeks. To put it at its simplest, how
 12 should you and the BBC have been saved from making the
 13 mistake of, to start with, running those Savile
 14 programmes? I accept this is with hindsight, but there
 15 were various bits of the system that failed, obviously.
 16 How should it have worked?
 17 A. I -- I have a nervousness about answering because it --
 18 because it implies that any of these considerations were
 19 things I had in my mind at the time, which I didn't --
 20 well, not any of them, but the particular construction
 21 of them.
 22 But, you know, I have a number of reflections about
 23 that. It seems to me that the editor of Newsnight might
 24 have said "This isn't ready to be broadcast yet", but
 25 I shouldn't stop it because it is palpably
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1 an investigation with real materiality and of
 2 consequences both journalistically and corporately.
 3 It seems to me that there could have been enough
 4 information in the system on the side of the line where
 5 real detail about what was had was understood, to make
 6 sure that that went all the way up to the top of the
 7 organisation.
 8 MR POLLARD: That would be the MRPL?
 9 A. The MRPL would have been one way of doing it. But
 10 simply a system of referral -- is this something -- is
 11 the [REDACTED] interview -- and then some of the other
 12 testimony provided by the other women interviewed --
 13 isn't it that -- irrespective of its standing
 14 journalistically, doesn't it have an immediate corporate
 15 significance in detail that should have been processed
 16 as such on -- on the side of the line where there was
 17 clearest understanding of what was had, of the material
 18 that was in their possession. So in other words that's
 19 one of the ways it could have happened.
 20 MR MACLEAN: I just wanted to ask, to follow from your
 21 question, what you said Mr Entwistle at the committee,
 22 if you still have that.
 23 A. Yes.
 24 Q. Go to 64. I'll come back to not showing undue interest,
 25 and oversensitive in a minute but in the middle of the
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1 page, I think this is still Mr Farley.
 2 A. He's on to that point.
 3 Q. In fact it is (inaudible) by this stage. This is the
 4 point we're on, isn't it:
 5 "Question: It seems your determination not to
 6 ...(Reading to the words)... show undue interest applies
 7 to everything at the BBC. Given that you are actually
 8 putting on these programmes, you must have wanted to
 9 ask, is it still appropriate to put on tribute
 10 programmes to this person?"
 11 Then:
 12 "I put to you that there is a difference between
 13 standing something up legally or one might say
 14 journalistically and the appropriateness of showing
 15 tribute programmes."
 16 Then you say:
 17 "I realise systems may need to be better
 18 collaborated."
 19 A. I didn't say that. Well, maybe I did.
 20 MR MATTHISON: "Calibrated" may be?
 21 MR MACLEAN: Is it "calibrated"?
 22 A. I think this is in the same territory that I'm trying to
 23 answer Mr Pollard's question in. It does now seem to me
 24 that the BBC had information that the BBC more broadly
 25 needed to be dealing with better than it was, and it
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1 wasn't information I asked for and it wasn't information
 2 I ended up with, to the best of my recollection.
 3 Q. Did you know that when Jimmy Savile died the BBC,
 4 I think Online News put out News stuff about him and
 5 they had a kind of notice board thing --
 6 A. Yes, I have heard about this --
 7 Q. -- that you could contribute to?
 8 A. -- recently, but I didn't hear -- I didn't know about it
 9 at the time.
 10 Q. Some sort of blog a bit like --
 11 A. With comments on it afterwards.
 12 Q. Saying "My football team was hopeless today", and so on.
 13 They had comments -- can I just show you this, you may
 14 have seen this in the last few days, in 17, page 284.
 15 Now, the thrust of this is that there were -- I think,
 16 247 comments were submitted and a number were removed,
 17 ie not put on to the website --
 18 A. Yes.
 19 Q. -- because they broke the rules.
 20 A. Yes.
 21 Q. This is an email from somebody called Chris --
 22 A. Houghton, yes.
 23 Q. -- do you know who Chris Houghton is --
 24 A. No, I don't.
 25 Q. -- to other people in the BBC. The trigger for it was
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<p>1 Alison Pearson in The Telegraph on 25 October this year 2 had referred to this commemorative page on the BBC 3 website: 4 "Viewers shared their memories of "How's about that 5 then?" Jimmy, but a number of them revealed a dark and 6 devious pervert and the tribute page was hastily 7 removed." 8 That's what she said in The Telegraph. 9 A. Um-hm. 10 Q. We get a flavour of some of this. You have seen this in 11 the last -- you have? Have you seen this stuff? 12 A. I don't think I have seen this in my bundles, actually. 13 But I know when about what happened and -- I haven't 14 actually seen any of the postings. 15 Q. Let's look at bottom of 284: 16 "Two users posted a lot of comments to the Savile 17 page about molestation and paedophilia and a few others 18 left comments making similar hints. All were stopped 19 from being published by the moderators." 20 Then this sentence: 21 "Their existence wasn't referred up ..." 22 Which again I don't think was unusual at the time: 23 "You see the main examples of those comments below." 24 Over the page, one comment was, second paragraph, 25 second sentence:</p> <p style="text-align: center;">Page 61</p>	<p>1 Then somebody near the bottom: 2 "I found him a bit of a creep, to be honest". 3 Then somebody else at the bottom: 4 "Sorry to rain on the parade of all the 5 well-wishers, but he was infamous in Scarborough. 6 I would not have been letting my son sit on his knee." 7 A reference to "obnoxious creep". 8 So there is, to say the least, quite pungent 9 material that the BBC itself had gathered without doing 10 anything other than sticking up a piece on its website. 11 A. Yes. 12 Q. It seems from 284 that the moderator of the website 13 simply said "Well, we're not putting that material up", 14 and, so far as I'm aware, didn't ever ask him or 15 herself, well, wait a minute, this is something that 16 some other part of the BBC might be interested in", for 17 example the Director of Vision who might be planning 18 tributes to this fellow. 19 A. There is another bit to this story which I don't know 20 whether you have, which is that the moderators had been 21 put on alert in advance for some sort of Savile hoax 22 with which Savile on-line pages had been -- had been 23 troubled before. 24 Q. Is this the Have I Got News For You thing? 25 A. I think so. I have seen an email -- I can't remember</p> <p style="text-align: center;">Page 63</p>
<p>1 "He was a paedophile. You may not like the truth 2 but he was. It will all tumble out now. The little 3 grope here, little touch there. There have always been 4 little whispers that he was ..." 5 Then there was a reference in the middle of the page 6 to child molesting: 7 "Should have been locked up for child molesting back 8 in 72." 9 A. I'm not sure I'm at the right page. 10 Q. In the middle of the page, 285. Right in the middle, 11 the bold words, "All the following", just the line 12 below that: 13 "Awful lot of sentimental tosh for someone who 14 should have been locked up for child molesting back in 15 72." 16 Then a couple of paragraphs further on: 17 "One of my best friends in 1972 was molested by this 18 creep Savile. He was never the same again. Killed 19 himself in 1985. How's about that then? Good riddance, 20 I say. All his good works were the product of his 21 guilty conscience." 22 Then a bit further down, by the hole-punch: 23 "A few millions raised for charity isn't going to 24 mend the lives of those he molested. Rest in pieces, 25 sicko."</p> <p style="text-align: center;">Page 62</p>	<p>1 who it was from, but it basically talks about some of 2 the, um, decision-making conditioning that the -- the 3 handling of the blog, and comments on the blog, and 4 there was a particular set of, I think, instructions 5 given to the moderator to avoid certain contributions 6 about a certain named individual who was a woman who, 7 I think, who was a hoax victim. Apparently they had 8 been hoaxed at some point in the past, the BBC website, 9 to do with Savile and I think that the Have I Got News 10 for You came into it. 11 So in a sense, I think that at some point I have 12 seen an email where the moderators are put on alert 13 about not publishing stuff that is to do with this hoax, 14 I think that might be part of the story about the 15 pre-conditioning of their minds about how to treat 16 critical material. 17 Q. Which part of the BBC do these moderators inhabit? This 18 is a News entity, is it? 19 A. No, moderating is done by -- there's an independent 20 company. It's a service we buy in for handling our 21 websites where we allow comments. But they work to -- 22 they usually have a spec from the commissioning 23 assistant producer, whoever it might be, the person who 24 is actually having contact with them, who will say 25 "These are the parameters" and they would work on</p> <p style="text-align: center;">Page 64</p>

16 (Pages 61 to 64)

1 whether they were actively moderating, or passively
 2 moderating, ie are they taking stuff down after it has
 3 been published or they are reading everything that is
 4 submitted to determine what should be published. But is
 5 a service provided by an outside company.
 6 Q. It is easy, sitting where we are to read page 284 and
 7 say "This is ridiculous. Look at this material that was
 8 received in this blog, it is obvious this should have
 9 gone into and up the organisation".
 10 A. Up the chain, yes.
 11 Q. On the other hand, there is no doubt that a lot of
 12 rubbish gets posted on these blogs and if it got into
 13 and up the chain, those up the chain might find
 14 themselves with little else to do but read all this
 15 stuff.
 16 So this practical terms, sitting there with your
 17 knowledge of the BBC, what is the mechanism which means
 18 that that which gets captured -- needs to get captured
 19 gets captured and the chaff gets weeded out?
 20 A. I've never worked in detail with a moderation company,
 21 but my guess would be that the person in the BBC
 22 editorial structure that has the relationship with the
 23 moderator on that particular blog, whatever it might be,
 24 would set some sort of rules, or would have some sort of
 25 parameters set, which would enable them to be able to

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1 work out what the feedback between the two should be.
 2 Am I right in inferring from this that these were
 3 taken down by the moderator and never referred to the
 4 BBC at any level?
 5 Q. That's my understanding.
 6 A. Yes. Well, that feels to me to be unusual. Although --
 7 I shouldn't say unusual because I don't know. I have
 8 never worked in detail in this interface between an
 9 external moderator and the BBC person commissioning the
 10 moderation, but, um, I wonder to what extent the mood
 11 surrounding this was set by this anxiety about spoof and
 12 that got translated as a sort of fundamental view that
 13 anything of this kind would be regarded as nonsense and
 14 could be treated as nonsense.
 15 Q. So the "referred up" at page 384, their existence was
 16 not referred up. Let's accept that they were not
 17 referred up, but if they had been, where would they have
 18 gone to, do you know?
 19 A. They would have gone into the News machine and would
 20 have ended up, if they had kept on going up the machine,
 21 to Steve Herman, who is the editor of News Online and
 22 a senior manager inside News and I think sits on the
 23 News board. And he may well -- he may have thought it
 24 appropriate to refer them further.
 25 Q. So would he be the equivalent managerial level of

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1 Steve Mitchell, for example, below Helen Boaden?
 2 A. I genuinely don't know. I think Steve sits on the News
 3 board which means he probably reports to Helen but
 4 I might not be right about that.
 5 Q. Steve Herman, you mean?
 6 A. Steve Herman.
 7 MR MACLEAN: We have been going for so long we need to have
 8 a break. 10 minutes.
 9 (11.47 am)
 10 (A short break)
 11 (11.58 am)
 12 MR MACLEAN: Can I just take you back then to this lunch?
 13 It is probable, isn't it, that Helen Boaden mentioned
 14 the subject matter of the Savile piece to you, otherwise
 15 the conversation seems slightly pointless?
 16 A. Well, I -- I don't think it's a pointless conversation
 17 without the subject matter, and I don't remember her
 18 mentioning the subject matter.
 19 The sense in which it's not a pointless conversation
 20 without the subject matter is that the practical -- the
 21 practical, um, implications for the schedule are
 22 identical whatever the -- if there are implications for
 23 the schedule, they are identical whatever the
 24 investigation is about.
 25 Q. Helen Boaden said that she actually placed this

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1 conversation at the end rather than the beginning of the
 2 lunch?
 3 A. Right.
 4 Q. And she said you had a very bad cold. And she got you,
 5 took you to one side when there was nobody else around,
 6 just the two of you, and when -- I don't know whether
 7 you have seen it, but there is an email from
 8 Helen Boaden to Mr Mylrea --
 9 A. Yes.
 10 Q. -- of 11 October this year. It is probably in the
 11 documents we sent you, where you will have seen she
 12 said:
 13 "I have always said I can't remember but of course
 14 it is highly probable I did mention it was about sexual
 15 abuse. We can't rule it out".
 16 What she said to us was, when I said to her:
 17 "You think it is highly probably you mentioned to
 18 Mr Entwistle that the subject matter of the prospective
 19 piece of sexual abuse?"
 20 She said:
 21 "I certainly put that in an email to Paul Mylrea.
 22 I think it is probable. I genuinely can't remember but
 23 what irritated me about the press office response is
 24 having said to them I couldn't remember they made that a
 25 fact and that is rather different. If you don't

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1 remember that is slightly different. Common sense
 2 suggests that I said it was about underage sex or
 3 something similar, but because I can't remember, I think
 4 it is unfair to say that I can."
 5 Your evidence is that you can't remember her --
 6 A. I can't remember her saying what it was about.
 7 Q. And I asked you earlier about, as it were, the follow-up
 8 to this discussion. The sense of your evidence to the
 9 Committee was that you had said to her "keep me posted",
 10 but in fact you don't remember any specific discussion
 11 later?
 12 A. No, I don't.
 13 Q. And yet the BBC puts out a line over recent weeks to say
 14 that you discovered -- I think they say in December some
 15 time -- that the piece was not running. Or you learned
 16 that it wasn't running in December?
 17 A. Yes, I have to say I'm not 100 per cent sure where that
 18 line --
 19 Q. You have seen that line?
 20 A. I have seen that line, yes.
 21 Q. That was the line?
 22 A. Yes, I think it was the line. I'm not 100 per cent
 23 sure. I would not want to guarantee that I knew in
 24 December or early the following year. I couldn't say
 25 for certain.

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1 Q. You are Director of Vision through this period. You
 2 know that -- you now know anyway -- by late December, by
 3 21 December, I think, that the print press were sniffing
 4 around, and certainly by 8 January there is a piece in
 5 The Sunday Mirror and then there are some other pieces
 6 in the press and there is a piece by Mr Goslett in
 7 The Oldie.
 8 To what extent were you aware at the time that the
 9 print press was chasing up the Savile story?
 10 A. I don't remember reading any of those pieces. I --
 11 I think if I had an awareness that there was something
 12 of that kind in the air, it's more likely to have come
 13 from conversations on the morning call at some point in
 14 the early part of -- of 2012.
 15 Q. That's the DG's call?
 16 A. So the DG's call at 9.15, where press issues were
 17 discussed sometimes.
 18 Q. Do you have a positive recollection that there was
 19 a discussion about Savile on one of Mr Thompson's calls
 20 or --
 21 A. I don't have a positive recollection.
 22 Q. What are you saying is if it was discussed it would have
 23 been there?
 24 A. If I'm -- I have -- I have a sense of having become
 25 aware at some point, and I would find it very difficult

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1 to say exactly when, that there was some press interest
 2 in a -- in a discontinued Newsnight investigation. And
 3 I think that, to my mind, that's early in 2012 and my
 4 guess is that if I had become aware of that, that it
 5 would have been as a result of a 9.15 call conversation.
 6 Q. So this is some months before you were appointed DG?
 7 A. Yes, yes.
 8 MR MATTHISON: Can I just interject briefly? Have we moved
 9 on from the lunch or are you going to come back to that
 10 at all?
 11 MR MACLEAN: Essentially we have moved on from the lunch.
 12 MR MATTHISON: Can I just ask one question?
 13 You have mentioned the evidence that Helen Boaden
 14 gave to the review in terms of what Helen Boaden said
 15 she told George about the sexual abuse allegation. She
 16 says she thinks it's highly probable she did. But the
 17 email from Steve Mitchell on 3 December deals with
 18 a slightly different point --
 19 MR MACLEAN: Yes.
 20 MR MATTHISON: -- which is that according to his version she
 21 said she didn't think anything would come of it.
 22 Is that something that's been put to Helen Boaden?
 23 MR MACLEAN: Yes, it is.
 24 MR MATTHISON: Is that something you are able to tell us
 25 about or?

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1 MR MACLEAN: That is Mr Mitchell's email to Peter Rippon.
 2 That's the one that's at the back of -- it is the
 3 penultimate page of bundle 3, is that the one --
 4 MR MATTHISON: I don't know where it is.
 5 MR MACLEAN: 3 December?
 6 MR MATTHISON: It is 3 December.
 7 MR MACLEAN: We can check and tell you what Helen Boaden
 8 said, but my recollection is that she didn't recognise
 9 this as an accurate summary of what she had said.
 10 That's why, as I said to Mr Entwistle earlier,
 11 Helen Boaden's evidence to us was that when she had the
 12 discussion with Mr Entwistle, she, Boaden, was
 13 proceeding on the basis that this story not definitely
 14 would run but --
 15 MR MATTHISON: Might run.
 16 MR MACLEAN: -- was coming down the track.
 17 MR POLLARD: That's exactly the phrase she used.
 18 MR MACLEAN: And she was giving Mr Entwistle the heads up
 19 that something was coming down the track. She was not
 20 saying there was something that might have come down the
 21 track "but I don't think anything is going to come of
 22 it". In other words she didn't recognise that as an
 23 accurate summary.
 24 But since Mr Entwistle didn't send or receive this
 25 email, all I'm really interested in with him, obviously,

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1 is what Helen Boaden said to Mr Entwistle and what he
 2 said to her. But we obviously have explored that.
 3 MR MATTHISON: Yes. I raise it simply because obviously it
 4 is part of George's evidence to the Select Committee
 5 that he did not consider that this was something that
 6 needed to trouble him at that particular time.
 7 MR MACLEAN: Yes.
 8 MR MATTHISON: He was going to wait and see, which is why
 9 this email seems to us to be quite illuminating
 10 potentially.
 11 MR MACLEAN: If Mr Entwistle wants to say anything about
 12 this email, I'm not stopping him.
 13 A. No, no. Only that if -- that's an email the day after
 14 the lunch from somebody who was at the lunch, and if
 15 Helen had given an account to Steve that led him to send
 16 that note and that that note is a -- has some truth in
 17 it about the mood of Helen's conversation with me, not
 18 that I recall that, then that might explain the attitude
 19 I took away from it. The sense of really powerful
 20 conditionality I took away from the conversation with
 21 Helen. It just seems to me it has the virtue of being
 22 a close to contemporaneous account.
 23 Q. Okay. I understand that point, obviously.
 24 Can I just show you something in bundle 47?
 25 MR POLLARD: After that December 2 conversation, you didn't

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1 have any other conversation with Helen about the Savile
 2 story --
 3 A. Not that I can --
 4 MR POLLARD: -- or anybody else in News?
 5 A. Not that I can remember, no.
 6 MR POLLARD: Nobody said to you "It's dead" --
 7 A. I don't remember anybody from News coming to say "It's
 8 over, we're not going ahead with it".
 9 MR POLLARD: Okay.
 10 MR MACLEAN: You didn't have any discussion with anybody
 11 else in News about this?
 12 There is no reason why you should have done? You
 13 didn't have a discussion with Steve Mitchell or
 14 Peter Rippon --
 15 A. Not that I remember.
 16 Q. Because you were the Director of Vision --
 17 A. Not that I remember, no.
 18 Q. -- a different part of the organisation.
 19 A. These were people I knew so it is not impossible I might
 20 have bumped into them in a corridor or something, but
 21 I don't remember ever having discovered -- discussed it
 22 afterwards.
 23 Q. You probably saw in the bundle we sent to you something
 24 which Mr Jones calls his red flag email?
 25 A. Yes.

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1 Q. I don't know if you know which one that is.
 2 A. The one he sends to himself on 1 December?
 3 Q. Yes. He told us that he had in mind that he might send
 4 it to Helen Boaden or Steve Mitchell, but in fact he
 5 didn't. What he did do was send a very short email to
 6 Peter Rippon a bit later which refers to reputational
 7 damage to the BBC.
 8 A. Yes.
 9 Q. If I was in Mr Jones's position and that red flag email
 10 represented my genuine view that the BBC was heading for
 11 a big fall here, and I wasn't confident that the Vision
 12 issues had been properly put onto Vision's radar, was
 13 there any reason why somebody in Mr Jones's position
 14 couldn't have rung you up or rung up your PA and said
 15 "Can I come and see you for ten minutes, George?"
 16 A. Not that I can think of.
 17 Q. When you were at Vision, did that sort of thing ever
 18 happen, that somebody from --
 19 A. No, I can't recall anybody from News coming to me with
 20 an editorial anxiety of any sort.
 21 Q. Because normally that would come from the --
 22 A. I would expect it to go up through their own management.
 23 I mean occasionally, because I knew people in News and
 24 obviously worked there for a long time, people would
 25 come and see me and ask my advice about their careers.

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1 That's the kind of conversation I used to have with
 2 people from News.
 3 MR POLLARD: Did you know Meirion Jones?
 4 A. Yes, he worked on Newsnight when I was there.
 5 MR POLLARD: You would say you knew him well?
 6 A. I would not say I knew him well as an individual.
 7 I would say I worked quite a lot with him. I would
 8 say -- I would describe him as quite hard to know well.
 9 MR POLLARD: Okay.
 10 MR MACLEAN: He was fairly single-minded in his pursuit of
 11 stories; would that be a fair way of putting it?
 12 A. He's a very typical temperamentally typical
 13 investigative journalist, I would say, and he is
 14 single-minded, yes.
 15 Q. What would the other typical characteristics be that he
 16 shares?
 17 A. At the risk of traducing an entire category of highly
 18 valuable individuals: a focus on the project in hand to
 19 the exclusion of life, family, any external factors
 20 whatsoever; sometimes an inability to see wood for
 21 trees; sometimes, um, not parting company with something
 22 that isn't going anywhere at a stage -- at a stage as
 23 early as they might; sometimes by dint of amazing
 24 application and persistence discovering things that
 25 no one else would discover without that persistence.

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<p>1 They are a singular breed, in my experience. 2 Q. If you turn in bundle 4 to page 265, this is 8 January, 3 the day The Sunday Mirror ran a piece. I can show you 4 The Sunday Mirror piece if you like but I was not 5 planning to. At the bottom of the page, Mr Jones sends 6 an email to Peter Rippon saying: 7 "I am sure you've seen this." 8 And he replies saying: 9 "There has been some internal briefing too, which 10 unsurprising but disappointing." 11 A. Yes, that is Rippon to Jones. 12 Q. That's right, at 12.27. 13 Are you able to help us with why internal briefing 14 on Newsnight would be unsurprising? 15 A. Well, um, BBC News has a tradition -- as a whole has 16 a bit of a tradition of going to the papers with 17 arguments it doesn't necessarily feel have been won or 18 ventilated inside the BBC. And I wouldn't say that was 19 exclusive to News although I think if you ask people who 20 have known the corporation as a whole they would say it 21 is something which has often happened in News. 22 Q. In other words, translating that slightly -- 23 A. Sorry, it was not meant to be that coded. 24 Q. I don't think it was. But what you are saying is there 25 was an endemic --</p> <p style="text-align: center;">Page 77</p>	<p>1 press office a log. We have seen endless, hundreds of 2 pages of these press logs -- 3 A. Yes. 4 Q. -- where they log what the question is, who they 5 contacted and what line they put out, and it always 6 tells you at the end who is aware. So this one, 7 Julian Payne is aware and Helen Deller has logged the 8 query from Mr Owens of The Sunday Mirror, do you see? 9 A. Yes. 10 Q. What I want to show you is the one above that. Cast 11 your eye over that at 17.09? 12 A. Yes. 13 Q. Read that email for yourself, if you wouldn't mind. 14 A. Um-hm. 15 Q. "I will drip poison about Meirion's suspected role if 16 I get the opportunity". 17 One might infer that Meirion's suspected role was in 18 providing the information that appeared in 19 The Sunday Mirror? 20 A. I would infer they think Meirion has been leaking. 21 Q. It is the expression "drip poison about". This is the 22 BBC press office -- 23 A. A internal conversation inside BBC press, yes. 24 Q. Dripping poison or being prepared to drip poison about 25 Meirion's suspected role to the press if they got the</p> <p style="text-align: center;">Page 79</p>
<p>1 A. I wouldn't say endemic. 2 Q. No? 3 A. No. 4 Q. A long history? 5 A. Some would say there is a -- a low level tradition 6 inside the BBC of people taking grievances or problems 7 to the papers if they -- if they don't see them sorted 8 out the way they would like to internally. And it is 9 not endemic, that would be wrong. 0 Q. Right. And the purpose of doing that is what, just to 11 vent one's spleen or to try to have the decision looked 12 at again or -- 13 A. I think there could be -- there could be many purposes. 14 To get one over on somebody you didn't like might be one 15 purpose. Another purpose might be because you feel 16 extraordinarily strongly about something and you don't 17 think the system has dealt with it properly. 18 Q. This is January. There has been something I think 19 before the end of December. Can I just ask you to look 20 at page 267? 21 I don't know if you saw this email in your 22 preparation for today? 23 A. No, I have not seen this one. 24 Q. Let us start with Helen Deller in the middle of the 25 page. You see 7 January at 14.58, she's sending the</p> <p style="text-align: center;">Page 78</p>	<p>1 opportunity. Would you agree that that was -- 2 A. It is not a very edifying sentence. 3 Q. It is evidence, isn't it, of a corrosion of trust -- 4 A. Yes. 5 Q. -- between the BBC and Mr Jones? 6 A. Yes, it is. 7 Q. It may be that one of the problems here was that that 8 trust was corroded quite early on and leads to this 9 drip, drip of press interest? 10 A. It seems to me that if -- if a -- if a breakdown in 11 trust is a critical part of the story -- and I say that 12 "if" because I don't feel in everything I have seen 13 I have enough of a picture to know, although it is 14 a suspicion I've had -- then obviously the critical 15 breakdown in trust is between Peter Rippon and 16 Meirion Jones. And that that, if there has been 17 a breakdown of trust there, then that -- and if one 18 could work out when it occurred and why it occurred, it 19 might go some way to explaining, um, the treatment of 20 the investigation. 21 Q. The treatment of the Newsnight investigation? 22 A. Yes. 23 Q. Into Jimmy Savile? 24 A. Yes. 25 Q. Have you seen the emails that Mr Jones sent to a couple</p> <p style="text-align: center;">Page 80</p>

20 (Pages 77 to 80)

1 of his friends in early December? One to
 2 Mary Wilkinson, in this same bundle at page 44?
 3 A. I think I may have seen these.
 4 Q. There is one to Mr Lomax who you probably know?
 5 A. I do, yes.
 6 Q. Page 52. The one to Mary Wilkinson is 44; the one to
 7 Mr Lomax is 52 and 53.
 8 A. Yes, Meirion is very cheesed off with BBC management at
 9 this point.
 10 Q. Yes, you might think.
 11 A. Well, he says.
 12 Q. He mentions in that email to Mary Wilkinson:
 13 "BBC doesn't want to put out a piece about Jimmy
 14 Savile being investigated by police about sexual
 15 offences against 13, 14 and 15 year olds including
 16 interviews with victims because it might damage audience
 17 for the Jim'll Fix It Christmas Special."
 18 That's his suggestion that then gets -- a similar
 19 suggestion then gets picked up in the newspapers
 20 subsequently?
 21 A. Yes.
 22 Q. The BBC has spent quite a lot of its effort in recent
 23 months rebutting that suggestion that the Newsnight
 24 story was pulled in order to, as it were, protect the
 25 tributes.

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1 A. Yes.
 2 Q. And in part you might think the BBC's response focused
 3 on that aspect of it meant that some of the other more
 4 subtle aspects of what we're now dealing with got
 5 slightly lost in the fog. Is that fair?
 6 A. It certainly felt that -- I guess we will talk about
 7 this when we come to the blog. It certainly felt that
 8 the brunt of the charges made against the BBC in early
 9 October this year were all about something of this kind:
 0 a deliberate intervention to stop a programme that would
 11 have -- that would have been inconvenient. And a lot
 12 of -- there was a lot of focus on that.
 13 Q. Yes. Presumably, going back to your discussion we had
 14 earlier about people in BBC News going to the newspapers
 15 when a decision goes against them or something happens
 16 that they don't like, presumably these emails and the
 17 emails from Liz MacKean to Jackie Long and so on,
 18 presumably those are all, as it were, against the rules,
 19 are they?
 20 A. I wouldn't say that -- unless your intention by sending
 21 a kind of series of lines to a friend is for the friend
 22 to phone the papers, I wouldn't have thought it's
 23 unforgivable to gossip with your friends about the fact
 24 that things aren't going quite as you would like them to
 25 do at work. I mean, I think it would be a very -- it

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1 would be a pretty extraordinary climate where that had
 2 been clamped down on very deliberately. I think the
 3 issue for the BBC and leaking has always been the BBC
 4 knows a lot of leaking is going on but it finds it
 5 incredibly hard to prove.
 6 Q. For obvious reasons?
 7 A. Yes.
 8 Q. Because the source is always kept confidential?
 9 A. People are relatively careful about it when they do do
 10 it.
 11 Q. So going back to the chronology then: I think the thrust
 12 of it is that you think you became aware in some sense
 13 at some point in early 2012 that the press were --
 14 A. That there was some press interest in a discontinued --
 15 in the discontinued Newsnight investigation into Savile,
 16 yes.
 17 Q. And you probably got that information from the DG's
 18 morning call?
 19 A. I can't say with certainty that I did, but that seems to
 20 me to be the place I was most likely to have done so,
 21 because having looked at the papers I don't recall
 22 reading any of those articles.
 23 Q. You will have seen there has been some press comment
 24 about Mr Thompson's position because he was the Director
 25 General and he gets morning cuttings.

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1 A. Yes.
 2 Q. And presumably in your time as Director General you got
 3 the same?
 4 A. No, and I got the same as -- I got the same cuttings as
 5 Director of Vision, too, but I didn't necessarily read
 6 them all.
 7 Q. Mr Thompson told us the other day his view about these
 8 cuttings and what they were like. What can you tell us
 9 about these cuttings? How weighty were they for
 10 a start?
 11 A. Well, you get them -- I got them electronically. I got
 12 them on my Blackberry. They were supplied in two forms:
 13 One was a sort of summary where the main day's articles
 14 about the BBC were summarised in a short paragraph.
 15 Q. So you get one line --
 16 A. It would say, I think -- I might even be able to show
 17 you them if you are interested in seeing them. You get
 18 the headline and then you get a summary -- you get two
 19 emails, basically, from a company called Precise. One
 20 is the summary version with the headline and then a kind
 21 of synopsis of the article.
 22 Q. And then it tells you which paper has published it?
 23 A. Yes, that is right.
 24 Q. So if you want to you can then --
 25 A. You can then go and look further. Then the other

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1 version is a similar thing except that it has links
 2 through to the papers, to the articles, so you can read
 3 the whole article.
 4 Q. Right.
 5 A. So by and large, I would say at Vision I didn't always
 6 look at them, but sometimes did and sometimes didn't.
 7 I was often struck by the fact that they weren't
 8 necessarily a complete set of things. So in other words
 9 the summary one would sometimes mention articles that
 10 the -- that the email with the links in it didn't have
 11 links to and vice versa, so they weren't wholly
 12 consistent. And then I remember on occasions people
 13 would say "Did you see such and such a piece today?" and
 14 I would think, I don't remember that being in the email
 15 summaries.
 16 Q. Looking at what has been said -- leave your position to
 17 one side for the moment -- but you have seen what has
 18 been said about Mark Thompson, that he should have seen
 19 such and such a piece and some other piece and if it was
 20 or wasn't in the cuttings that he was sent. What would
 21 you say to the suggestion that providing these cuttings
 22 which run, if you printed them out, to presumably dozens
 23 of pages or it can do --
 24 A. Yes, an enormous number of pages, yes.
 25 Q. -- that the system of providing these cuttings to the

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1 Director General is simply making a rod for his back?
 2 A. I don't think it is an enormously effective system
 3 because I think there is an assumption that they will be
 4 complete when they are not complete; there is
 5 an assumption that they will have been looked at when
 6 they will not always have been looked at. Much the
 7 safest way to ensure the Director General has seen
 8 something is for someone in the press office to digest
 9 everything that has come in and really identify the two
 10 or three things -- I doubt there would be more than
 11 that -- he really absolutely ought to have seen.
 12 Q. One might think if the Director General spent his time
 13 printing these out every morning and reading them from
 14 start and finish, (a) he wouldn't get much work --
 15 A. He wasn't spending his time well.
 16 Q. He wouldn't get much done and it's not what the licence
 17 payer is expecting --
 18 A. Wouldn't expect him to be doing that. That is
 19 a perfectly reasonable observation.
 20 Q. Just give me the sense of your role then. Mr Thompson
 21 announces, I think, his resignation or retirement or
 22 whatever the expression is from the post of DG. That
 23 gets announced in March. He told us it been no doubt
 24 obviously brewing for some time internally and I think
 25 he said the chairman had rather let the cat out of the

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1 bag at some point before that.
 2 A. I think the news -- there had been a lot of talk about
 3 Mark would go at some point in 2012. That had been one
 4 of those pieces of folklore for a while.
 5 Q. And after the Olympics was presumably obvious --
 6 A. And everybody thought it would be after the Olympics.
 7 And then I think the specific news that he was going to
 8 go came from the chairman as I remember.
 9 Q. So I think that was announced in March and eventually
 10 his last day was in the middle of September. Your
 11 appointment was announced in July?
 12 A. In July, I think, yes.
 13 Q. So just give me a sense of what happens after July.
 14 Is it like some sort of presidential handover period --
 15 A. No, I did --
 16 Q. -- or do you suddenly go from being Director of Vision
 17 to being Director General?
 18 A. No, I stayed as Director of Vision, as I recall, until
 19 the end of July. I arranged that Roger Mosey would
 20 become the acting Director of Vision and I can't
 21 remember exactly when Roger started but I think there
 22 might have been a bit of a period of overlap between him
 23 and me prior to my going away on holiday which I did in
 24 August for three weeks.
 25 I came back at the beginning of September and

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1 started work on my plans for my opening speech and
 2 organisational change and that kind of stuff, but
 3 I still wasn't the Director General and I was being
 4 looked after separately. And I think there was an idea
 5 that I would have some sort of more formal handover with
 6 Mark in the period between 1st and 17 September but that
 7 didn't really happen.
 8 Q. In fact he was away, wasn't he, for a period in
 9 September?
 10 A. He was certainly away, I think, at the end of those
 11 first two weeks in September.
 12 Q. So when you were appointed Director General in July, did
 13 you know at that stage that -- or what did you know at
 14 that stage or understand about the low level noise about
 15 the Jimmy Savile story in the press?
 16 A. Um, I -- I mean I think if you pushed me I would have
 17 said something like I said now, which is that I had
 18 a recollection of there being some coverage in the early
 19 part of the year about the Newsnight investigation not
 20 going ahead. And I don't think I would have known any
 21 more of it than that, if pushed, but it wasn't -- it
 22 wasn't on my mind at that point.
 23 Q. I think the next thing that happens really in the story
 24 is that The Sunday Times raises some questions with the
 25 BBC on 22 August?

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1 A. Yes.
 2 Q. You know that now?
 3 A. I know that now.
 4 Q. They asked a series of detailed questions and a response
 5 gets sent to The Sunday Times, I think, on 29 August.
 6 A. Right.
 7 Q. Did you have any involvement in that?
 8 A. I -- I didn't. Not to the best of my recollection. I
 9 do not remember talking about that.
 10 Q. If I just show you in bundle 5 at page 268, this is the
 11 email from a Mr Edmonds at The Sunday Times to
 12 Helen Deller in the News press office.
 13 Apart from raising a number of questions, and I will
 14 show you the questions in a minute, this email also
 15 mentions, you see, in the second paragraph, the fact
 16 that ITV were planning a documentary.
 17 A. Um-hm.
 18 Q. And you know now presumably that ITV then send the
 19 letter on 7 September?
 20 A. Yes, I do.
 21 Q. When was the first time that you were aware that ITV was
 22 going to come back to this Jimmy Savile story?
 23 A. I think it -- I reckon I was aware of it in the -- maybe
 24 at the end of the first week of my being
 25 Director General or the beginning of the second week.

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1 So somewhere around 20 something.
 2 Q. In fact you were the addressee of the ITV letter.
 3 A. On the 7th?
 4 Q. On the 7th.
 5 A. Right. Well, I don't remember seeing that then.
 6 Q. They seemed to be under the impression when they sent
 7 the letter --
 8 A. That I had already started.
 9 Q. -- that you were the Director General when in fact you
 0 weren't?
 11 A. I mean, I don't -- I don't remember seeing that.
 12 Q. Right.
 13 A. What they were trying to do in the Director General's
 14 office at the time was absolutely compartmentalise
 15 Mark's period of responsibility from mine. I remember
 16 there was some discussion about making sure that
 17 I didn't come on duty until I was supposed to come on
 18 duty. And I remember somebody saying "And that's
 19 midnight on the night of the 16/17th".
 20 Q. So the right-hand people of the Director General --
 21 we've seen for example Jessica Cecil being mentioned
 22 quite a lot --
 23 A. Yes.
 24 Q. She worked for Mark Thompson?
 25 A. Yes.

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1 Q. And then for you when you took over that role?
 2 A. Yes.
 3 Q. It's not like a football manager who brings his first
 4 team coach with him?
 5 A. No, I inherited everybody in the team, but there was --
 6 I'm just trying to think back because I have not really
 7 thought about this period but there was a real -- there
 8 was a real sense that I was -- I was there to focus on
 9 my speech on the 18th and my first day on the 17th and
 10 that anything up to the moment Mark finished would be
 11 looked after by Mark and that I could make a start when
 12 I started on the 17th.
 13 Q. And the time speech was to staff?
 14 A. Yes.
 15 Q. At New Broadcasting House?
 16 A. Yes, on the 18th.
 17 Q. Which I think I remember seeing on the news. In the
 18 atrium?
 19 A. No, it was in a studio.
 20 Q. In a studio, right.
 21 Now the questions that The Sunday Times raised, the
 22 specific questions, you will find in the same bundle at
 23 287 and 288. They focus on the dropping of the story,
 24 they ask questions about Mark Thompson and Helen Boaden
 25 in particular. You see at 288 there is a series of

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1 questions about both of them. It is not concerned with
 2 you in any way.
 3 You see the draft answers at 288?
 4 A. Sorry, at?
 5 Q. At 288. Under the bold type?
 6 A. In italics, yes, they are proposing to answer these
 7 things in certain ways, yes.
 8 Q. Precisely.
 9 A. Yes.
 10 Q. Precisely. So I'm coming now to the blog --
 11 A. Yes.
 12 Q. -- but one of the bits of this story that is a little
 13 opaque to us is what happened in September. Can I just
 14 ask you: you were the person who announced this review
 15 on 12 October, what instruction or rubric was given to
 16 the BBC in terms of cooperation with this inquiry in
 17 terms of production of documents?
 18 A. I didn't say anything of that -- I don't remember saying
 19 anything in the press conference on the 12th about that,
 20 but I spoke to -- to Sarah Jones and her team in
 21 litigation, in BBC Legal, about, um, making sure that we
 22 ran it on the basis that we had run these things in the
 23 past. So, you know, people would -- people would
 24 surrender their -- people would do a trawl of their own
 25 emails and diaries and notebooks and so on and supply

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23 (Pages 89 to 92)

1 everything, and then in due course we would follow up
 2 with a sort of back-up trawl done centrally.
 3 Q. There are a number of comments I would like to show you,
 4 some by Lord Patten and one by you, for example, before
 5 the parliamentary committee, where you said "Pollard can
 6 go wherever he wants to", and Lord Patten says much the
 7 same in a Mail on Sunday article in October, in October.
 8 Mr Payne has said, bundle 17, page 96 -- Mr Payne
 9 tells Mr Webster on 23 October -- let me just show you
 10 this -- so this is the day, now -- we will come back to
 11 the blog and the corrections, but this is the day after
 12 the blog has been corrected, 23 October.
 13 A. Right.
 14 Q. Mr Webster says to Julian Payne:
 15 "George told the committee that all relevant
 16 documents would be disclosed to Pollard and then the
 17 public, unless there were legal reasons for not doing
 18 so. Does that mean all emails relating to the Newsnight
 19 investigation will be disclosed, who will conduct the
 20 search for any relevant emails, whether that search will
 21 be the emails of various people?
 22 "In response to your question about who will conduct
 23 the searches the answer is it is for Nick Pollard to
 24 decide what he wants to look at. We have made it clear
 25 that he will have access to everything he wants and that

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1 he can look at whatever he wants."
 2 Was that your understanding of the basis on which
 3 Mr Pollard was to proceed?
 4 A. Yes, within the scope of the -- within the scope of the
 5 review.
 6 Q. So if, for example -- well, do you know that we've been
 7 struggling to some extent to get documents from the BBC,
 8 in particular covering the period of September where
 9 there was heavy involvement with BBC lawyers?
 10 A. Right.
 11 Q. You haven't been involved --
 12 A. No. But my -- obviously this is -- there is room for
 13 interpretation here, of course, and I appreciate that in
 14 a sense you are leading to the blog. But my -- but my
 15 sense of the scope of the piece was that it -- of what
 16 you were doing, is that it wouldn't -- that you would
 17 not be looking at, for example, how the BBC handled its,
 18 um -- the sort of Thompson engagement with
 19 The Sunday Times in August, say, or the BBC's engagement
 20 with ITV whenever that started after that. I mean,
 21 I wouldn't have thought that was in the scope, but I --
 22 but I don't -- I'm not sitting here trying to be
 23 obstructive.
 24 Q. Okay. We will come to the blog then. You see, the
 25 reason I ask this question is that, on the face of it,

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1 until we saw Mr Rippon last week, I certainly didn't
 2 know -- and I don't think Mr Pollard knew -- that --
 3 well, let me start again.
 4 Until Mr Rippon gave evidence last week, it looked
 5 as if the very first time Mr Rippon had been asked to
 6 download his version of what was going on was at the
 7 time the blog was --
 8 A. On 1 or 2 October.
 9 Q. On the 1st, when Steve Mitchell asked him to produce
 10 what was called the briefing note --
 11 A. Yes.
 12 Q. -- and it looked to us as if --
 13 A. That had been the first point.
 14 Q. -- that was the first time --
 15 A. Yes.
 16 Q. -- which is some time after The Sunday Times email and
 17 some time after the ITV letter which is dated and
 18 arrives on the 7th, and this is the 1st. So one says
 19 oneself "What has been going on between the 7th and the
 20 1st?"
 21 It turns out, Mr Rippon told us, that he supplied
 22 information to BBC lawyers on, I think, 11 September,
 23 including the web memoir which, as you now know --
 24 A. The [REDACTED] --
 25 Q. The [REDACTED] thing that Mr Jones sent to Mr Rippon

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1 right at the very beginning and he told us he had
 2 a face-to-face meeting with BBC lawyers in September.
 3 A. I didn't know that.
 4 Q. It is obviously important to us --
 5 A. I can see that is interesting.
 6 Q. -- to know more about that.
 7 A. Yes.
 8 Q. Because before we go into print saying it is a bit odd
 9 nobody asked Mr Rippon, that wouldn't be true, because
 10 somebody did ask Mr Rippon.
 11 A. Clearly, in a way, Mr Rippon has been giving his version
 12 of events surrounding the Newsnight investigation
 13 solidly since -- I now see from the bundles -- since the
 14 end of December 2011, because fundamentally he's been
 15 talking to the press office repeatedly about different
 16 angles of approach to the story from various journalists
 17 and he appears to have been involved in creating
 18 lines -- you know, lines for the press.
 19 Q. But my point is that, if one can takes the view that you
 20 can't properly understand the events around the blog
 21 without knowing a bit more about what happened in
 22 September --
 23 A. Yes.
 24 Q. -- then if that was the view that Mr Pollard took then,
 25 it would follow from the rubric of the setting up of the

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1 inquiry that he ought to be able to see such documents
 2 as were relevant to that.
 3 A. Are you not able to see them?
 4 Q. Well, he it's not --
 5 MR POLLARD: I no longer have the capacity to do anything
 6 about it anyway.
 7 MR MACLEAN: We're trying. But I'm just trying to get --
 8 because you are the person who set this up -- your sense
 9 of whether these words that "Pollard can go wherever he
 10 wants" are to be taken at face value?
 11 A. Well, I would construct them as within the scope of
 12 the --
 13 MR POLLARD: Anything --
 14 A. -- anything that is within the scope that has been
 15 agreed.
 16 MR MACLEAN: Yes.
 17 A. That's what I would have taken that to mean.
 18 Q. Okay. That's helpful.
 19 So let me show you The Sunday Times letter,
 20 bundle 6 -- sorry, the ITV letter. You will find it at
 21 page 230.001. You see, as I mentioned earlier, you are
 22 the addressee of this, yes?
 23 A. Yes.
 24 Q. It comes in, if you go to 229, there's an email from the
 25 press office to a whole bunch of people, including

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1 PAs to look at the majority -- well, everything that
 2 comes in and make sure that anything that should be
 3 coming through to me is coming through to me.
 4 Q. So the filterer of this would have been --
 5 A. Would have been one of two people. [REDACTED]
 6 [REDACTED] who were Mark's two PAs and were still
 7 functioning at this point as Mark's PAs.
 8 Q. Right.
 9 MR POLLARD: So they would have seen it -- it would have
 10 been sent to them anyway?
 11 A. The address "George Entwistle and PA" had effectively
 12 been set up at this point as their address.
 13 MR MACLEAN: Did they job share?
 14 A. Yes, that is right.
 15 Q. So one day -- or whatever day --
 16 A. No, they are in -- they are in four days a week together
 17 and one day a week there is just one.
 18 Q. You see at 229:
 19 "Hi Helen, yes, we will do so. The two questions
 20 raised for Newsnight are below."
 21 Do you see?
 22 "We've answered the first one, I believe can answer
 23 the second easily enough. We will liaise with lawyers
 24 and others in Corporate Vision, et cetera. We have
 25 a bit of time. We have until September 14 or 21 to

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1 you --
 2 A. Um-hm.
 3 Q. -- and including Jessica Cecil --
 4 A. Yes.
 5 Q. -- and including Sarah Jones:
 6 "On 7 September I was called by Lesley Gardner who
 7 sent me this letter."
 8 Lesley Gardner is the author of the letter, we see
 9 that from .003:
 10 "I'm forwarding this on for you to review, please
 11 let us know if you would like us to respond from the
 12 press office."
 13 You see Helen Boaden's response at 229. Then there
 14 is a response from Karen Rosine. Do you remember what
 15 your office did with this letter?
 16 A. I don't. I don't know what they did with this letter.
 17 My assumption -- and it's nothing more than me trying to
 18 work out what might have happened -- is that I wouldn't
 19 have seen the email because they go to my -- it goes to
 20 my PA email address, which is filtered.
 21 Q. Filtered by your PA?
 22 A. The DG -- and I think at this point they had already set
 23 this up for me -- has quite heavy filters on the
 24 incoming emails to reduce the volume of -- to just
 25 stuff, and therefore the way the system works is for the

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1 respond."
 2 A. Um-hm.
 3 Q. If you just look at 232, that's the same email at the
 4 top, but it has been redacted for some reason, and yet
 5 we've just seen it at 229.
 6 A. Yes, I don't -- I can't understand that.
 7 Q. Yes, it's a slight puzzle. If you go to 239, there's
 8 an email which says:
 9 "Hi Peter, Sarah Jones is taking a look at the whole
 10 ITV query, we will touch base with her early next week
 11 to discuss best responses so probably best we all catch
 12 up then."
 13 So is that the 8th?
 14 A. Yes.
 15 Q. The email I mentioned to you -- I don't think you need
 16 to turn this up, it doesn't directly impinge on you --
 17 that I mentioned from Peter Rippon to Nadia Banno, who
 18 is a BBC lawyer, and Valerie Nazareth, who is also a BBC
 19 lawyer, is on 11 September. The reference if you want
 20 to see it, I don't think you need to.
 21 A. Can I just see it.
 22 Q. Okay, I was trying to spare you from another bundle. It
 23 is bundle 7, page 160.
 24 A. Yes.
 25 Q. We find it there because it is part of a long chain.

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1 You see that --
 2 A. Yes, I see why he sent this. I guess the legal
 3 department are focusing on the notion of the
 4 historical -- the allegations about historical activity
 5 and Peter Rippon has provided this log, I assume,
 6 because [REDACTED] think, said that she didn't
 7 believe there was any reason to think the BBC had known
 8 what was going on.
 9 Q. She does say that in the web memoir.
 10 A. Yes.
 11 Q. One might infer from that email that this is not the
 12 first contact that Rippon has had with Banno and
 13 Nazareth and, indeed, he said he had a discussion with
 14 them and that email rather suggests that.
 15 That was just a little detour into 7. If you go
 16 back to 6, 239, it looks as if, by 8 September,
 17 Sarah Jones is taking the lead in dealing with this ITV
 18 query.
 19 A. Yes.
 20 Q. You are about to become Director General within a matter
 21 of days, I think. I can't remember when
 22 Mark Thompson -- his last day was the 12th, I think.
 23 A. He was Director General until midnight on the 16th.
 24 Q. On the 16th. He told us he was spending some time, when
 25 he came back from holiday, going to visit what the BBC

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1 calls the Nations --
 2 A. Yes.
 3 Q. -- on bit of -- my word to him, my expression, was
 4 "a bit of a farewell tour", an expression he was happy
 5 to adopt.
 6 So if you are being kept in your Director of Vision
 7 box until midnight on the 16th and he's on a farewell
 8 tour --
 9 A. Yes, I was not being kept in my Director of Vision box,
 10 because Roger Mosey was acting Director of Vision by
 11 that point. But I was being kept in a "hasn't started
 12 being Director General" box I suppose you could say.
 13 "Designate" box.
 14 Q. So --
 15 A. But the fact that Mark is around and about the country
 16 doesn't mean that he's not functioning as DG. He was
 17 around and about the country a lot of the time.
 18 Q. Can you help us -- maybe you can't -- with what was
 19 actually going on: what the process was that was going
 20 on in the BBC --
 21 A. About this at this point?
 22 Q. About this. Because now ITV is going to broadcast
 23 something. That is now clear from the ITV letter. So
 24 there is going to be something which is going to be
 25 broadcast and the BBC needs to get its position

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1 straight. And the letter says, of the 7th, it is due to
 2 broadcast on 3 October.
 3 So the BBC knows it has a bit less than four weeks
 4 before this thing is going to air. So what is your
 5 sense of what the BBC is doing in September?
 6 A. I don't know for a fact because I was not involved in
 7 these conversations, but it looks like -- and my
 8 inference would be from conversations with Sarah
 9 subsequently that Sarah Jones and her team had taken on
 10 the job of trying to interrogate the historical record
 11 about whether there had been any historical complaints
 12 about Saville.
 13 That's my sense of it. But it's only a sense of it,
 14 as I wasn't involved in any of the conversations
 15 about it at this point.
 16 MR POLLARD: That seems incredible, doesn't it, really? If
 17 you are within days of taking over as Director General
 18 and something is clearly heading towards, like an
 19 iceberg -- I will not push the analogy too far, but was
 20 this almost a matter of the nicety of your position that
 21 there was an insistence that not until midnight on the
 22 16th should the door be opened and you be told about
 23 this? It just seems an odd and dangerous practice,
 24 doesn't it?
 25 A. In retrospect, of course it does. I don't know how it

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1 looked to the people who were in charge of looking at
 2 the thing at the time but, yes, it does. Of course it
 3 does.
 4 MR POLLARD: Do you think all the conversations that should
 5 have been had were being had with Mark?
 6 A. I don't know. I don't know. I hope so.
 7 MR MACLEAN: So when is the next time that the Savile story
 8 comes onto your radar then?
 9 A. Um, I think I got my first look at it at the end of my
 10 first week, when, um, I was asked if I was happy with
 11 the line that had been used -- that was being used about
 12 the historical --
 13 MR POLLARD: Sorry, can I just go back before we get to
 14 that?
 15 A. Yes.
 16 MR POLLARD: You mention about the letter was sent to your
 17 office but the suggestion was that it was filtered out?
 18 A. I don't recall seeing it.
 19 MR POLLARD: Okay.
 20 MR MACLEAN: It is sent to the press office. It is
 21 addressed to you but it comes into the press office who
 22 then --
 23 A. And they circulate it.
 24 Q. -- send it to a bunch of people including you?
 25 A. Yes.

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<p>1 MR POLLARD: They then circulate it. Just so I'm clear, if 2 you think you didn't see it -- 3 A. Yes, I don't recall seeing it. 4 MR POLLARD: -- do you think it was filtered because your 5 PAs thought it wasn't important enough for you to see, 6 or because of this mechanism of making sure you didn't 7 see things that were really DGish? 8 A. I don't know the answer to that. I don't know the 9 answer to that. My guess is -- 10 MR POLLARD: Because it is pretty incredibly important, 11 isn't it, when you read it, for a PA to be saying 12 "I will have a look but it is not worth telling George"? 13 A. I don't believe it was filtered out in that sense. My 14 inference is that it was going -- that it was part of 15 something that was already being looked after by the 16 outgoing DG. 17 MR MACLEAN: Yes. 18 A. I think one of the -- again, this is me thinking out 19 loud, but I wonder if the dealing with The Sunday Times 20 and the dealing with the ITV issues became seen as 21 a continuous process. I have wondered about that, but 22 I don't have any insight into it. 23 MR POLLARD: Yes. I can see that, if you like, similar 24 lines were being drawn up to be steered by The 25 Sunday Times and then to ITV. But I think it's clear Page 105</p>	<p>1 You took over at, you say, midnight on the 16th. So the 2 17th was a Monday? 3 A. Yes, that is right. 4 Q. So this is a Tuesday and this is "George's ring main". 5 This is the speech, isn't it? 6 A. That's the speech on the Tuesday, yes. 7 Q. That's the 18th. Just so that you can see what material 8 we have, if you go back two pages, that's the 14th. So 9 that's the week before you are DG. So in other words 10 A6/257 is the first document in our bundles where you 11 are the Director General. 12 So let me show you the line. If you go to 260, you 13 see at 260 there is the reference at the bottom to the 14 ITV piece: 15 "Jimmy Savile accused of sexually assaulting girls, 16 an ITV1 documentary. ITV is to air a documentary ..." 17 Et cetera. And Karen Rosine says: 18 "Are people happy if we go back and correct that? 19 We weren't investigating similar claims. We were 20 investigating a particular story relating to the CPS 21 investigation which we could not substantiate and 22 therefore did not air." 23 So when you become Director General that's the 24 position that the BBC press office have reached, that 25 they weren't investigating similar claims which one Page 107</p>
<p>1 that this is now obviously serious enough to be flagged 2 up to the incoming Director General who is days away and 3 particularly if Mark was sort of on the farewell side of 4 things. 5 A. Yes. Yes, I see what you are saying. 6 MR POLLARD: For it to be specifically sent to your office 7 and for it not to reach you is a potentially pretty 8 disastrous breakdown? 9 A. I think at that point it is being sent to the same 10 office, Mark's office and my office, insofar as I have 11 secretarial -- 12 MR POLLARD: It just says "George Entwistle and PA", doesn't 13 it? 14 A. Yes. 15 MR POLLARD: So from the moment it is sent it is a good, by 16 the sounds of it, ten days before you are aware of it; 17 if that is sent on the 7th, circulated on the 7th, you 18 said you didn't really see it until the end of your 19 first week -- 20 A. I think that's -- 21 MR POLLARD: -- and that is towards the 21st. 22 MR MACLEAN: Can I show you the first week? 23 A. Yes, yes. 24 Q. Do you have bundle 6? If you go to 257, this is 25 18 September. I think that's a Tuesday. Is that right? Page 106</p>	<p>1 might think isn't actually correct because fundamentally 2 the building blocks for the Newsnight story were similar 3 claims? 4 A. Yes, yes. 5 Q. But what Mr Rippon says is that what led to the story 6 not running was this particular angle about the CPS 7 investigation. What gets slightly lost, one might 8 think, is the fact that there were two limbs to the 9 Newsnight story: The second limb didn't stand up which 10 meant the whole thing didn't run, but that didn't mean 11 that the first limb wasn't that Jimmy Savile was 12 a paedophile. 13 So that's the line. Then if you go to 271, the same 14 day, by this stage Julian Payne is emailing Paul Mylrea 15 and you see what the first line is: 16 "The BBC has conducted extensive searches of its 17 files"? 18 A. Yes. 19 Q. This is the point you touched on a minute ago. But the 20 focus here is what the BBC knew about historic 21 complaints about Savile? 22 A. Yes. 23 Q. And saying we don't have any record of any complaints, 24 and then "As required", in other words, if pushed: 25 "... the line to take is the BBC condemns any Page 108</p>

27 (Pages 105 to 108)

1 behaviour but in the absence of any evidence we can't do
 2 much about it."
 3 Then if you want to see what went to ITV eventually,
 4 it's at 287. There's an email to Peter Rippon and you
 5 will find what went to ITV over the page.
 6 A. Yes.
 7 Q. We can see the focus of what went to ITV from that.
 8 A. Yes.
 9 Q. And then you see the email to Lesley Gardner, in fact,
 10 from Julian Payne is at 289.
 11 You said you thought at the end of the first week
 12 you were asked whether you were content with --
 13 A. With this -- with the line, yes.
 14 Q. That was this line, was it?
 15 A. Yes.
 16 Q. Which was going to ITV?
 17 A. Yes.
 18 Q. So this is quite an important statement for the BBC to
 19 make to ITV; you now know that there is going to be this
 20 programme made, so here is the BBC's position.
 21 Now what one doesn't get from this statement is very
 22 much about the Newsnight story, but what it does say is
 23 that:
 24 "The Newsnight story was dropped for editorial
 25 reasons. Newsnight was pursuing a particular angle
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1 relating to the CPS and police which they were unable to
 2 substantiate and which was therefore not broadcast. As
 3 you are aware, allegations against Jimmy Savile were
 4 investigated by Surrey Police and a decision was taken
 5 not to pursue them."
 6 Which might be seen in one way at least to be
 7 a perfectly accurate statement of the position?
 8 A. You mean the whole bit from the "Newsnight story" to
 9 "pursue them"?
 10 Q. Yes.
 11 A. I'm trying to work out how I might have felt about it at
 12 the time knowing what I did at the time, versus how
 13 I feel about it knowing what I know now.
 14 Q. Yes.
 15 A. But -- sorry.
 16 Q. So this had all happened. The response to ITV had
 17 essentially happened without your certainly direct
 18 involvement and without you really having much to do
 19 with it apart from seeing the line at the last minute
 20 before it goes out?
 21 A. That's my recollection of it, yes.
 22 Q. And you hadn't been involved in the -- one of these
 23 bundles, believe me, is stuffed full with BBC lines from
 24 the press office over a series of months.
 25 So what was Mr Mylrea and Mr Payne -- we see them
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1 involved now -- that's not the BBC press office. So
 2 what lesson do we derive from the fact that corporate
 3 press --
 4 A. They are BBC corporate press. All the press office
 5 lines, all the lines of the management inside press come
 6 up to Julian Payne and Paul Mylrea. It seems to me that
 7 throughout all the press logs you've got Julian Payne
 8 being made aware. That is corporate being made aware
 9 all the way through.
 10 Q. But there is no more direct involvement from corporate
 11 at this stage?
 12 A. Yes.
 13 Q. Because it is not just about News, it is --
 14 A. It is historical allegations, yes.
 15 Q. -- about the BBC more generally?
 16 A. Yes.
 17 Q. So the ITV piece was going to go on the 3rd which was
 18 a Wednesday?
 19 A. Yes.
 20 Q. But it was pretty heavily trailed for several days?
 21 A. My recollection of the first trailing of it is on the
 22 Friday night, possibly. Friday the --
 23 MR POLLARD: Just for the sake of completeness for my
 24 understanding: with that statement that went to ITV on
 25 the 21st, did you see it and approve it before it went?
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1 A. Yes, I think it was shown to me and I did approve it,
 2 yes.
 3 MR POLLARD: I don't think we have an email --
 4 MR MACLEAN: I don't think we have.
 5 MR POLLARD: -- for some reason. But you think it did?
 6 A. Yes. I remember seeing it.
 7 MR POLLARD: And saying yes.
 8 A. I might have seen it on someone else's machine.
 9 MR MACLEAN: So it gets pretty heavily trailed. You say it
 10 was a Friday night but certainly by over the weekend it
 11 was being very heavily trailed in the Sunday papers.
 12 A. Yes. And we're talking now about the weekend of 29th
 13 and 30th?
 14 Q. That is right.
 15 A. Yes.
 16 Q. That is right.
 17 So if you close bundle 6, please, and take bundle 7
 18 and go to page 178.
 19 A. Sorry, which page?
 20 Q. 178. This is 2 October?
 21 A. Yes, yes.
 22 Q. Just before we get to the 2nd, let me just show you what
 23 the BBC was saying on the 1st. If you look in the same
 24 bundle at page 60?
 25 A. Sorry, which page?
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1 Q. Same bundle, page 60?
 2 A. Yes.
 3 Q. We will come back to 178. There are various queries
 4 coming into the BBC as a result of the press coverage.
 5 One of them comes from a Mr Moyes at The Sun. We can
 6 see what he says. What I want to show you is the bit
 7 just below that from Helen Deller:
 8 "I suggest highlighting the following element of the
 9 statement to them and briefing if this is correct re the
 10 woman for background ...(Reading to the words)... we
 11 have no reason to believe this information was not
 12 already passed to the police."
 13 Now, The Sun's piece is all about [REDACTED] -- you
 14 can see that -- and Klunk Click and so on?
 15 A. Yes.
 16 Q. So the press office is sending an email to Peter Rippon
 17 but also to others, including Mr Myirea and
 18 Valerie Nazareth and Steve Mitchell and Helen Boaden,
 19 and they are suggesting highlighting that they have no
 20 reason to believe this information was not already
 21 passed to the police?
 22 A. Um-hm.
 23 Q. You now know presumably that one of the problems with
 24 all of this --
 25 A. Is it is not true.

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1 people who were still alive against whom allegations had
 2 been made, [REDACTED]
 3 A. I didn't know about [REDACTED] at that point, so far
 4 as I can recall. What was -- what was in my mind was
 5 what was in the -- what had been coming out in the
 6 papers.
 7 Q. Which was all about Savile?
 8 A. Which was principally about Savile and historical stuff,
 9 but then these questions being raised about what had
 10 been in the Newsnight investigation and -- and, you
 11 know, what they'd got and what they had to say and
 12 whether or not the police knew about it.
 13 Q. The email I just showed you at page 60 from The Sun does
 14 talk about [REDACTED]
 15 A. Yes.
 16 Q. And acts being committed in Savile's dressing room?
 17 A. Um-hm.
 18 Q. Which is of course what [REDACTED] had said in her
 19 original --
 20 A. Interview.
 21 Q. -- blog.
 22 A. Sorry, yes.
 23 Q. Well, in the web memoir and in the interview.
 24 A. Yes.
 25 Q. What is your understanding of why Newsnight didn't pass

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1 Q. -- is that [REDACTED] had never been to the police?
 2 A. [REDACTED] had never been to the police.
 3 I think that -- I mean, I now know that there seems
 4 to have been real confusion in Peter Rippon's mind over
 5 what the status of the [REDACTED] interview was. For some
 6 reason he had got it into his head that that was
 7 something the police -- that she had formed part of the
 8 2007/2008 Surrey Police investigation.
 9 Q. Yes.
 10 A. And indeed when I asked Helen to leave the management
 11 board on 2 October, because at that point it did seem to
 12 me the most important thing in the world was our
 13 Newsnight even now sitting on stuff about possible
 14 criminal offences that they haven't given to the police,
 15 um, so I asked Helen to leave the meeting that day and
 16 go and get a reassurance that there was nothing we had
 17 got that the police hadn't already got.
 18 She came back with that reassurance and I think that
 19 showed that -- that reassurance came from Peter and
 20 I think even at that stage, you know, on the 2nd, he
 21 still hadn't understood that [REDACTED] wasn't known to
 22 the police.
 23 Q. You mentioned the 2nd -- obviously I'm inching my way
 24 towards 2 October -- but at that time, on 1st and
 25 2 October, what was on your radar screen about other

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1 the information about [REDACTED] to the police?
 2 A. Well, I -- I have no idea what was -- what was going on
 3 in their minds at the time. I mean, back in
 4 December 2011. I think, I mean I've -- there is
 5 a danger here that this is simply me patching a skeleton
 6 of stuff I have been sent by you and by others whilst
 7 I was in the BBC and we were trying to get the picture
 8 straight. I seem to remember that Meirion Jones thought
 9 there was nothing of use to the police about [REDACTED]
 10 because she -- because [REDACTED] couldn't identify the
 11 victim. I think that was Jones's argument. Does that
 12 ring a bell, Nick?
 13 Q. Did that strike you --
 14 A. I only became aware of that quite late on.
 15 Q. All right.
 16 A. Around this point I don't think I knew about
 17 [REDACTED]
 18 Q. Do you know now -- you know who Hannah Livingston is
 19 now?
 20 A. Yes, I do.
 21 Q. Do you know that Hannah Livingston and Liz MacKean got
 22 quite close -- how close may be a matter of judgement --
 23 but thought that they had probably identified --
 24 A. The girl to whom --
 25 Q. -- the [REDACTED] victim?

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1 A. I didn't know that. And I haven't been able to infer
 2 that from what I have read.
 3 Q. But if that were right, then that would be an important
 4 counterweight to the view that Meirion Jones was giving
 5 you?
 6 A. Well, absolutely. Absolutely so. I mean, I became
 7 really worried and preoccupied with whether or not an
 8 accurate understanding of what they had got on Newsnight
 9 was being communicated to the police. I made that
 10 attempt on the 2nd, to be reassured that the police had
 11 got everything.
 12 I then asked Nadia Banno and the BBC Legal team to
 13 engage really forensically with Newsnight because I just
 14 wasn't happy -- I wasn't convinced that they had made
 15 a proper assessment of what the police ought to have and
 16 what they hadn't.
 17 Q. So in other words on the 2nd -- so you are really
 18 focused on this now. You are the Director General and
 19 whatever ITV is going to do is about to crash over your
 20 head. So it follows from that, doesn't it, that you
 21 were not satisfied that whatever had happened in
 22 September had really got to the bottom of what Newsnight
 23 had?
 24 A. I think the thing that was uppermost in my mind about
 25 what happened in September were historical allegations

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1 rather than the focus on Newsnight. That might not have
 2 been the right interpretation to have drawn but I think
 3 what was uppermost in my mind in September was -- in
 4 that last week of September -- was the historical
 5 allegations and what we might be able to do about
 6 historical allegations and what discoveries we can make.
 7 Then I think it must have become apparent to me over
 8 that weekend prior to transmission that the Newsnight
 9 dimension of the ITV story was also a major one.
 10 Q. Although --
 11 MR POLLARD: Do you think we ought to hold for a break for
 12 lunch?
 13 MR MACLEAN: Yes. We're not going to inch to the blog
 14 before lunch.
 15 A. We're not going to make it to the 2nd?
 16 MR MACLEAN: I am afraid not. But I promise we will get
 17 that after lunch.
 18 MR POLLARD: 40 minutes. 10 to 2. Thanks.
 19 (1.08 pm)
 20 (The short adjournment)
 21 (1.50 pm)
 22 MR MACLEAN: Do you still have bundle 7 there, Mr Entwistle?
 23 A. Yes, I think so.
 24 Q. The blog was a development of a different document,
 25 an earlier document -- slightly earlier document -- that

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1 Mr Rippon wrote, called a chain of events or a briefing
 2 note?
 3 A. Yes.
 4 Q. So if you go to 178 -- this is 2 October in the morning
 5 at 8.43 -- from Mitchell to Rippon. So Steve Mitchell
 6 says:
 7 "It might be a good idea for you to draft a briefing
 8 note for our use on the decision-making process from
 9 commissioning to decision not to proceed as best you can
 10 recall. Obviously various members of staff are putting
 11 their version out there."
 12 We can speculate as to who those might have been.
 13 Before I ask you a question about this, if you just
 14 cast your finger forward to page 180, Peter Rippon
 15 responded saying "Will do by lunch time", and then there
 16 is a reference to "good idea to get my side out there".
 17 That is a reference to saying something in public as
 18 opposed to something internal.
 19 What I want you show is you is at the top, Mitchell
 20 back to Rippon:
 21 "For now, I want Helen and George to know the full
 22 story from you."
 23 A. Yes.
 24 Q. Then when he produces the chain of events, at 191 --
 25 A. He doesn't send it to me.

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1 Q. -- he doesn't send it to you, he sends it to
 2 Steve Mitchell and Helen Boaden. Then there is another
 3 email at 198 from Steve Mitchell to Rippon and Boaden:
 4 "Thanks Peter, as discussed this is for Helen and I
 5 and we will not be on passing."
 6 So although there is a reference to "George" at some
 7 point, you seem to drop off the radar.
 8 A. Yes.
 9 Q. So the first question is back to 178. Was this
 10 Mr Mitchell's own idea to get Mr Rippon to write this
 11 document, or had this come from higher up the management
 12 chain?
 13 A. Well, I was involved in the decision to do the blog, but
 14 I didn't know anything about this document that lies
 15 behind the blog until I saw the bundle.
 16 Q. Right. So whoever, if anybody, did give Mr Mitchell the
 17 idea of asking for this, it wasn't you, because you
 18 didn't know about it?
 19 A. Yes --
 20 Q. So you --
 21 A. -- not as far as I can remember.
 22 Q. So you won't then have seen this email at this time.
 23 But what might be thought to be striking about this
 24 email is what Mr Rippon is being asked to do is to draft
 25 a briefing note "as best you can recall" and he

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1 undertakes to do it by lunch time.
 2 One might think that for a document that becomes in
 3 the succeeding couple of weeks a very important crutch
 4 on which the BBC rests its version of events, that in
 5 fact Mr Rippon is really being asked to write down what
 6 he remembers rather than go away and conduct some
 7 archaeological exercise to find out what the true facts
 8 were, because there might be a difference between the
 9 two?
 10 A. Um-hm.
 11 Q. Do you think that's a fair observation?
 12 A. I think it -- I think -- I suppose it is. I suppose the
 13 point I make is that I wouldn't -- I mean, although
 14 we're dealing with something which is obviously some
 15 time before, I wouldn't have expected Peter Rippon to
 16 have to do much archaeology about an investigation of
 17 which he was the executive producer.
 18 Q. Even if it was 11 months before?
 19 A. Yes. Because I would have -- I think I would have
 20 expected him to have, you know -- a collection of emails
 21 that related to his supervision of the investigation
 22 that would really give him a pretty good guide to what
 23 had happened.
 24 Q. So the idea of producing a briefing note within
 25 a morning -- and in fact Peter Rippon says he doesn't
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1 actually get into the office until some time after
 2 10 o'clock that morning -- and he sends the briefing
 3 note back to Steve Mitchell and Helen Boaden, as you can
 4 see from 191 at 12.15, that doesn't strike you as
 5 an onerous request?
 6 A. Obviously, I didn't know about this briefing note but
 7 I didn't think the notion that he with write the blog
 8 was an onerous request, ie my position all along, and
 9 I would stand by it, was it was not expecting too much
 10 of Peter Rippon to be able to write an accurate blog
 11 about what had happened. If I were to go -- if I were
 12 to be back at the BBC now and give them the chance to
 13 choose between editors I could rely on to write accurate
 14 accounts of investigations on their programmes or not --
 15 I know it's binary -- but it just doesn't seem to me to
 16 be an unreasonable thing to expect your editor of
 17 a programme, and especially not the executive producer
 18 of the film, to be able to do.
 19 Obviously, I again have to try to separate what
 20 I thought at the time from what I now know, and now
 21 seems that his executive producing of the film was
 22 a comparatively late resolution on behalf of the team.
 23 Did he know he was the executive producer of the film
 24 all the way through? I don't know.
 25 Q. I showed you the email earlier, you may remember, it was
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1 on 29 November from Gibbons to Rippon --
 2 A. It says "You are going to accept this one, aren't you",
 3 or whatever.
 4 Q. Words to that effect.
 5 A. Yes.
 6 Q. It was on 29 November, which was four weeks after
 7 whatever it was had started.
 8 A. Meirion Jones had first offered the film to
 9 Peter Rippon, yes.
 10 Q. Yes.
 11 A. But obviously I didn't know that at the time.
 12 Q. Sure.
 13 So if we go to 179, two things are going on here.
 14 Peter Rippon has been asked to produce a briefing note,
 15 but he and Mr Mitchell are also talking about "putting
 16 something out there", which turns into the blog.
 17 A. Yes.
 18 Q. You see he says at 179:
 19 "... although it is tricky because I cannot point to
 20 many of the weaknesses of the story that meant I judged
 21 on balance not to run it."
 22 In the same vein, if you go to 191, that is the
 23 chain of events. Then if you go to 198, this is the
 24 Steve Mitchell response to getting the chain of events:
 25 "Thanks Peter. It is in effect the detail behind
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1 our existing public position, namely that Newsnight had
 2 focused on a very specific approach and when that did
 3 not stack up dropped the project on editorial merit.
 4 The blog will obviously have to steer away from some of
 5 the elements of witness reliability but in essence can
 6 follow the same lines."
 7 It might be said that from the very beginning the
 8 public statement is not telling the whole truth, because
 9 Rippon and Mitchell are imposing on themselves some sort
 10 of self-denying ordinance --
 11 A. Concerning witness reliability. (Pause)
 12 Q. The point I was making was that it looks as if Mr Rippon
 13 and Mr Mitchell have, between themselves, agreed that
 14 this public statement won't be telling the whole truth
 15 because some of the factors operative on Rippon's mind
 16 aren't going to be mentioned.
 17 A. He isn't going to want to mention.
 18 Q. I imagine that you didn't know about that --
 19 A. No, I --
 20 Q. -- aspect of the blog.
 21 A. No, I didn't see -- I didn't see these, so I didn't.
 22 But it -- you know, it does seem to me you can still --
 23 he can still have written a blog in which everything was
 24 true, which was not a blog in which he had written
 25 everything, but he didn't write a blog in which
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<p>1 everything was true, in fact.</p> <p>2 Q. Yes. I think there is a difference between writing</p> <p>3 everything in it is true, without it being --</p> <p>4 A. Everything that is true.</p> <p>5 Q. Look at the chain of events at 191. I told you how</p> <p>6 Steve Mitchell had suggested to Peter Rippon that this</p> <p>7 might go to Steve and Helen and George but then it</p> <p>8 doesn't look as if it did go to you. One of the things</p> <p>9 that is mentioned here, but not of course mentioned in</p> <p>10 the blog because it would not mean anything to the</p> <p>11 public, is the "MPRL", as it is inaccurately called. Do</p> <p>12 you see at the bottom of 191?</p> <p>13 A. Yes.</p> <p>14 Q. So Mr Rippon in his briefing note says:</p> <p>15 "At this stage we put the story on the MPRL and</p> <p>16 I discussed it with Steve Mitchell as I would with any</p> <p>17 contentious story that we were potentially going to do."</p> <p>18 That doesn't find its way into the blog. As you</p> <p>19 know -- I can show you if necessary, you accept this,</p> <p>20 I think, earlier -- the BBC put out the line recently to</p> <p>21 people who asked, including a Mr Mostrous from The Times</p> <p>22 "Was Savile ever on this sensitive list"? The</p> <p>23 journalists don't quite get the BBC alphabet soup</p> <p>24 correct, but it is obvious that this is what they were</p> <p>25 talking about. They are told in terms "No, it wasn't",</p> <p style="text-align: center;">Page 125</p>	<p>1 Steve Mitchell at 12.14. Within the hour, Paul Mylrea,</p> <p>2 to David Jordan and to you amongst others, and the focus</p> <p>3 at the corporate centre, if you like is on -- now,</p> <p>4 anyway -- the allegations of sexual abuse by</p> <p>5 Jimmy Savile including the aspect about BBC premises.</p> <p>6 A. Um-hm.</p> <p>7 Q. The line that is getting developed is that these were</p> <p>8 criminal actions which are the responsibility of the</p> <p>9 police who have the powers to investigate anyone</p> <p>10 involved.</p> <p>11 If that was right, it would mean, wouldn't it, that</p> <p>12 inevitably Newsnight should have handed over material</p> <p>13 that it had a year before to the police?</p> <p>14 A. Yes, and by the time I received that, that day, I had</p> <p>15 already asked Helen Boaden to get for me -- and she had</p> <p>16 given me -- an assurance that there was nothing in</p> <p>17 Newsnight's possession that wasn't known to the police.</p> <p>18 Q. But you understood that that was not that Newsnight had</p> <p>19 given anything to the police, but rather that Newsnight</p> <p>20 had stuff and the police --</p> <p>21 A. Already had it, that was what I understood.</p> <p>22 Q. -- already that stuff from somewhere else?</p> <p>23 A. The key question I said to Helen was "We need to be sure</p> <p>24 that Newsnight aren't sitting on anything that the</p> <p>25 police need to have", and the message that came back was</p> <p style="text-align: center;">Page 127</p>
<p>1 and David Jordan sent something out saying "No, it</p> <p>2 wasn't", which may be correct many from Mr Jordan's</p> <p>3 perspective because he only saw the highest level of the</p> <p>4 list.</p> <p>5 A. Yes.</p> <p>6 Q. But this statement and this reference to the story only</p> <p>7 being on the list appears only to have gone to</p> <p>8 Steve Mitchell and Helen Boaden but never went anywhere</p> <p>9 else. Is that right as far as you are aware?</p> <p>10 A. That is right, so far as I'm aware because the only</p> <p>11 conversations in which discussed the Newsnight</p> <p>12 investigation, vis-a-vis the Managed Risk Programme</p> <p>13 List, was the full item.</p> <p>14 I can see why this feels like one of those classic</p> <p>15 bits of BBC arcaneness. When Peter says he's going to</p> <p>16 the list, it means he's letting the people who in due</p> <p>17 course will submit the news part of the list to</p> <p>18 editorial policy.</p> <p>19 Q. In fact, it may have been he, himself, who did it</p> <p>20 because Liz Gibbons was away --</p> <p>21 A. Yes.</p> <p>22 Q. -- and I showed you A2/188.</p> <p>23 That is the chain of events. Then meanwhile, if you</p> <p>24 go to page 203 -- so this is 2 October, same day --</p> <p>25 Mr Rippon has written his chain of events and sent it to</p> <p style="text-align: center;">Page 126</p>	<p>1 "Everything that Newsnight have, the police have already</p> <p>2 got".</p> <p>3 Q. Was there ever any prospect of a criminal investigation</p> <p>4 into Jimmy Savile?</p> <p>5 A. It seemed to me there was, because it seemed to me</p> <p>6 that -- and the police mentioned this to me the first</p> <p>7 day I spoke to them, which I think was on the 1st -- was</p> <p>8 that Savile may have had accomplices and, indeed, people</p> <p>9 have now been arrested who it is alleged were his</p> <p>10 accomplices.</p> <p>11 Q. I see, so --</p> <p>12 A. In other words, if Savile had been operating in a ring</p> <p>13 of any sort or with the support of people still alive,</p> <p>14 then that would make it a matter of contemporary</p> <p>15 criminal potential, contemporary criminal action, and</p> <p>16 that was something the police made aware to me when</p> <p>17 I first spoke to them on the 1st.</p> <p>18 Q. Yes, I see. So there is a possibility of people who are</p> <p>19 still alive who may have been accomplices or some</p> <p>20 sort --</p> <p>21 A. Or abused people alongside Savile, yes.</p> <p>22 Q. -- some sort of collaborators with or assistants with</p> <p>23 Savile.</p> <p>24 A. Yes.</p> <p>25 Q. But potentially, but not really on your radar -- tell me</p> <p style="text-align: center;">Page 128</p>

32 (Pages 125 to 128)

1 if that is unfair -- was the separate allegations
 2 against live people that had been made --
 3 A. [REDACTED] were not on my radar at that point.
 4 The thing that was in my mind was this notion of if he'd
 5 been doing it, he might have been doing it with the --
 6 with people being his accomplices.
 7 Q. The BBC line, if you like -- this line that gets put out
 8 now about the responsibility of the police -- led some
 9 people in the BBC to ask themselves what the BBC's
 10 procedure was for helping the police. I don't know
 11 whether you have now seen the emails. Before I show you
 12 the email, what was the BBC's position vis-a-vis
 13 providing --
 14 A. Material to the police.
 15 Q. -- material to the police?
 16 A. This is something I raised at the Select Committee,
 17 because I do think it -- it seemed to me to point to
 18 a hole in our procedures or a lack of clarity around
 19 certain aspects of our procedures.
 20 All our guidelines are based on what you do with
 21 material that might be of interest to the police after
 22 you have broadcast or, when there is a case of clear and
 23 present danger during the acquisition of journalistic
 24 material, how you involved the police.
 25 For example, when I was Head of Current Affairs, we

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1 were doing a secret filming project based around
 2 a Bristol bail hostel and we were tracking one or two
 3 people who were in the bail hostel who had criminal
 4 records for child sexual abuse and they were breaking
 5 the rules by going out of the bail hostel beyond where
 6 they should have gone, and we knew this because we were
 7 filming them and because we knew they were in breach the
 8 terms in which they were in the hostel, we knew we had
 9 a responsibility for them what they did that we would
 10 not normally have.
 11 At one point one of them went beyond his curfew or
 12 the curtilage that had been defined for him and we lost
 13 track of him. On that occasion, we immediately phoned
 14 the police to say "You don't know this but such and such
 15 a person is breaking the terms of their" -- because we
 16 were worried he had gone to see a mother and a child on
 17 an estate who we thought he had been involved in
 18 grooming.
 19 So we had -- we had very clear -- they still -- they
 20 have -- I will get this right -- they have very clear
 21 procedures around clear and present danger while
 22 capturing journalistic information and then very clear
 23 protocols for what you do if the police approach you
 24 after you broadcast. What we don't have anywhere in the
 25 guidelines, and that David Jordan agreed before I left,

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1 that we need is similar protocols about what happens to
 2 material that might be of interest to the police in an
 3 investigation that doesn't proceed to transmission. So
 4 there was definitely a gap.
 5 Q. If you look at 341 in bundle 7, this goes to the second
 6 point you have just made, which is that the relevant
 7 guideline is essentially reactive rather than proactive.
 8 A. Yes.
 9 Q. So you see at 341, Helen Deller on Paddy Feeney, they
 10 are musing among themselves at what the line is for the
 11 requests for unbroadcast material?
 12 A. Yes.
 13 Q. "There are procedures in place regarding requests for
 14 the release of material gathered in investigations.
 15 Requests for untransmitted material is dealt with
 16 through our legal department."
 17 Then at the top is the same thing. So when the
 18 police knock on the door and say "Can we have X, Y and
 19 Z", there is a procedure?
 20 A. Again, it seems to me that the cultural convention is,
 21 if you have anything that is of interest to the police
 22 you are going to get it in a film, once you have it in
 23 a film and broadcast it, you are essentially going to
 24 set in motion the system that fully expects the police
 25 to come and ask for something, and they always have to

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1 come via the legal department because we always, by
 2 convention -- I think all broadcasters do this -- we ask
 3 them to get a court order before we release anything, so
 4 we are not seen by all the people we do journalism into
 5 as a kind of newsgathering operation for the police.
 6 Q. So you are not seen as the police's patsy?
 7 A. Exactly.
 8 MR POLLARD: The obvious sort of conclusion about
 9 an investigation that is not run is that there is
 10 obviously no way that the police know about it. They
 11 come knocking on the door because they have seen
 12 something --
 13 A. Exactly so --
 14 MR POLLARD: -- and they think there might be something --
 15 A. -- and that occurred to me in thinking about this.
 16 I thought you really do need to have -- again, I think,
 17 for me, the jump was from a world where, if you have
 18 stuff that the police are going to be interested in,
 19 that must be journalistically so strong that you are
 20 going to get it on the telly, and all the while,
 21 I admit, I was thinking about things in the manner that
 22 I had been brought up to think about them, inside BBC
 23 News and Current Affairs. If you have stuff that is of
 24 interest to the police then, by definition, it must be
 25 potential for broadcast, and I don't think the culture

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1 as a whole has thought the enough about the possibility
 2 of stuff that's potentially massively interesting for
 3 police but for one reason or another has not been
 4 broadcast.
 5 MR POLLARD: Self-evidently, I guess, that would be rare,
 6 just because of the premises that you have laid out --
 7 A. One would hope so.
 8 MR POLLARD: -- that something that wasn't deemed worthy of
 9 broadcasting --
 10 A. But still of interested interest to the police.
 11 Q. -- but should have been deemed worthy of passing onto
 12 the police.
 13 A. This is the only example of it I can think of that
 14 I have ever encountered.
 15 MR POLLARD: Yes, quite.
 16 MR MACLEAN: Who did you understand to have a hand in the
 17 blog at the time.
 18 A. I understood that Peter had written it, but in
 19 consultation with Steve.
 20 Q. Mitchell?
 21 A. Yes.
 22 Q. At the parliamentary committee, you seem to have gone
 23 a little out of your way to emphasise that
 24 Steve Mitchell had seen but not, in some sense, approved
 25 the blog; is that fair?

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1 A. No, I -- I don't -- if I was making a distinction
 2 between the two, I don't particular know why I was
 3 making it. My sense was that the blog had come out of
 4 Peter Rippon via Steve Mitchell to, um -- to the people
 5 who posted it, and that, therefore, it was something
 6 Steve would have had sight of and approval of.
 7 Q. Did you, first of all, know that it had been -- some
 8 input had been given to it by Mr Mylrea and
 9 Paddy Feeney?
 10 A. I -- my suspicion would have been that it would have
 11 ended up with Mylrea and Feeney potentially after
 12 Peter Rippon and Steve Mitchell had had an interface
 13 with it, ie the business of fine-tuning the language for
 14 publication would be something I would have expected the
 15 press office to be involved in.
 16 Q. I will show you if you want, but have you seen how that
 17 happened in the emails?
 18 A. I have not seen the detail of it, no.
 19 Q. Let me show you. Bundle 7, page 86.
 20 I have not taken you through the detail of the chain
 21 of events and I was not particularly going to take you
 22 through the detail of what's in the blog because we can
 23 all read and we can all form our views on what's right
 24 and what's wrong but if you want to say anything about
 25 it at any stage, obviously do.

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1 A. Sure.
 2 Q. 86 is Mr Rippon's draft, if you like, at 2.22 on the
 3 same afternoon, so just about two hours after he has
 4 done the chain of events he has now produced this blog
 5 on 2 October. He sends it to Mitchell, Boaden, Feeney
 6 and Mylrea and copies it to Helen Deller. Having said
 7 I'm not going to take you through it, I'm not, but there
 8 are two or three important points to make in it.
 9 If you go to the fourth paragraph beginning
 10 "I decided ..." do you see?
 11 A. Yes.
 12 Q. At the end of the first line there is reference to "the
 13 key witness".
 14 A. Yes.
 15 Q. Then in the next paragraph, in the second line:
 16 "In her original statement our key witness said ..."
 17 A. Yes.
 18 Q. Those are, appropriately, as a matter of English,
 19 references to the same person, ie "the key witness", but
 20 they are, in fact, references to two different people.
 21 A. Right.
 22 Q. There is a confusion.
 23 A. Okay.
 24 Q. Because "the key witness who told us that the police had
 25 investigated the claims but the case had been

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1 dropped" --
 2 A. Was not [REDACTED]
 3 Q. -- was not [REDACTED] was somebody else. But the key
 4 witness who said she was perfectly certain, et cetera --
 5 A. Was [REDACTED]
 6 Q. -- was [REDACTED] Over the page:
 7 "We were confident that all the women we spoke to
 8 had contacted the police independently already. We also
 9 had no new evidence against any other person that would
 10 have helped the police?"
 11 Query?
 12 A. The qualifier there is which would have helped the
 13 police, isn't it, which is a judgement they are making
 14 which perhaps they are not entitled to make.
 15 Q. Of course the question as to whether or not there is
 16 enough material for prosecution by the CPS, that's for
 17 the CPS --
 18 A. It's for the police to work out.
 19 Q. -- and the question of whether is there enough to send
 20 to the CPS, which is a lower threshold, is a matter for
 21 the police --
 22 A. It's not for Newsnight.
 23 Q. -- it's not for Newsnight to usurp that function.
 24 A. No.
 25 Q. Then we touched on this earlier. We have been through

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1 this:
 2 "I did discuss it with my bosses."
 3 We had that discussion earlier about editorial
 4 discussions versus referral up.
 5 A. Yes.
 6 Q. Then I should have just shown you in that first
 7 paragraph about "key witness":
 8 "I decided we should go through this story because
 9 of the nature of the allegations and because the key
 10 witness told us ..."
 11 A. Yes.
 12 Q. Then you see, if you look up the chain, there is
 13 a teensy tweak from Mr Feeny at the bottom of 85 --
 14 I don't know what that is, but it doesn't matter -- then
 15 Mr Mylrea has a go at 84, and then he says:
 16 "Helen B, have you signed off?"
 17 Then Mr Mylrea there, is a suggested change from
 18 Andrew, whose name I can never remember --
 19 A. Scadding, is it?
 20 Q. That's right, yes. Then ultimately, if you go to
 21 page 262, Peter Rippon attached some importance to this,
 22 it gets signed off, I think is how he would put it, by
 23 Steve Mitchell --
 24 A. Yes.
 25 Q. -- who says:

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1 "I'm fine with this. Spoken to PR who is also
 2 content and will arrange for it to be posted."
 3 A. I would treat that as a sign off. If it has gone to
 4 Stephen Mitchell and he said "I'm fine with this" that
 5 is a managerial sign-off.
 6 Q. Peter Rippon said, I think, that he proceeded on the
 7 basis that, like anything else, it was appropriate to
 8 have a managerial sign-off.
 9 Mr Mitchell took a slightly different view. He
 10 said:
 11 "The editors' blog is a site where editors from
 12 across BBC News explain stories and share their dilemmas
 13 and other issues with the public. Their blogs are not
 14 always overseen or checked by management and I do not
 15 believe that the detailed supervision of a blog lies
 16 within my responsibilities. Editors do liaise with the
 17 press office when publishing their blogs. To the best
 18 of my recollection, I saw Peter Rippon's blog when or
 19 perhaps shortly before it was published."
 20 Which slightly de-emphasises --
 21 A. It is a different interpretation, isn't it? The key
 22 point I would make is that, unusually, an editor --
 23 a BBC News editor at an editor grade, senior manager 2,
 24 is allowed to go to air with their own blog without
 25 referring it upwards, because they are in that level of

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1 the organisation where they are entitled to take
 2 responsibility for their output. They can, in fact, do
 3 a blog without getting it signed off. So there is --
 4 an element of what Steve is saying is right there.
 5 MR POLLARD: Anybody lower down the chain --
 6 A. Would have to get an approval. That was the whole idea
 7 of the editors' blog. It was an attempt to join a world
 8 of self-publication and pitch it at a level where people
 9 were considered senior and experienced enough to make
 10 judgements go about going to air unsupervised.
 11 MR MACLEAN: But the press office a role in the production
 12 and publication of the blog that they would never have
 13 had in the production and publication of the original
 14 journalism.
 15 A. That is correct. Because the blog is seen as a public
 16 facing exercise in explaining how the BBC does what it
 17 does, then the press office involvement, I think, is
 18 appropriate in terms of, you know, consistency and
 19 making sure that the phraseology is as good as it could
 20 be and that kind of thing.
 21 Q. So running the blog past the Mr Mylrea's of this world
 22 but not having them involved in the production of the
 23 Newsnight piece --
 24 A. Is entirely standard.
 25 Q. -- is entirely standard and sensible?

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1 A. I mean you wouldn't -- I would never want the press
 2 office to get involved in journalism, under any
 3 circumstances. I mean, when the journalism was stable
 4 and you were selling the journalism, either to your
 5 audience or the outside world, sure, but it's not like
 6 getting the marketing department involved in shaping
 7 a piece of stuff that you are marketing, it is
 8 a different thing.
 9 MR POLLARD: Is the implication of that, that this is not
 10 journalism, the blog?
 11 A. Well, I -- I think there is a sense in which it isn't
 12 journalism because it is about the workings of the BBC.
 13 So, in other words, it is reflexive. Unusually -- we
 14 don't spend a lot of time talking about what we do --
 15 all this "we" again, "they". Arguably, they don't do
 16 enough, and the blog was a real -- the editors' blog was
 17 a real attempt when it was brought in to make the whole
 18 process more transparent and give people more insight
 19 into how decisions were arrived at but I think the
 20 answer is it has all the same -- it must have all the
 21 same standards of accuracy and impartiality and all the
 22 other BBC values, but it is not journalism in quite the
 23 same way, no.
 24 MR MACLEAN: We have seen the blog was not the only thing
 25 Mr Rippon wrote, he wrote the chain of vents. We have

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35 (Pages 137 to 140)

1 seen that he and Mr Mitchell appeared to have agreed
 2 that it was just not on for the blog to tell the whole
 3 story --
 4 A. For Rippon to express his anxieties about [REDACTED]
 5 yes.
 6 Q. -- and that what you and the other people -- the senior
 7 echelons of the BBC -- needed on the following day was
 8 not the sanitised, if I can use that expression --
 9 whether there were errors in it or not is a separate
 10 question -- not the sanitised view that is presented to
 11 the public. What the BBC needed was the warts and all
 12 account from Mr Rippon setting out what his thought
 13 process was, which wasn't -- that was never what the
 14 blog was about in his mind.
 15 A. Well, I -- I think that the BBC management were, me and
 16 others, were entitled to rely on everything in the blog
 17 being accurate. Now, I don't -- it could be -- it seems
 18 to me it has -- it had all the capacity it needed to be
 19 a proper and truthful account without -- without
 20 necessarily containing absolutely everything had run
 21 through Peter Rippon's mind. The key thing in the end
 22 is -- I guess the question I would ask him is: was the
 23 really reason that you didn't run this story, Peter,
 24 that you didn't believe [REDACTED] Was that the real
 25 reason you didn't run this story? In which case, the
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1 blog is not accurate.
 2 But I still don't have the sense that -- I have the
 3 sense that he has an unpinned down and almost
 4 unarticulatable reservation about [REDACTED] that
 5 endures, but he never, ever tackles that as -- if that
 6 was the main reason he didn't reason the story, I'm not
 7 sure he's even come to terms with that today, I don't
 8 know. You have interviewed him, so maybe he has.
 9 But from my standpoint, the key thing about the
 10 blog -- the major task of the blog, as far as I was
 11 concerned, was that it was absolutely unequivocal about
 12 the fact that, for whatever reason, he had made his own
 13 decisions.
 14 When I glanced at -- when I glanced at the blog on
 15 Paul Mylrea's terminal, the bit I glanced at was that
 16 section. Your know, I had a fleeting conversation with
 17 Peter about this. I said to him "Did you come under any
 18 pressure, Peter? Did you feel that anybody put you
 19 under any pressure to make the decisions you made", and
 20 he said "No, I didn't" and I thought I would just like
 21 to see what that looks like in the blog.
 22 Q. That fleeting conversation was when?
 23 A. I can't remember. On the 1st or the 2nd.
 24 Q. You actually spoke to Peter Rippon?
 25 A. Yes, I remember speaking to him outside -- outside the
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1 DG's office.
 2 MR POLLARD: The 1st or the 2nd?
 3 A. I couldn't say which, and, relatively (inaudible).
 4 MR MATTHISON: Can I just ask what was the Steve Mitchell
 5 document that you put to George?
 6 MR MACLEAN: What was?
 7 MR MATTHISON: The Mitchell document. You quoted something
 8 from Steve Mitchell and I was just wondering where that
 9 was from.
 10 MR MACLEAN: It is this one in bundle 7.
 11 MR MATTHISON: It is just that I don't have the bundles.
 12 I think it is that one there. You read out
 13 Steve Mitchell's --
 14 MR MACLEAN: Sorry, that's Steve Mitchell's statement.
 15 MR POLLARD: That's a witness statement.
 16 MR MACLEAN: So paragraph 22 of Steve Mitchell's statement.
 17 MR POLLARD: Any more you can tell us about that
 18 conversation --
 19 MR MACLEAN: I'm just looking to see what Peter Rippon said.
 20 MR POLLARD: He's mentioned it, has he?
 21 A. No, I can't think much more about it. It was -- it
 22 wasn't something -- you know, it happened because he was
 23 there and, as I remember, there were a group of people
 24 congregating outside the -- outside the office, outside
 25 the DG's office.
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1 MR POLLARD: So the DG's office, and I think at that time
 2 Helen Boaden's office would be quite --
 3 A. Helen Boaden's area was sort of directly outside --
 4 MR POLLARD: Yes.
 5 A. -- and there were --
 6 MR POLLARD: Is Steve Mitchell's office there?
 7 A. Yes, Steve Mitchell sits there and I think, Steve, Helen
 8 and Peter Rippon were all there. But I think I just had
 9 a very brief conversation with Peter at that point.
 10 MR MACLEAN: Okay, but I don't think --
 11 A. Is that not something Peter has remembered?
 12 MR MACLEAN: Peter Rippon doesn't remember any statement.
 13 I don't recall but we can check --
 14 MR POLLARD: That was not a meeting that you had arranged --
 15 A. No, no.
 16 MR POLLARD: -- or he had arranged --
 17 A. No, it was an encounter.
 18 MR POLLARD: You said to him? He said to you?
 19 A. I said -- as I recall, I said to him "You know, you
 20 weren't put under any pressure, were you, Peter?"
 21 MR POLLARD: Yes, and that was the key point you wanted to
 22 ask him about.
 23 A. Yes, that was -- that was -- that was -- my sense of the
 24 function of the blog was that.
 25 MR POLLARD: I see. So this would be, would it, after you
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1 had seen the blog on Paul Mylrea's terminal.
 2 A. No, I think it might have been earlier in the day. I'm
 3 finding it very hard to pin this down, though. I would
 4 have thought on the 1st or the 2nd.
 5 MR MACLEAN: There was a lot going on in Newsnight at that
 6 time because they have they were running dummy
 7 programmes --
 8 A. Yes.
 9 Q. -- and there was a lot on Rippon's plate as well, at
 10 that stage.
 11 A. Yes.
 12 Q. When the blog got published on the 2nd, you have
 13 probably seen now, but probably didn't see it at the
 14 time that there was some pretty immediate email traffic
 15 involving Liz MacKean and Meirion Jones.
 16 A. I have seen that now, yes.
 17 Q. You can put 7 away, Mr Entwistle, and just take
 18 bundle 8. If you go to page 10, this is from MacKean to
 19 Jones. You probably saw this --
 20 A. In the bundle you sent, yes.
 21 Q. Liz MacKean expresses a fairly pithy view about one
 22 particular line in the blog, and you have probably
 23 seen -- I will show you the detail of this -- she sends
 24 an email at page 38 to Peter Rippon and to
 25 Steve Mitchell sharing her concerns about the blog --
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1 A. Yes.
 2 Q. -- and then Mr Mitchell at page 47 essentially sent
 3 an email to Rippon and MacKean saying "I want this" --
 4 A. Pull yourself together.
 5 Q. Yes, "I want this sorted", and there is an email then
 6 from Mr Jones at page 57, to MacKean and Rippon and
 7 Mitchell.
 8 There is quite a lot of toing and froing, and at
 9 page 61 on the 3rd, from Jones to Mitchell, copied to
 10 the other two, Rippon and MacKean:
 11 "Steve, I did notice that you didn't copy me in.
 12 There are two points here to be absolutely fair. (1)
 13 Peter is wrong to say that all our witnesses spoke to
 14 the police; but, more importantly, (2) Peter is right to
 15 say that he did not believe we were holding anything
 16 from the police that could result in prosecution of
 17 anyone who is alive for reasons outlined in my other
 18 email."
 19 Just on a point that you mentioned a moment ago, if
 20 you go to 94, this is still the 3rd, the day after the
 21 blog. This is the day that ITV's Exposure is going out
 22 in the evening.
 23 A. That night, yes.
 24 Q. But at lunch time they ran a clip from [REDACTED]
 25 I think, on the ITN News?
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1 A. Yes.
 2 Q. [REDACTED] I think, doesn't actually feature in the
 3 Exposure documentary.
 4 A. No, I think that is right, not in the Exposure film.
 5 Q. But they run this piece about the [REDACTED]
 6 allegation at lunchtime, at least ITN does, and you see
 7 Peter Rippon responding to Mitchell, and he is quoting
 8 there from the web memoir, can you see that one at 207,
 9 in the middle of the page on 94 --
 10 A. Yes.
 11 Q. -- "I can remember seeing". Then, the one at the top of
 12 the page:
 13 "I was really uncomfortable about whether we could
 14 believe her or not."
 15 Which is rather similar, you might think, to the
 16 observation you made a moment ago.
 17 A. Yes.
 18 Q. I just want to explore where this went. What
 19 Mr Mitchell says -- and this is the same document
 20 I mentioned earlier, this is his statement, you won't
 21 have seen this. But he says that he had obviously got
 22 these emails from MacKean and Rippon and Jones, and he
 23 says:
 24 "On Monday, 8 October I met Liz MacKean. She talked
 25 largely about the continued belief that the BBC and
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1 Peter are were not being honest about why the
 2 investigation had been dropped. She said she felt Peter
 3 had been 'running scared'. I did my best to persuade
 4 her that no pressure had been put on Peter to drop the
 5 Savile investigation. She remained unhappy about the
 6 original decision and said Peter Rippon's narrative did
 7 not account for why he had dropped the project. However
 8 I do not recollect that she raised her earlier concerns
 9 about the blog or complained it had not been corrected.
 10 "On Tuesday 9, BBC's Director of People, Lucy Adams
 11 informed me that the Director General had asked the
 12 Director of BBC Scotland, Ken MacQuarrie, to investigate
 13 complaints made by Liz MacKean and/or Meirion Jones to
 14 the Director General, alleging that the account of
 15 events given by Peter Rippon was incorrect."
 16 Then he says this:
 17 "Ken MacQuarrie is a member of the management board
 18 of the BBC and was interviewing at the behest of the
 19 Director General. It would appear to me that the
 20 attempts that I was making to understand the differences
 21 between the members of the Newsnight team had been
 22 overtaken by corporate process involving the DG.
 23 I contacted Peter Rippon, Liz MacKean and Meirion Jones
 24 to make this clear."
 25 Then he says that, essentially, I paraphrase --
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1 I don't know whether you accept my paraphrase --
 2 essentially it was off his plate by that stage, and it
 3 was onto Mr MacQuarrie's plate.
 4 So to what extent did this discussion, electronic
 5 discussion, actual discussion, that Mitchell had been
 6 having in the days afterwards --
 7 A. Get to me.
 8 Q. -- get to you?
 9 A. It didn't. One of the things I'm most -- I have been
 10 most surprised by in the bundles is the extent to
 11 which -- that they were having a conversation about
 12 inaccuracies in the blog in the detail they were as
 13 early as they were, without that having been made known
 14 any further up the system.
 15 Q. Because the top of the system, if I can put it like
 16 that, doesn't seem to have satisfied itself that there
 17 were inaccuracies in the blog that needed correcting
 18 until the weekend before the corrections were made.
 19 A. Well, that's the point at which I would say we are
 20 certain that there -- we became certain there were
 21 inaccuracies and we became certain that we knew what the
 22 inaccuracies were. Interestingly, the note that
 23 Meirion Jones sent to me on the 5th -- which he always
 24 says I got on the 5th but I didn't get until the 8th --
 25 doesn't actually find fault with the blog. It says --
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1 I'm in danger of misquoting it, but it says --
 2 Q. Let me show you.
 3 A. You can quote it.
 4 Q. I'm going to show you.
 5 A. It says one point, critically, one point:
 6 "That's not what this investigation was about."
 7 That's not a reference to the blog, it's a reference
 8 to my all-staff email on the Friday night.
 9 So when I asked Ken -- when I asked Ken MacQuarrie
 10 to speak to Liz and Meirion, worries about the blog were
 11 one thing that was in my mind and another one was just
 12 this general sense I had that they didn't seem to know
 13 what they had investigated and that we couldn't go on
 14 trying to defend an investigation about which there was
 15 such an enormous difference of opinion. Of course, that
 16 went to the blog, but in my mind, it also went just to
 17 a business of us needing to understand what Newsnight
 18 thought they had investigated.
 19 Q. So what were MacQuarrie's, as it were, terms of
 20 reference then?
 21 A. I said "I want you" -- and it was -- it was -- it was
 22 overstated as an inquiry. I never intended it to be
 23 an inquiry. I wanted to provide somebody for them to
 24 talk to outside the News chain of command, about which
 25 it was becoming clear they had doubts, so I wanted to
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1 give them a relatively safe environment in which they
 2 could tell the whole of their story, so that would get
 3 to me and start to inform my judgement about whether or
 4 not I was being given a realistic picture of what
 5 happened on Newsnight, by the route I would expected to
 6 get a realistic picture, ie from the editor Newsnight up
 7 the News chain of command, or whether the scale of the
 8 misunderstanding or disagreement to Newsnight on what
 9 they had actually done was so distorting the thing that
 10 I needed to think of another way of dealing with it.
 11 Q. To the extent that it might be -- perhaps a little
 12 uncharitably but perhaps not -- said of Mr Mitchell that
 13 he rather just dropped this ball when he heard
 14 MacQuarrie was floating around, he just said "Okay,
 15 I will just put this all on the shelf", it would have
 16 been perfectly simple, wasn't it, for Steve Mitchell,
 17 once he knew MacQuarrie was involved, either himself to
 18 seek out MacQuarrie --
 19 A. Yes.
 20 Q. -- or alternatively drop you an email or come and see
 21 you and say "I don't know what Ken MacQuarrie's doing
 22 George, but when he reports to you, you should you also
 23 be aware of X, Y and Z".
 24 A. I genuinely think it would have been useful for me to
 25 know. As I say, of all of things that I saw in here
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1 that were most surprising to me about what had been
 2 going on that I had not known, it was the level of that
 3 conversation.
 4 Q. It appreciate it must be a slightly surreal experience
 5 to look through all of this stuff?
 6 A. The surreality is less of a challenge than trying to
 7 keep in order one's thoughts about what one thought
 8 about it at the time, what one thought about it while
 9 trying to investigate it as Director General and now
 10 what one thinks about it, given that I have an insight
 11 into great tracts of it that I didn't even have when
 12 I was Director General.
 13 So there is a triple surreality, if you like.
 14 Q. The frustration is -- is this right, you are really
 15 expressing frustration now that this material was
 16 floating around --
 17 A. It would have been very useful to have it.
 18 Q. -- in News and have didn't percolate its way to the top
 19 of the chain?
 20 A. It would have been very useful to have it.
 21 MR POLLARD: In particular you are talking about the sort of
 22 Rippon and Mitchell back and forward, rather than
 23 anything higher?
 24 A. The -- there is a timetable on which I start to develop
 25 a real anxiety about whether the blog is accurate.
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1 MR POLLARD: The start of that is when?
 2 A. I think it is in my mind that might be, when I have
 3 looked at the Liz MacKean note on 8 October -- not the
 4 Meirion Jones note, because the Meirion Jones note isn't
 5 about the blog. But as I recall the Liz MacKean note
 6 did raise questions about the blog.
 7 But another possibility in my mind was that what
 8 I was looking at was the kind of surfacing of this
 9 argument on the programme. So in a sense it -- it would
 10 be wrong if I claimed this was just about me focusing on
 11 the blog and its accuracy at this point. I suspect, if
 12 anything at that stage, it very quickly turned into
 13 an anxiety about the blog but I think it may have
 14 started out in life as perhaps a dawning realisation
 15 that this wasn't -- that I couldn't rely on
 16 Peter Rippon -- I couldn't necessarily rely on
 17 Peter Rippon's account of what had happened.
 18 That obviously takes you to the blog but in actual
 19 fact it took me philosophically to a different place
 20 first, which was this is a very unusual state of
 21 affairs. Could it be that this editor was in charge of
 22 an investigation he didn't understand?
 23 Also in my mind, to a degree, was it started -- it
 24 started to be apparent to me that the relationships had
 25 broken down on the programme and what I wondered was
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1 Rippon could be right that these two people could be
 2 making a tremendous amount of trouble for him. So
 3 I still wanted to keep alive in my mind the possibility
 4 that Peter Rippon might be telling truth about what the
 5 investigation was, or they might be telling the truth, or
 6 none of them might be telling the truth, or they all
 7 might all be different bits of the truth.
 8 What I really wanted Kenny to do was to bring in
 9 a bit of brain space that I didn't have, or time
 10 I didn't have at that moment, and there were other
 11 reasons I didn't want to talk to them myself, to get
 12 somebody outside the News bell jar to start to give me
 13 an opinion of what he thought might be going on there.
 14 MR POLLARD: A few minutes ago you played down the
 15 importance of the MacQuarrie intervention.
 16 A. The only sense in which I wanted to play it down was,
 17 again, the newspapers immediately presented it as
 18 Entwistle has begun an internal investigation into what
 19 happened on Newsnight. But what I thought I was doing
 20 was asking someone I really trusted and relied on to
 21 have a conversation with a couple of people who didn't
 22 feel like they had necessarily be given the chance to
 23 talk to anybody who didn't have a dog in the fight.
 24 That's what I was thinking.
 25 MR POLLARD: Just in general terms you will, I am sure, have
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1 had a lot of time to think about this general accusation
 2 that has been pushed your way of a lack of curiosity --
 3 A. Yes.
 4 MR POLLARD: -- and perhaps two times when that has been
 5 focused on you. One, if you like, after the 2 December
 6 conversation and, again, this period we're talking about
 7 now, where it seems to me that the accusation that
 8 levelled at you is a diligent but completely passive
 9 approach, and the suggestion that was made, to some
 10 extent, in the Select Committee and so on, and in the
 11 wider media as well, instead of waiting to be told
 12 things by the chain, as it were -- the chain of
 13 management -- it was time -- it would have been easier
 14 and safer in the long run to go and find out, go down to
 15 Helen Boaden's office, two days after the 2 December
 16 meeting and say "That thing you mentioned, what is going
 17 to happen about that?"
 18 A. Yes.
 19 MR POLLARD: Similarly, in that period of the first week of
 20 October, instead of waiting for the story to sort of
 21 drift to you, to get them all in the office and say
 22 "What the hell is going on?"
 23 A. Yes. I thought that asking Ken MacQuarrie, as soon as
 24 I -- so, as far as I'm concerned, the timetable is that
 25 the first intonation I have that the blog might not be
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1 accurate is the receipt of the MacKean email on the 8th.
 2 I asked Ken MacQuarrie to go and find out what was going
 3 on that day. So I don't think I was dilatory.
 4 I think the only question is: why didn't I talk to
 5 Meirion and Liz myself? The reason I didn't talk to
 6 Meirion and Liz myself was that I already thought "I can
 7 see this ending up in disciplinary action here". In the
 8 end, if they are -- if they are running Peter Rippon
 9 down and what this is really about is paying off a score
 10 that was started a year or so ago, then they may end up
 11 in a disciplinary procedure, or if Peter has this all
 12 horribly wrong, he might end up in a disciplinary
 13 procedure. The one thing the Director General has to
 14 always be clear and careful not to do is effectively end
 15 up beginning a disciplinary procedure themselves,
 16 because, if it then gets appealed, and just about every
 17 disciplinary action at the BBC always gets appealed,
 18 there is nowhere for it to go, it can't be appealed
 19 anywhere. It would have to be appealed to the Chairman
 20 and it wouldn't be because the system doesn't allow.
 21 So the thing I had in my mind was "I don't have time
 22 to do this, I've got a lot of other things to do, I need
 23 somebody good to find out what's going on and tell me
 24 what's going on and I think Ken MacQuarrie is my man".
 25 There is no real gap, in DG terms, between my getting
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1 that hint from Liz and asking somebody to go and find
 2 out about it. I just don't accept that charge in that
 3 instance.
 4 MR POLLARD: Thank you.
 5 MR MACLEAN: You sent something around, I think, on the
 6 5th --
 7 A. Yes.
 8 Q. -- a note to staff?
 9 A. To staff, yes.
 10 Q. That led to --
 11 A. That led to Meirion Jones sending his note saying that
 12 was not what the investigation was about. It was about
 13 this --
 14 Q. I will come to that. The day after the broadcast, which
 15 was on the 3rd, on the 4th there was a plan, wasn't
 16 there, for you to make a statement, the effect of which
 17 would be to force Peter Rippon to resign?
 18 A. I don't remember that that was the purpose of the
 19 statement. What I had in mind for the statement -- the
 20 statement turned into the all-staffer of the Friday. So
 21 here's what I remember about the statement.
 22 What I was worried about was that the position we
 23 were putting out in public didn't seem to me to be
 24 anything like -- didn't seem to me to recognise the
 25 scale of what was going on. I thought there was

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1 a rather narrow point about our -- which I had myself
 2 approved earlier in an earlier context -- a rather
 3 narrow point about our checking our historical records
 4 and what we discovered, and I thought "No, the tone of
 5 this is all wrong, this is a big, big story and the BBC
 6 needs to be able to be doing the right thing and showing
 7 people it is doing the right thing".
 8 That's what I had in mind for the statement.
 9 Then -- I can't remember the precise cast in discussing
 10 the statement, but the statement became an address to
 11 staff the following day.
 12 Q. One of the purposes of the statement that was
 13 contemplated on 4 October, as we understand it, was it
 14 was going to have the intended effect of forcing
 15 Peter Rippon to resign.
 16 A. Well, I don't particularly remember that. Can you point
 17 me towards something that helps with that?
 18 Q. Well, Helen Boaden said that she had a -- these are her
 19 words:
 20 "... very difficult conversation with George
 21 immediately after the ITV programme when George asked me
 22 to go to his office and Jessica and Paul Mylrea were
 23 there and George -- and that is not unreasonable for
 24 George to have decided this -- he said:
 25 "I'm going to do a public statement. I have

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1 decided I need to protect the BBC and BBC News within it
 2 and I'm going to do a statement that makes it impossible
 3 for Peter not to resign."
 4 A. That's a clear enough account of the meeting. I must
 5 have been considering using the statement for that
 6 purpose, but I must admit I don't remember that.
 7 Q. You didn't make a statement at all actually.
 8 A. I didn't make a statement until the following week.
 9 Q. She says that, after her intervention, you sort of
 10 pulled back from it. Do you remember that? She made
 11 some points about Mr Rippon's personal circumstances?
 12 A. I don't. I'm struggling to remember that. I mean, I'm
 13 not saying that didn't happen. Clearly, if Helen
 14 remembers that happening, it must have happened, but
 15 I don't remember the circumstances of that discussion.
 16 Q. She offered to resign, didn't she?
 17 A. I don't think she said to me "You can have my
 18 resignation". It feels to me like we were having one of
 19 those conversations where you go "This is getting out of
 20 hand, what are the ways in which you get it under
 21 control and we're discussing possibilities within that;
 22 but I don't think -- I mean, I don't remember Helen
 23 saying "I offer you my resignation", and me having to
 24 talk Helen out of it.
 25 MR POLLARD: It sounds like the conversation you don't have

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1 many times in a lifetime and it would be pretty vivid,
 2 wouldn't it?
 3 A. I mean there were a lot of very high emotion
 4 conversations going on at the time. I genuinely -- I
 5 think I would remember if Helen matched into my office
 6 and said "I'm going to give you my resignation" and
 7 I talked her out of it. I don't believe -- if it was
 8 discussed, it would have been discussed as one of the
 9 possibilities, or maybe Helen said "Peter Rippon is not
 10 to be put in that position and if you were to try to put
 11 him in that position, then I would have to consider my
 12 position", maybe that is how it was.
 13 Q. I asked her about that. I said "Did you offer to resign
 14 on the basis of if you do that and force Peter out,
 15 I think that is outrageous and I'm going to resign and
 16 say what I think, as it were", and she said no, that
 17 wasn't her position. Her position was that if there
 18 was --
 19 A. If there was a judgement that a resignation was required
 20 in News it should be hers rather than Peters.
 21 Q. If somebody from news was going to walk the plank from
 22 this, she was offering to walk the plank.
 23 A. It feels to me like -- that it is more likely to have
 24 been that kind of conversation, ie is this one of those
 25 situations that will be solved like that, by an act --

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40 (Pages 157 to 160)

1 by an action like that.
 2 Q. She offered her head and you said no.
 3 A. Yes, but I really don't think -- I don't think she ever
 4 said "You can have my resignation" and I said "Thank
 5 you, Helen, for offering your resignation, I don't
 6 accept it". I just don't believe I wouldn't have
 7 remembered that.
 8 Q. There was quite a persistent notion, wasn't there, that
 9 forcing Peter Rippon to resign would be a good thing for
 10 the BBC corporately, wasn't there?
 11 A. I think there was a suggestion. The BBC very quickly
 12 gets itself in, at times like this, into those places
 13 where a resignation or a sacking or whatever it might be
 14 is the way to solve a situation like this, and I don't
 15 think it -- I don't recall the conversations ever being
 16 of a kind which were "Right, that's a resolved upon
 17 course of action. How will that be handled or
 18 delivered?", until it came to my proposal that
 19 Peter Rippon should step aside after the scale of the
 20 problems with the blog were clear.
 21 Q. Which was on the --
 22 A. Weekend of 20 -- 20th, 21st.
 23 Q. We will obviously come to that. You have mentioned
 24 a few times the Liz MacKean email. Just let me check
 25 that I have the right one.

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1 A. Yes.
 2 Q. Bundle 10, please, at page 26. 9.30 on the morning of
 3 the 8th, is that the one?
 4 A. 9.38, 8 October, yes.
 5 Q. Is that the one?
 6 A. Yes.
 7 Q. Good. So can we just take a step back then from that to
 8 your note of the 5th?
 9 A. Yes.
 10 Q. I'm going to come back to that, so don't put it away.
 11 Your note to staff is in bundle 9 -- I'm sorry about all
 12 this opening and closing bundles -- at page 69. This is
 13 a draft version sent to you by Paul Mylrea who
 14 presumably did the drafting.
 15 A. Have you found the -- can you direct us to the draft of
 16 the statement the previous day? Because that's the
 17 origins of this, and that's the most useful starting
 18 point, I think. We have that in our bundles, in one
 19 place or another. We might be able to put a document
 20 number on it.
 21 Q. Right, okay.
 22 A. Because it didn't start life with a Mylrea draft. It
 23 started life with a draft from me the previous day.
 24 MR MATTHISON: DJ1/053, I think is the one it starts from.
 25 A. That's the one that I've seen it on, yes.

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1 MR POLLARD: What was the date?
 2 A. 4 October, 8.57 in the morning, to Mylrea, Jones, Jordan
 3 and Jessica Cecil.
 4 MR MACLEAN: Yes.
 5 A. The morning after having watched the ITV doc.
 6 Q. Bundle 8, page 201:
 7 "I wonder if it is time for a personal statement
 8 from me."
 9 A. As I recall, that is the foundation of what becomes the
 10 staff message on the Friday.
 11 I'm -- I have been struck by this, in respect of the
 12 third to last paragraph, where it says:
 13 "It is now well known that Newsnight investigated
 14 Jimmy Savile towards the end of 2011."
 15 That was my drafting.
 16 Q. Yes. There's a mutation then later to "The
 17 investigation was into the police"?
 18 A. Yes, yes.
 19 Q. I want to try to pin that --
 20 A. I thought that's where you were going, and that's why
 21 I thought that would be interesting.
 22 Q. Okay. You send this to Mylrea and Sarah Jones and
 23 David Jordan, and then Mr Mylrea's response is over the
 24 page. He's in charge of the public relations strategy
 25 of all of this, so there is a question of timing as to

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1 when you put your oar into the water again.
 2 From your point of view, can we then go to the 5th,
 3 having noted what you say?
 4 A. Unless there is anything else on the 4th. I can't
 5 remember whether the morphing of the line takes place.
 6 Is that outline on the 5th?
 7 Q. Yes, and later, I think?
 8 MR MATTHISON: It is already on the 4th.
 9 A. Whereabouts is it happening on the 4th?
 10 MR MATTHISON: From Paul Mylrea. Helen's version is --
 11 A. That is why I think that is important. That's on
 12 DJ1/053.
 13 MR POLLARD: A8/226 has Paul Mylrea's tinkering with it.
 14 MR MACLEAN: That is 058. Yes, "I have tried to craft", is
 15 that it is this.
 16 A. Yes, it's Paul Mylrea, October 4, 11.03 am:
 17 "Version of the Newsnight, para from Helen and there
 18 is an amended version I have tried to draft."
 19 Q. So you are quite right.
 20 A. That's where the police is coming in there.
 21 Q. You are quite right. So we can look at the difference
 22 between Helen's version --
 23 A. Critically between Helen's version, as reported by
 24 Mylrea, and my draft -- not so much Mylrea's version --
 25 but my draft of earlier that morning. I don't want to

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1 labour the point. The point is I talk about a Newsnight
 2 investigation into Savile, apparently at an intervention
 3 from Helen, it becomes Newsnight looked into a police
 4 investigation into allegations against Jimmy Savile.
 5 Q. You mentioned that your in statement to us.
 6 A. Yes, that's the one --
 7 Q. Just to prove to you I haven't completely missed this.
 8 In your statement to us you say:
 9 "On the evening of 5 October I sent an email to all
 10 staff. According to an email from Paul Mylrea to me and
 11 others, dated 4 October, this passage was based on
 12 a suggested version from Helen Boaden, Director of
 13 News."
 14 I wondered what that was and I went and found in
 15 A8 --
 16 MR MATTHISON: Is this the note to the Trust?
 17 MR MACLEAN: I'm assuming it is a note to us.
 18 A. I think that's my note to the Trust, is it?
 19 I wrote an account of the blog which they passed
 20 onto you.
 21 Q. They've passed it to us.
 22 A. That is fine.
 23 Q. The note that I made when I went back to this bundle was
 24 to go to 217 --
 25 A. 217, A8.

1 Q. -- yes -- to find what you are referring to and I think
 2 I have it right, and Nick just took you to the same
 3 email.
 4 A. Yes, that is right, yes. Yes, that's it.
 5 Q. So if we look at Helen's version -- and that is
 6 Helen Boaden --
 7 A. I'm assuming.
 8 Q. -- she says:
 9 "It's now well known that the BBC Newsnight
 10 programme looked into a police investigation into
 11 allegations against Jimmy Savile. Individual editorial
 12 decisions are finely balanced, this was an honest
 13 decision made by an individual editor without any
 14 inference from outside the programme", and so on.
 15 That might be thought to be okay, perhaps, in the
 16 sense that that was part of it, but the Mylrea version
 17 goes further, doesn't it?
 18 A. "The programme found the police had properly
 19 investigated but decided there were insufficient grounds
 20 to proceed."
 21 Yes, but that -- that's not what I end up with in my
 22 staff note, though, is it?
 23 Q. No, well, your staff note -- we need to look at 969.
 24 But that aspect about the programme having "found that
 25 the police had properly investigated" is rather similar

1 to something Mr Jordan says later, isn't it?
 2 A. To be honest, I don't -- there is a bunch of things in
 3 Paul's amendment here. I remember looking at
 4 a paragraph from Paul and thinking, that has become
 5 incomprehensible, and is not what I planned to use, and
 6 I don't have my statement to hand, but I don't think
 7 that's what I ended up saying.
 8 Q. Your public --
 9 A. My staff -- my message to staff.
 10 Q. It is 9.69, if you want to have it.
 11 A. Okay. So what do I say?
 12 "... The BBC Newsnight programme investigated Surrey
 13 Police's inquiry into Jimmy Savile but decided not to go
 14 ahead with the broadcast."
 15 So I decide, obviously, that the staff need
 16 comparatively little by way of information about what
 17 exactly has happened here. But obviously the thing that
 18 has appeared is the word "Surrey".
 19 Q. It is true, I suppose, that your statement there is
 20 a lot closer to the Boaden version than it is to the
 21 Mylrea version.
 22 A. That's what I would say.
 23 Q. But the Mylrea sentence, the second sentence does get
 24 reflected -- this is not a criticism of you at all, but
 25 it is a fact -- it gets reflected by, in particular,

1 what David Jordan says on some news outlet subsequently
 2 where the line mutates into a statement that Newsnight
 3 had investigated the police investigation and decided
 4 that the police had properly investigated, which on any
 5 view Newsnight had never done.
 6 A. To be honest, that's -- it is the phrase "properly
 7 investigated" that stakes me as anomalous here. Because
 8 I'm not sure that anybody at any point in the system
 9 thought that what Surrey Police had done did in
 10 2007/2008 could be described as "properly investigated".
 11 MR POLLARD: Because there was no evidence either way.
 12 MR MACLEAN: It is slightly, like, you know, "Send
 13 reinforcements we're going to advance" becoming "Send
 14 reinforcements we're going to a dance", by this stage,
 15 isn't it? I'm not respecting you to respond to that.
 16 A. I won't respond but I enjoyed the joke.
 17 MR MACLEAN: Let me just take a pause. You place emphasis
 18 then on your draft of the 4th, which we can see, 8/217
 19 is a good enough place to get it, because we get your
 20 draft of the 4th with the bottom, with the interventions
 21 then from others above it. That then leads to your
 22 statement to the staff of the 5th --
 23 A. Yes.
 24 Q. -- and that one at 969 is the draft, if you want to see
 25 the final version, it's at bundle 9, page 146.

<p>1 A. I think it is important for me to say here that one of 2 my recollections about the finalising of this 3 all-staffer on the Friday afternoon was that at one 4 point – Paul Mylrea was in the DG's office at that 5 point and it was on his computer and Helen and I were 6 both looking at it to check that we were both happy with 7 what was finally being mooted, and so that's reflected 8 by what Paul says: 9 "George and Helen and I are happy." 10 Q. Did you have a sense or an understanding of how close 11 Helen Boaden had been to all of this at the time? How 12 much hard evidence she had about what had been going on. 13 A. My sense was that Helen had certainly talked to Peter 14 a certain amount – quite a lot in the -- in this period 15 September/October 2012. 16 Q. At the time the piece was being made, did you know that 17 she actually had one relatively fleeting conversation 18 with Peter Rippon? 19 A. She told me that she had only spoken to him the once at 20 that time, yes. 21 Q. That was -- 22 A. That was when she said like "Just because he's dead 23 doesn't mean you can put" -- 24 Q. Yes, pretty much as he's on his way out of door one 25 night.</p> <p style="text-align: center;">Page 169</p>	<p>1 Q. It just says "To George Entwistle". But there is 2 another one, I think, later, when he sends something to 3 you and then he remembers that you don't see these 4 things, so he sends it to MacQuarrie. 5 A. Sadly, there are a number of ways in which somebody 6 attempting to send an email to the Director General can 7 have their email not get to the Director General. It 8 could get filtered out, and my hunch was that he had 9 done it on this occasion and on the subsequent 10 occasion -- you send it as a reply to the address that 11 you got the statement from, and if you look at that, 12 that's what he's doing. He's sending it as a reply to 13 the all-staffer. 14 The all-staffer comes from an email address that 15 reads with my name but it is a box run by Internal 16 Communications, sending out my internal communications, 17 which means it goes back to Internal Comms and has to 18 come through them before it makes its way back to me. 19 Q. I see, it's a bit like me replying to the email I get 20 from Arsene Wenger every week, if I replied -- 21 A. Who knows where it would end up. 22 Q. Well, who knows, but it would not end up with Mr Wenger. 23 A. It might in it end. 24 Q. It depends. Do you think there should be some sort of 25 hotline -- some way in which members of staff like</p> <p style="text-align: center;">Page 171</p>
<p>1 A. I didn't know what the circumstances of it were 2 (inaudible) conversation. 3 Q. Okay, I wasn't -- I don't think -- I have shown you 969 4 which is a draft of this. Then 9/146, I'm not sure 5 there is any material difference in the drafting of 6 this, unless you tell me. 7 Then you get the note from Meirion Jones. Anyway, 8 he sends it anyway, on 5 October, which I think is 9 a Friday night -- 10 A. The same night as the message went out, yes. 11 Q. -- just after 6 o'clock and he sends it to an email 12 address which means this it does not get picked up until 13 the 8th. 14 A. Yes. 15 Q. On the morning of the 8th, as luck would have it, you 16 are on The Today Programme first thing in the morning 17 before you saw Jones's email. So the email at page 946, 18 so far as you are concerned, doesn't really arrive for 19 three days, in a sense. 20 A. I think Meirion sent his to the internal communications 21 department, in fact. 22 Q. This one, when you just -- 23 A. It's an unnecessary point. I didn't get Meirion -- 24 I didn't have Meirion's notes in front of me until after 25 The Today Programme on the morning of the 8th.</p> <p style="text-align: center;">Page 170</p>	<p>1 Mr Jones can use some method of communication so that it 2 really does get to the Director General. 3 A. I think -- I think there should be -- what I definitely 4 now think is that people should be clear that the 5 Internal Comms address is not a direct link back. 6 As to the kind of how do you guarantee you will get 7 your note in front of the Director General point, it 8 seems to me -- and I hadn't realised this because 9 I didn't run a filter system at Vision, and as 10 a consequence I got far too much email at Vision -- 11 I got between 150 and 200 emails a day at Vision -- and 12 I had no idea of how much stuff coming into the DG's box 13 is stuff of the "I want to take issue with you about the 14 third contributor from the left on Radio 4 this 15 afternoon at 3.15 pm" -- the Director General is 16 absolutely bombarded with everything that people 17 consuming the BBC want to complain about or comment 18 about. 19 Therefore, there has to be some filtering system for 20 the DG. So the question is: is it properly set up? In 21 the end, it has to be there. The DG could not function 22 on email if you had no filter. So the question is: how 23 well is the filtering system working? 24 Q. So, having lived through this experience, it is a bit 25 like, if I may say so, being a barrister, where you want</p> <p style="text-align: center;">Page 172</p>

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1 to be sent all the papers that you need to see and you
 2 don't want to be sent all the ones that you don't need
 3 to see --
 4 A. That's exactly right.
 5 Q. -- and we are all always trying to work out how to
 6 achieve this.
 7 A. Obviously, because I was a new DG and new to the
 8 business of working through a filter, and new to
 9 building up a relationship of confidence with my two
 10 assistants, I would say that I would not have been able
 11 to say on day one that I -- I felt some nervousness
 12 about the notion of being behind a filter.
 13 I discovered in subsequent weeks that were uncannily
 14 good at working out, to use your analogy, what I should
 15 see and not what I shouldn't and that the delay in this
 16 case was nothing to do with the filter or the people
 17 doing the filtering, it was to do with the fact that it
 18 went to an Internal Comms address.
 19 Q. I see.
 20 A. Is it clear who MacKean sends hers to? Can we look at
 21 that?
 22 Q. If you go back, that was in bundle 10, wasn't it?
 23 A. So Liz MacKean --
 24 Q. Does she send it to George Entwistle on PA?
 25 A. Here we go, she's sends it to George Entwistle PA at
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1 09.38, and I have it in my hand at 09.44. So that is
 2 not working very badly. Six minutes later that has gone
 3 to me unfiltered.
 4 Q. I see. So what happened then at that page is that it
 5 goes to George Entwistle and PA and then
 6 Amanda Churchill --
 7 A. Which means I would not have seen it in my inbox or on
 8 my BlackBerry, but the minute Amanda Churchill sends it
 9 to me.
 10 Q. She pings it to you.
 11 A. I see it in my email and on my BlackBerry.
 12 Q. Because she has filtered that and decided you need to
 13 see it?
 14 A. Yes.
 15 Q. Back to Mr Jones then, with his email, he sends his
 16 email on the 5th?
 17 A. Yes, 18.11.
 18 Q. Now --
 19 A. I think this is the first opportunity Meirion Jones has
 20 had, or at least the first opportunity he thinks he's
 21 taking to address the issue of whether the blog is
 22 incorrect or not with me --
 23 Q. Yes.
 24 A. -- and he doesn't. He says one note -- from which
 25 I might fairly have inferred there was one really
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1 important thing I needed to absorb, one, and that is
 2 that it was not Surrey Police, that the investigation
 3 had been mischaracterised --
 4 Q. And --
 5 A. -- and it is worth saying there was something about this
 6 that struck me as rum, and it's the phrase "I know
 7 because it was my investigation", and the Newsnight
 8 editor in me completely rebelled at that phrase because
 9 it wasn't his investigation --
 10 MR POLLARD: You know what he meant, though. He was doing
 11 all the running.
 12 A. He was making the running but at the same time I have
 13 supervised enough investigations by people who start in
 14 one place and think that that is what they are doing,
 15 but are kept going by their editor who sees something
 16 else in what they are doing and intends them to end up
 17 somewhere else. There is no piece of television that is
 18 one person's piece of television, and I felt all the way
 19 through that one had to listen to what Peter Rippon
 20 thought the investigation was about, because if we all
 21 lived in a world in television investigation terms where
 22 what something starts as is all it can ever become and
 23 is owned by its producer, heaven knows what would get on
 24 air.
 25 MR MACLEAN: Can I show you -- at the same time as this is
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1 happening, over that weekend -- if you go to page 365 of
 2 bundle 9, this is a Sunday, I think, the day before you
 3 go on The Today Programme.
 4 A. Yes.
 5 Q. If you go to -- that's the start -- the top of an email
 6 chain. If you go to 366 --
 7 A. Yes.
 8 Q. Do you see the email from Helen Deller at 9.04, which
 9 says:
 10 "Thanks Paddy, not sure how to deal with this now.
 11 Think there needs to be disciplinary. Not sure we can
 12 keep referring people to blog."
 13 Then further down, 8.48, the press office is sending
 14 a second page -- and I think it is the second page of
 15 an article which is published that day by Mr Goslett,
 16 and it is all back to front, this email, but if you go
 17 to 369 in the middle of the page "Fixing Uncle Jimmy,
 18 Miles Goslett" published on 7 October.
 19 So I think the way this works is from 369 that is
 20 the first page of Goslett's article which is very long:
 21 369, 370, 371. Then you need to go back to 366 where
 22 the press officer says: "Sorry, it is the second page."
 23 So in other words there is page after page of this
 24 article from Goslett --
 25 A. Yes.
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1 Q. -- which is, to say the least, rather well sourced and
 2 it appears to have led Helen Deller to come to the
 3 conclusion, at 366, on 7 October, that she's not sure we
 4 can keep referring people to the blog. In other words,
 5 such are the points in Goslett's article, that she's
 6 come to the conclusion that the blog is unreliable in
 7 effect, and at the top of 366, Paddy Feeney says:
 8 "Let's have a chat a bit [later]. I'm amazed by the
 9 brazenness of his briefing."
 10 We can infer, perhaps, who that might be a reference
 11 to.
 12 A. Yes, yes.
 13 Q. So it looks as if by Sunday 7th, the press office,
 14 essentially on the basis of what is appearing in the
 15 press, has come to the conclusion that the blog is
 16 unreliable. But meanwhile, in another part of the
 17 organisation, Mr MacQuarrie hasn't yet started?
 18 A. No, but he's going to be starting, he's asked to start
 19 the following morning.
 20 Q. So what, if anything, to do we derive from this, other
 21 than the fact that the press office seems to be a bit
 22 ahead of the corporate centre?
 23 A. The press office, if you are reaching the right
 24 conclusion from the Deller line, that the press office
 25 by, um -- 12 minutes past 5 or whenever it is, three
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1 minutes to 5 or -- sorry. Where does she say --
 2 Q. She says at 366, at 9.04 on the Sunday morning?
 3 A. So she has reached the conclusion on Sunday morning that
 4 she's not sure that the blog is accurate, and I have
 5 asked by mid-next morning Kenny to start work on trying
 6 to get to the bottom of what is accurate and what isn't
 7 about the story.
 8 Q. You are then about to go onto Today, the following
 9 morning, and there is -- if you go to 387 -- are
 10 these -- these are lines to take plus supporting
 11 documents.
 12 A. Yes.
 13 Q. These are -- I assume, but tell me if I'm wrong --
 14 I assume these are your lines to take in the interview
 15 the following morning, is that what they are?
 16 A. They have gone from Mylrea to Payne, Adams, Jones,
 17 Jordan, Jessica.
 18 Q. So opening remarks: "I was appalled". Somebody is
 19 going to be saying these words.
 20 A. Yes, I guess he's giving them a sense of what he thinks
 21 I'm going to be doing on The Today Programme the
 22 following morning.
 23 Q. We see at the bottom of 387 the point we touched on
 24 earlier.
 25 "The decision to broadcast an investigation is
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1 an editorial decision. Peter Rippon, the editor, has
 2 made it clear that it was his decision and his alone and
 3 that no influence was brought to bear. I have also made
 4 it clear that I and every other senior manager at the
 5 BBC had no influence whatsoever over that decision."
 6 In fact we have to read in the word "improper", do
 7 we, before the word "influence"?
 8 A. Yes. Yes.
 9 Q. Then --
 10 A. On this point of having to read in "improper" -- and it
 11 is a perfectly fairly made point -- I think what you are
 12 seeing here is an equal and opposite reaction to the
 13 allegation that we're dealing with. The allegation is
 14 straightforwardly, "You were lent on". The reaction is
 15 straightforwardly "No, we weren't". That's not a subtle
 16 conversation. Of course, you are right to point out
 17 that Helen and Steve were entirely entitled to have
 18 proper conversations with Peter about what went on his
 19 show, that was the point of the chain of command.
 20 Q. It may be that in the defence of those advancing this
 21 slightly binary distinction that that is not a very
 22 subtle distinction to you or I sitting here, but in the
 23 fog of war, that is perhaps a slightly subtle
 24 distinction to get across.
 25 A. Maybe that was the thinking.
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1 MR POLLARD: It would seem that a couple of people at least
 2 at the press office did not quite get that with this
 3 reference, I think, from Helen Deller to if there were
 4 any discussions but it was never referred upwards. We
 5 know what she's getting at: never referred out of the
 6 editorial chains, is really what she means.
 7 A. I suppose. But I think you are right. I think this is
 8 all about attempting to hang onto points of distinction
 9 in an environment where there is not much appetite for
 10 fine distinction.
 11 MR MACLEAN: Is it right that you appearing on Today on
 12 8 October was Lord Patten's idea, and he said "If you
 13 don't go, I'm going to go?"
 14 A. I -- I don't remember that. I certainly don't remember
 15 him saying that to me. I'm trying to remember what the
 16 genesis of my going onto The Today Programme that Monday
 17 was.
 18 Q. If you still have bundle 9, can I show you page 405?
 19 A. Yes.
 20 Q. This is a text from Mr Mylrea's phone, but it is
 21 an incoming text and somebody has written "from
 22 Helen Boaden". Let's assume it was Helen Boaden:
 23 "Not sure about this Today interview there keep
 24 story going further but suspect the great panjandrum has
 25 had something to do with it."
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<p>1 A. Yes.</p> <p>2 Q. "I remember you warning me about him."</p> <p>3 A. Texts to go down in history.</p> <p>4 Q. I'm not sure that's how you spell "panjandrum" anyway</p> <p>5 and I always thought it was a "grand panjandrum" but</p> <p>6 we've been told that that is a reference, flattering or</p> <p>7 otherwise, to Lord Patten; is that right?</p> <p>8 A. I don't know.</p> <p>9 Q. But the suggestion is that -- probably slightly less</p> <p>10 amusing but perhaps more relevant -- at 411 and 412</p> <p>11 there are some texts which might be thought to indicate</p> <p>12 a slight reluctance on the part of Mr Mylrea for you to</p> <p>13 go on Today but the implication being that you hadn't</p> <p>14 been given any choice.</p> <p>15 Sorry, you should look at 419, which is the one</p> <p>16 I have really been looking for, for the last 30 seconds,</p> <p>17 from Helen Boaden:</p> <p>18 "Have emailed you an extra important fact for GE</p> <p>19 tomorrow re Newsnight. Hope it goes as well as it can."</p> <p>20 A. It was: "GE or LP would have stepped in".</p> <p>21 Q. "LP" is obviously Lord Patten -- more clearly</p> <p>22 Lord Patten.</p> <p>23 A. That's not my recollection. I know that the day that</p> <p>24 the Today programme appearance was being discussed I was</p> <p>25 at a wedding lunch in Oxford and I remember having</p> <p style="text-align: center;">Page 181</p>	<p>1 to try to make sure I had plumbed into the right bit.</p> <p>2 Q. The police's concern was that what turned out to be</p> <p>3 Dame Janet's review or inquiry, should not trample on</p> <p>4 the toes of the police investigation?</p> <p>5 A. The police expressed their concern to me in the sort of</p> <p>6 terms that said, "If you start securing piles of</p> <p>7 documents and doing interviews with people, that there</p> <p>8 is a danger you are going to blunder right into the</p> <p>9 middle of something that we will really need and could</p> <p>10 be of critical importance to us in a criminal</p> <p>11 investigation and you will not have treated any of</p> <p>12 the -- you won't have treated evidence properly, you</p> <p>13 won't have done the interviewing properly. I mean two</p> <p>14 different police people, C-Op(?) and Peter Davies at</p> <p>15 C-Op -- I can't remember who it was at the Met --</p> <p>16 DAME JANET SMITH: Spindler(?)?</p> <p>17 A. I had a very good relationship with Spindler in the end</p> <p>18 and talked to him all the time but no, my first</p> <p>19 conversation was with somebody at the Met who was more</p> <p>20 senior than Spindler, who said something to the effect</p> <p>21 of "For heaven's sake, don't blunder into this, this</p> <p>22 looks like it could be criminal territory and we don't</p> <p>23 want you crashing around it", was the sort of tenor of</p> <p>24 the conversations.</p> <p>25 MR POLLARD: Okay.</p> <p style="text-align: center;">Page 183</p>
<p>1 a number of telephone conversations during the day with</p> <p>2 Paul, I think, Mylrea. I -- my recollection would have</p> <p>3 been that Paul judged that we'd reached the stage where</p> <p>4 it was appropriate for me to do The Today Programme and</p> <p>5 my feeling would be that I was offered advice that it</p> <p>6 was the right thing to do and took that advice and</p> <p>7 agreed to do it. Obviously, I have not seen all of</p> <p>8 these texts so if there is something going on behind it</p> <p>9 of this sort then it is news to me.</p> <p>10 MR POLLARD: What were you doing and saying to Lord Patten's</p> <p>11 office at this point?</p> <p>12 A. Precisely that weekend? I can't -- I can't remember.</p> <p>13 MR POLLARD: Between the period of, say, the ITV programme</p> <p>14 or before it?</p> <p>15 A. My recollection is that I got in touch with Patten on</p> <p>16 the 1st October to talk about my conversation -- the</p> <p>17 conversations I was having with the police --</p> <p>18 MR POLLARD: Right.</p> <p>19 A. -- to say that I thought that it looked really serious</p> <p>20 and that I wanted to be absolutely clear that I had</p> <p>21 established the right lines between us and the police</p> <p>22 and that a matter of criminal investigation was</p> <p>23 something I wanted to be clear ended up in the hands of</p> <p>24 the right authorities and, you know, I had really</p> <p>25 interesting conversations with the police on 1 October</p> <p style="text-align: center;">Page 182</p>	<p>1 MR MACLEAN: That took a few days, then, between the first</p> <p>2 and these reviews were announced to the 12th.</p> <p>3 A. Well, I announced my preparedness to -- I could start to</p> <p>4 see where the BBC's capacity to review itself, as it</p> <p>5 were, would come by the 8th, because I mentioned that in</p> <p>6 The Today Programme interview. I said once we're clear</p> <p>7 that the police -- something like "Once we're clear that</p> <p>8 the police have done what they need to do", then we can</p> <p>9 look at it further, I said something like that.</p> <p>10 I didn't have the form of what an internal review or</p> <p>11 reviews would be on the 8th but I then worked on that</p> <p>12 during the week up to the 12th.</p> <p>13 Q. If we look then at your Today interview, which is in</p> <p>14 bundle 13, page 166, this was a discussion with</p> <p>15 Evan Davis.</p> <p>16 A. Yes.</p> <p>17 Q. You start off by explaining the discussion you had with</p> <p>18 two senior police officers, you see at the bottom of</p> <p>19 166, a point you have just been discussing. At 167,</p> <p>20 towards the bottom, you were asked about the</p> <p>21 Helen Deller conversation and you give an answer to</p> <p>22 that. Then over the page you say, at 168:</p> <p>23 "He'd made abundantly clear that he wasn't put under</p> <p>24 any pressure of any of the management chain in his own</p> <p>25 division."</p> <p style="text-align: center;">Page 184</p>

46 (Pages 181 to 184)

<p>1 Then, the next answer you said you totally supported 2 his, that is Peter Rippon's, judgement. 3 That was not, I think, the impression that the fair 4 minded observer of your appearance before the committee 5 subsequently would have thought. 6 A. No, no. 7 Q. What changed? 8 A. Well, I'm not -- maybe I'm not -- I've not got my 9 phraseology perfectly here. What I was trying to do 10 here was signal that there was no doubt in my mind about 11 who had the right to make the judgement. 12 Q. Yes. 13 A. By the time I got to the Select Committee obviously 14 I had seen more of what had transpired on the programme 15 than I had at this point. But I was very anxious not to 16 challenge an editor's right to -- to follow their 17 instinct about an investigation. That's what I'm trying 18 to get at there. 19 Q. Then at the end of the interview, in fact the last 20 question: 21 "Did you know and you heard the rumours about 22 Jimmy Savile at the time the programme was broadcast?" 23 You said you hadn't; was that correct? 24 A. Well, what I mean by -- let me just go back. When the 25 programme was run -- Page 185</p>	<p>1 to be DLT quoted on the BBC News site so far. I will 2 ask Danny to lead on the programming question. I would 3 have thought nothing immediate but some kind of on air 4 tribute programme in due course." 5 If you go to page 89, a quote from Mark Thompson got 6 put out, I think, that day. 7 A. Which page are we on? 8 Q. There is a quote from Mark Thompson, somewhere. 9 I wasn't going to show you that. But he says something 10 that was thought, no doubt, to be suitable. Yes, 11 page 80, his: 12 "Chris waiting, send something to Thompson." 13 The draft of which is at the bottom of these 14 page 80, on the 29th: 15 "You see, I'm very sad to hear of ..." 16 A. Yes. 17 Q. Mark Thompson makes a change to the second sentence and 18 that gets put out to from the DG. If you go to 89, the 19 following day, the Sunday, Jan Younghusband to 20 Nick Vaughan-Barratt. 21 A. Yes. 22 Q. If I remember correctly, Nick Vaughan-Barratt is 23 subsequently required, but he was? 24 A. He was the Head of Events and Obits inside BBC Inhouse 25 Entertainment at the time. Page 187</p>
<p>1 Q. That's the tribute, we're talking about? 2 A. Yes, yes. I had not heard any specific rumours about 3 Savile, by that I mean "On such and such an occasion he 4 did such and such a thing". I don't believe I had heard 5 any rumours of that kind. 6 Q. Can I just break off the chronology here and just show 7 you some of the emails which I think you have seen. 8 A. Yes, yes. 9 Q. First of all, dealing with the position when -- shortly 10 after Jimmy Savile died, for which you will need bundle 11 A1. If you go, please, to page 81. 12 A. 81? 13 Q. Yes. This is Saturday 29 October. That's the day 14 Jimmy Savile died. 15 A. Yes. 16 Q. Somebody called Sam Hodges, I'm not sure who Sam 17 Hodges -- 18 A. He's the Head of Press in Vision. 19 Q. He sends an email to Danny Cohen who we know is the 20 Controller of BBC1 and Roly Keating, who I think you, in 21 effect, said was your number 2 at Vision. 22 A. Yes, that is right. 23 Q. He sends onto you in the afternoon, or at least he 24 copies you in to his response: 25 "Has anyone from BBC issued a statement? Only seems Page 186</p>	<p>1 Q. Jan Younghusband was? 2 A. She was the commissioning editor for music events and 3 obits inside the commissioning side of telly. 4 Q. Right. So she says to Nick Vaughan-Barratt: 5 "Very sad news about Jimmy, what's the obit 6 position?" 7 A. Um-hm. 8 Q. He replies: 9 "Some years ago we decided not to make one in 10 advance and that decision has been agreed by successive 11 controllers." 12 A. Yes. 13 Q. Were you aware of those successive controller's 14 decisions? 15 A. I wasn't. Although, obviously subsequently I have seen 16 this set of -- this brief exchange I had with 17 Nick Vaughan-Barratt -- 18 Q. The year before? 19 A. -- in 2010, yes. But that's my only -- that's the only 20 insight I have into the notion of successive 21 controllers. 22 Q. Right. Then she, Younghusband, says "Thanks for letting 23 me know", and then he says to her: 24 "We decided that the dark side to Jim would make it 25 impossible to make an honest film that could be shown Page 188</p>

47 (Pages 185 to 188)

1 close to death, but maybe one could be made for later."
 2 A. Yes.
 3 Q. Then she says:
 4 "I can completely understand, there will be loads of
 5 News coverage anyway. I have asked George what he wants
 6 to do."
 7 When that then gets to you, if you go to page 90 --
 8 A. Yes.
 9 Q. -- this is the 30th, at 9.19. The one we have just
 10 looked at, at 88, says:
 11 "I have asked [in the past tense] George what he
 12 wants to do."
 13 She had indeed because on the 30th she sends to you
 14 and to Danny Cohen an email saying:
 15 "We don't have an obit of Jimmy standing by."
 16 A. What was the time and date of the one to
 17 Vaughan-Barratt?
 18 Q. The one to Vaughan-Barratt is the 30th at 9.21.
 19 A. Just after she sent the one to me.
 20 Q. Yes. So she has indeed just asked you this. So she
 21 then sends it to you, and at 92, is your reply.
 22 A. Yes.
 23 Q. "My instinct is we probably wouldn't want to commission
 24 an obit as such. We will commemorate Sir JS by
 25 repeating some of the programming we already have."
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1 At 94, Danny Cohen agrees with that.
 2 A. Yes.
 3 Q. So just pausing there, this is the Sunday evening?
 4 A. Yes.
 5 Q. So you had said that you suspected:
 6 "I may not be the right place for repeating some of
 7 the programming we already have."
 8 A. Yes.
 9 Q. Why was that?
 10 A. Because traditionally BBC2 and BBC4 were the places we
 11 repeated archive programming. I just felt that was more
 12 of a place the audience would expect to find that kind
 13 of thing.
 14 Q. So we hadn't got to -- and I don't think it was your
 15 idea -- of the Shane Ritchie's Jim'll Fix It business?
 16 A. No. That was Danny's idea.
 17 Q. So there seems to be agreement at that stage, and then
 18 I think the next email is at 101. There is a thread
 19 that you are not involved with, at page 97 between
 20 Danny Cohen and somebody called Dan McGolpin.
 21 A. Dan McGolpin is Danny Cohen's chief scheduler and they
 22 are just having a debate inside the channel about what
 23 they think Savile means to BBC1 viewers and so on.
 24 Q. Right, so you are not involved in that. The next one
 25 for you is the one at 101, this is the following day,
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1 where he has had this idea of the Jim'll Fix It special,
 2 Danny Cohen:
 3 "... as a homage to Jimmy Savile. It would,
 4 I think, feel like a real Christmas treat".
 5 You thought that was a great idea --
 6 A. Which you have somewhere here.
 7 Q. -- which we have somewhere. We have that one somewhere
 8 but the one I really want to show you is at 103. So
 9 this is in response to the one that we saw earlier that
 10 you sent on the Sunday night.
 11 A. Yes.
 12 Q. Jan Younghusband says:
 13 "I gather we didn't prepare the obit because of the
 14 darker side of the story, so something celebrating
 15 a particular part of his TV career is probably that the
 16 live story as there are aspects of this which are hard
 17 to tell."
 18 Now, we understand that that email is sent to
 19 an email address that means it was capable of being seen
 20 both by you and your PA, I think?
 21 A. Yes, yes.
 22 Q. As we understand it, from an analysis of the emails,
 23 which I will show you in a break in a moment, the email
 24 appears to have been read both by Eileen Grundy and by
 25 you.
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1 A. Right.
 2 Q. "The darker side of the story" must have meant something
 3 to you, mustn't it?
 4 A. I don't remember reading it, that's the truth. When
 5 I looked at this, I mean, I came up with this email
 6 change. I asked my assistant Eileen to go back and
 7 check over stuff and we submitted this, and when I read
 8 that, it was a shock to me because I don't remember
 9 reading it. Now, I can -- the most I can do is
 10 speculate about what you know, I might have inferred
 11 from it, but I don't remember reading it at the time.
 12 Q. So if somebody had bumped into you in the park on Sunday
 13 31 October at 20.11 and said "I hear Jimmy Savile died
 14 yesterday, George, of course there was a darker side to
 15 his story", would you have known what they were talking
 16 about?
 17 A. The closest I would have got to knowing, and this --
 18 I think this is borne out by the exchange I had with
 19 Vaughan-Barratt in 2010 --
 20 Q. Which is right at the same bundle.
 21 A. Right at the beginning of the -- yes. The extent of my
 22 knowledge of questions about Savile was given to me by
 23 the Louis Theroux portrait of the year 2000, I think it
 24 came out, When Louis Met Jimmy. I dimly remembered --
 25 but I think only dimly remembered at the time of the
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1 exchange in 2010 -- that there were questions asked in
 2 that, and that's what I would have said, that questions
 3 had been asked.
 4 When I said to Vaughan-Barratt "Would it be fair to
 5 show the Louis Theroux portrait, if necessary, I can't
 6 remember how edgy it was", that was the full state of my
 7 knowledge about any questions about Jimmy Savile.
 8 Q. You referring to the one at the very beginning,
 9 A1/000 --
 10 A. Yes.
 11 Q. -- which is 2010?
 12 A. Yes.
 13 Q. At this point, Savile was very ill at the end of May and
 14 Nick Vaughan-Barratt emailed you again saying:
 15 "No obituary, do you want one?"
 16 He says:
 17 "I have a personal interest here, my first job in TV
 18 was on a JS show. I know him well and saw the complex
 19 and sometimes conflicting nature of the man at first
 20 hand, if you know what I mean! Do you have an opinion?
 21 Mine is ironic, flawed and fascinating, but all a long
 22 time ago."
 23 You said:
 24 "I don't think we need an obit, would it be fair to
 25 reshew the Louis Theroux portrait, if necessary, I can't

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1 remember how edgy it was."
 2 The edginess was a sexual edginess, if I can put it
 3 like that, wasn't it?
 4 A. What I meant by "edgy" there was, imagine someone has
 5 just died, how challenging can you be by way of the
 6 programming you show, that is what I believe I meant by
 7 edgy there. Obviously, Nick is suggesting that there
 8 are complexities, here, the complex and sometimes
 9 conflicting nature of the man. I'm unenthusiastic about
 10 commissioning formal obits here, as I was a year later,
 11 as I don't want to spend the money on them, to be frank.
 12 So what I'm trying to show is an awareness that there
 13 might be something of an archive character that would do
 14 the job of commemorating but also asking maybe
 15 a challenging question, which is what my dim
 16 recollection of the Theroux was.
 17 Q. But the Jimmy Savile Fix It special, that gets
 18 commissioned and broadcast is expressly presented to you
 19 by Danny Cohen as a homage to Savile.
 20 A. No, absolutely. I was reacting here to Nick's
 21 negotiation of a conflicted character. But obviously
 22 that is not something I have carried through in my mind.
 23 Q. Just let me press you a bit on the hypothetical man
 24 tapping you on the shoulder in the park on Sunday,
 25 31 October. So moving away from whether you saw the

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1 email or not -- or took it in if you read it or opened
 2 it -- the darker side of the story was "Would it have
 3 been understood to be something in Savile's personality,
 4 in his interaction with others?
 5 A. Um, I -- I think if you had done this figurative tap on
 6 the shoulder at that point I would have been forced to
 7 wrack my brains as to what I thought the darker side of
 8 the story was and I think I would have come up, by way
 9 of an illustration, with the questions that -- that
 10 Louis Theroux had raised.
 11 Q. That bit in the extraordinary exchange with Theroux --
 12 A. Although I'm not sure I would have remembered the
 13 detail. I think the reason I referred back to 2010
 14 thing is that I had a sense that Theroux had been
 15 challenging to Savile but I'm not sure I had a very firm
 16 recollection of the grounds on which he challenged him.
 17 MR MACLEAN: I think it might be time for another short
 18 break.
 19 (3.35 pm)
 20 (A short break)
 21 (3.45 pm)
 22 MR MATTHISON: I was going to ask if I could pick up a point
 23 about when the email was read since we have seen this
 24 email in the meantime.
 25 As we read this document, the third paragraph says:

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1 "FTI", which is presumably a forensic analysis firm,
 2 "have not been able to establish the exact date when the
 3 email was read or whether it was read by both GE and EG,
 4 or just one of them."
 5 Then it goes on to say that:
 6 "The general implication is that the email was last
 7 read, although it is not clear by whom in early November
 8 2011."
 9 I think it was suggested by Alan when he questioned
 10 George about this, that the email analysis was that the
 11 email appeared to have been read by both.
 12 MR MACLEAN: Well, "in both email accounts", is the previous
 13 sentence.
 14 MR MATTHISON: Yes, I agree. But having been read in both
 15 email accounts doesn't, as the forensic analysis people
 16 say, amount to evidence that both George and Eileen read
 17 it. Maybe we have misunderstood the analysis but that's
 18 how we understand this account.
 19 MR MACLEAN: The document says what the document says. We
 20 don't have any more information than that.
 21 MR MATTHISON: It might be worth having a look at the
 22 forensic analysis, if that is something that you can
 23 make available to us.
 24 MR MACLEAN: We got this the other day. That's as much as
 25 I know.

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<p>1 MR MATTHISON: I'm obviously simply flagging up that we 2 would be concerned if this analysis, based on this 3 account, were to be taken as evidence that George had 4 read it, because I don't think that's what this account 5 of the forensic analysis amounts to. 6 MR POLLARD: Thank you. 7 MR MACLEAN: It certainly is right, isn't it, that this 8 document doesn't establish precisely when anybody read 9 the email. 10 MR MATTHISON: Correct. 11 MR MACLEAN: It does establish that it was read in both 12 email accounts, two different people, both of whom get 13 the same email, and there is some circumstantial 14 evidence that Mr Entwistle was reading some but not 15 other emails sent to him at about the same time. Which 16 you get from the paragraph at the bottom of the page, 17 and sending one roughly at the same time on the iPhone. 18 So maybe some of these were opened on an iPhone but 19 not read, others were opened and read properly and some 20 were not opened at all, but that is as far as it goes at 21 the moment. 22 MR POLLARD: George, I just wanted to see if you have any 23 further thoughts on this issue of "the dark side" and 24 what Nick Vaughan-Barratt said. It just seems to me 25 that, clearly, when these emails are put into the</p> <p style="text-align: center;">Page 197</p>	<p>1 into my head here is what he has in email 1, and that 2 the rather vague stuff in his -- in his, um, reply, on 3 30 May 2010, it is hard to know what he means by that 4 and what I would have taken from it. 5 Then on the subject of Jan's -- I mean, I suppose at 6 some point you have to say "Well, what is in 7 Jan Youngusband's mind when she sends me that one which 8 I don't recall reading? She doesn't believe -- she 9 doesn't believe there's no, um, possible case for making 10 an obit about Savile or she wouldn't have asked me if 11 I wanted to make one or not. 12 So in other words, whatever she thinks she knows, 13 whatever she thinks she knows, whatever she has got from 14 her conversations with Nick Vaughn-Barratt, which is 15 apparently -- unbeknownst to me -- what is, I suspect, 16 driving this analysis, she doesn't think it is something 17 that means that an obituary of Jimmy Savile is going to 18 be inappropriate, or she would not send a note to me 19 saying "Shall we make an obit?" Surely that must be 20 needs to be taken into account. 21 MR POLLARD: What does seem to be very strange after that is 22 then to make a series of Christmas tribute programmes. 23 I mean, especially if the Louis Theroux programme, which 24 would appear to be the only thing that gave a slight 25 sense of the other side of it, was not shown after you</p> <p style="text-align: center;">Page 199</p>
<p>1 report, it's going to be relatively significant. 2 I suppose it is really just, if you like, the three 3 pieces of the jigsaw that I would just, sort of, draw 4 your attention to. Nick Vaughan-Barratt's quite 5 striking note on the day after Savile's death, "We 6 decided the dark side to Jim would make it impossible", 7 et cetera, coupled with the note that he sent to you the 8 previous year. 9 A. Although, Nick, obviously I didn't see -- there are -- 10 there is an email exchange behind these that I didn't 11 see -- 12 MR POLLARD: Sure. 13 A. -- and, you know, when I -- when I look at the 2010 14 exchange, what I have clearly taken from it is this, you 15 know, complex conflicting nature, "ironic, flawed and 16 fascinating". That's what has lodged itself with matter 17 because I have reacted by suggesting that this -- my dim 18 recollection of the Louis Theroux portrait is rather 19 a complex -- a more complex picture of him -- 20 MR POLLARD: Was the Louis Theroux programme reshowed at 21 Christmas? 22 A. I don't think it was in the end. There was some talk of 23 it being shown, but I don't think it was. 24 MR POLLARD: Okay. 25 A. In a sense, I don't -- I don't see any -- what's going</p> <p style="text-align: center;">Page 198</p>	<p>1 had suggested, well, maybe that's a way of giving up -- 2 A. A year earlier, a year and a half earlier, I had 3 suggested that. 4 MR POLLARD: Yes. 5 A. So, in other words, although you can clearly see that 6 Louis Theroux is in my mind at Nick's prompting around 7 conflicting and so on in May 2010, it is not necessarily 8 in my mind around 2011, although it does get mentioned 9 in the possible discussion of things. 10 MR POLLARD: The idea of this being a policy of successive 11 controllers, that's something that was new to you? 12 A. Well, it -- in the sense that Nick Vaughan-Barratt once 13 asked me in 2010 whether I wanted a Savile obit, and 14 I was a Controller of Factual Commissioning at that 15 point and I said I didn't. 16 MR POLLARD: Right. 17 A. I suppose is that what he means? But that's as much of 18 an insight as I have into it. 19 MR POLLARD: It may be because, as it happens, we have 20 a statement from Nick Vaughan-Barratt that I can let you 21 have a look at and he sends an email to Katie Taylor and 22 Roger Mosey, 31 October this year -- 23 A. This year, yes. 24 MR POLLARD: -- he said: 25 "You should also know about three years ago Savile</p> <p style="text-align: center;">Page 200</p>

50 (Pages 197 to 200)

1 was discussed as a subject for a BBC1 pre-prepared
2 obituary at a Television/Vision obits meeting. I can't
3 recall who raised his name but I do recall saying that
4 I thought it was not a good idea for two reasons.
5 Firstly, that with limited resources we had funds to
6 make only one showbiz obit each year, Savile was not
7 a top priority, and secondly, that because of unanswered
8 questions and rumours regarding his personal life it
9 would be difficult, if not impossible, to make a film in
10 advance of his death that would be appropriate to run on
11 the night of his death.

12 "I also said that if it was decided to make such
13 a film, I would prefer not to make it because I had
14 known Savile some time ago and didn't feel I could make
15 an impartial film. I don't recall much discussion about
16 the matter, nor anyone asking any questions about the
17 rumours. No film was made."

18 Is that the meeting you are talking about?

19 A. No, no. Because I don't -- I don't remember that
20 meeting. No, I'm not talking about a meeting. I'm
21 talking about the exchange I had with
22 Nick Vaughan-Barratt on email in 2010.

23 MR POLLARD: Okay, right.

24 A. I don't recall a meeting with Nick Vaughan-Barratt on
25 this subject.

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1 MR POLLARD: Right.
2 A. But, in a sense, to go back to Barratt, or more
3 particularly in my case, Jan Younghusband, what is
4 she -- is she trying to communicate -- is she trying to
5 send me a red flag message here? Is she saying "I think
6 you can't make an obit of Savile". Thinking about it
7 now rather than thinking about it at the time, it
8 strikes me as a peculiar way to do it, because she
9 doesn't appear to be saying that and she's not
10 indicating that programming of any kind to commemorate
11 him is inappropriate she specifically says "focusing on
12 the live story", or what's her phrase.

13 MR POLLARD: Is your position that you definitely didn't
14 read this.

15 A. I have no recollect collection reading it. I have no
16 recollection of reading it.

17 MR POLLARD: You had read it -- if you had read it -- would
18 you have made the Christmas programmes? When she said:

19 "I gather we didn't prepare the obit because of the
20 darker side of the story."

21 As a journalist, wouldn't you have said either "Oh,
22 yes, I remember this darker side of the story" or "Tell
23 me what the darker side is"?

24 A. In the light of everything that has happened now, of
25 course it is very hard to think that if I had read it

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1 I wouldn't have -- I wouldn't have said, you know, what
2 are you talking about?

3 MR POLLARD: Yes.

4 A. But, you know, Jan -- Jan clearly -- what does Jan know,
5 I suppose, is a question in my mind now.

6 MR POLLARD: She only knows what --

7 A. She only knows what Nick Vaughan-Barratt has told her.

8 MR POLLARD: -- has told her the previous day.

9 A. The person who appears to know things about Savile is
10 Nick Vaughan-Barratt.

11 MR POLLARD: Who did flag this up to you a year previously.

12 A. Again, he said "I agree we shouldn't make an obit", he
13 didn't say "Deep dark questions about this man, George,
14 red flag, you need to investigate, I have been sitting
15 on a secret for 20 years", or whatever.

16 MR MACLEAN: However it is fair to point out, isn't that in
17 the 29 May 2010 email when he says:

18 "I know him well and saw the complex and sometimes
19 conflicting nature of the man at first hand, if you know
20 what I mean!"

21 So it might be said that he's assuming that you are
22 in the loop about what he's talking about.

23 MR POLLARD: He said:

24 "I would feel very queasy about the obit, I saw the
25 real truth."

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1 A. Yes, but I didn't know what he meant, and I think my
2 reply to his first email indicates that I didn't know
3 what he meant. It indicates -- I get from him the
4 meaning -- the meaning I get from him is that there
5 is -- that it is a complex story, which is pretty much
6 what he's telling me in the first email --

7 MR MACLEAN: So --

8 A. -- and I -- there's a danger here that I try and invent
9 what I made of -- what I made of these things at the
10 time. I don't -- I don't remember reading the final
11 Jan Younghusband email in that trail. If you think
12 about it, it is out of sequence for the email trail from
13 my standpoint. I have had an exchange with Danny about
14 what is going to happen about the shows. I have had --
15 I feel that what Jan starts is a -- is a kind of
16 practical discussion about how we're going to react to
17 something and that there has been some practical
18 exchanges.

19 That reply of hers doesn't come in on the back of
20 the other exchanges it comes back as a sort of
21 afterthought response to my initial response. So in
22 that sense where my head is about it is that a political
23 conversation has been started about how we will react to
24 the death of Savile and it this is my contribution to
25 it.

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51 (Pages 201 to 204)

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

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1 (inaudible) because she was out of the office a lot and
2 Danny was my direct report and I always -- and I always
3 engaged very directly with stuff to do with BBC1 because
4 it was utmost in my mind, I suppose. But that said,
5 I -- for whatever reason, I don't remember reading
6 the -- the Youngusband email.
7 Q. Leaving aside these emails and which ones were read and
8 not read, you have worked at the BBC for a long time and
9 we have heard people telling us different stories about
10 what they had heard about Jimmy Savile?
11 A. Yes.
12 Q. If I came up to you on 29 October and tapped you in the
13 shoulder in the park that day, while he was still alive,
14 and said "What do you think about Jimmy Savile, what
15 have you heard about Jimmy Savile?" what would you have
16 said?
17 A. The answer is I have never, ever, until all this
18 unfolded, heard anything specific by way of
19 an allegation about child sexual abuse or sexual
20 misbehaviour, anything of that kind. I just don't --
21 I mean, Jimmy Savile is not somebody I ever worked
22 with --
23 MR POLLARD: Did you ever meet him?
24 A. I have never met him. He just wasn't in my mind --
25 uppermost in my mind at any time in my career --

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1 MR MACLEAN: Or lowermost in your mind?
2 A. -- or lowermost in my mind. He just wasn't in my mind
3 at any time in my BBC career. Obviously my early years
4 were in News where, frankly, you didn't spend any time
5 talking Jimmy Savile. He just wasn't somebody we talked
6 about or thought about.
7 When I moved to Science in 1999, I was -- I was on
8 Tomorrow's World and alongside people making Horizons.
9 We didn't --
10 Q. His contributions to those were slight, weren't they?
11 A. They were slight. There was no talk about Jimmy Savile.
12 I went on into Arts, where there was no talk about
13 Jimmy Savile. I went back to Newsnight, where there was
14 no talk about Jimmy Savile. You can't imagine the
15 disparity between how much time I have spent about
16 thinking about Jimmy Savile in the last few weeks versus
17 the time I spent thinking about Jimmy Savile in the
18 previous 49.5 or 50 years of my life.
19 I said on The Today Programme I was perplexed by
20 a lot of people coming out and saying "We knew, we all
21 knew". I really didn't know, and by that I mean the
22 closest -- and you know, they are here -- the closest
23 I ever came prior to knowing some of what he's done,
24 I believe, was this slightly allusive stuff here about
25 "difficult to tell" and "dark side", which doesn't, to

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1 my mind, constitute a rumour about Jimmy Savile.
2 I mean, almost every intro I have ever read about
3 somebody in a biographical context will say "There was
4 a darker side to their character": they lost their
5 temper with their spouse a lot or were famous for
6 getting pissed and crashing their car. It could mean
7 a heck of a lot of things and I genuinely wasn't
8 sensitised, as Mr Vaughan-Barratt appears to have been,
9 to the back story here, I just was not.
10 I read that Vaughan-Barratt "I saw the real truth"
11 now as an invitation for me to phone him up and have
12 a gossip about it. It seems to me that that has
13 something of a character, that final email in 2010,
14 saying "Do you want to hear some of these stories?"
15 I reflect now. But the answer is I didn't ring him up
16 and I didn't hear any of the stories.
17 Q. It is also, I suppose, from your point of view fair to
18 point out that the 2010 exchange is about a formal obit
19 which Mark Thompson explained to us, rather than --
20 well, I think rather than a sort of tribute that
21 eventually went out?
22 A. It begins in a very similar way to the Jan Youngusband
23 exchange of 2011. We have -- he says:
24 "We have no obit, I'm not sure we would want one,
25 what do you think?"

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52 (Pages 205 to 208)

1 It seems like quite an open question. Again, I tell
2 him I don't think we need a obit. Now, it is important
3 that I get across the fact that I'm not thinking "Ooh,
4 obit of Savile, that will be awkward". I'm just
5 thinking an obit will be £175,000 worth of my budget and
6 I think the best way, if you want to bother remembering
7 Jimmy Savile, it to see him present Top of the Pops or
8 Jim'll Fix It or something like that, ie it can be done
9 for the price of turning around a bit of archive tape,
10 £3,000 or £2,500 perhaps.

11 You know, cheap skate though that is, that's really
12 one of the dominant thoughts in my mind when the
13 question of formal obit comes up. I really was not
14 sitting there thinking, "Ooh, yes, it is full of really
15 awkward elements", because I just was not thinking that,
16 obviously, knowing what I know now, I wish I had been
17 thinking that, but I wasn't.

18 Q. Actually, there are very few formal obits that the BBC
19 has on the shelves.

20 A. Yes, but as a culture of -- two sets of people make
21 obits. Current Affairs make obits of kind of leading
22 political figures, so some of the obits we have on the
23 shelves are Thatcher, Mandela. It is a thread
24 throughout the year in Factual that there is a bit of
25 a discussion every now and then about whether there is

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1 anybody we ought to be doing or ought not to be doing --
2 I know, it is a gruesome -- obituary discussions are
3 always gruesome, but -- is there anyone else we ought to
4 have on the shelf or not?

5 In the description you gave, Nick, about
6 Nick Vaughan-Barratt's description of a meeting prior to
7 my becoming Director of Vision, I think my predecessor
8 used to have a once a year obituary meeting and I wonder
9 if that is what Nick is describing.

10 MR MACLEAN: Who is that.

11 A. Jana Bennett is my predecessor. I might have been at
12 one of those some years and might not have been at it
13 the other year. It would entirely have depended whether
14 I could make it or not. I don't remember being at one
15 where Savile was discussed.

16 Q. I do not want to trample on Dame Janet's toes, because
17 I know she wants to ask you some questions at the end,
18 so I will not ask you any questions of this, but
19 Mark Thompson described the BBC to us, in some sense, as
20 a series of villages.

21 DAME JANET SMITH: "Tribes" is the word he used. Sorry to
22 interrupt.

23 MR MACLEAN: Quite right, but in my defence, tribes lived in
24 villages -- and that News and the Radio 1 DJs were
25 perhaps at the furthest --

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1 A. Opposite ends of the same continent.

2 Q. I think Dame Janet might pick you up on some of that.
3 Can I just take you back to the chronology of the blog,
4 just to try to round this off?

5 A. Yes.

6 Q. We left it on 8 October where you were on The Today
7 Programme --

8 A. Um-hm.

9 Q. -- and we looked at the Liz MacKean email that came to
10 you, I think, on the 8th, bundle 10, page 26. She does
11 deal with the blog head on, doesn't she? She deals with
12 your email to staff --

13 A. Yes.

14 Q. -- but then she also says that:

15 "It wasn't, as Peter Rippon implied in his blog, the
16 sort of celebrity exposé that Newnight would not
17 normally go near ... serious allegations about the
18 behaviour of Jimmy Savile on and off BBC premises.
19 Despite public assurances [again the blog] that we had
20 no information that was not already known to the
21 Surrey Police, in fact we did."

22 A. Yes.

23 Q. "And there have been repeated misleading statements from
24 the press office about the nature of our investigation."
25 And she was right about that.

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1 A. And that speaks, it seems to me now, to an entire year
2 of responses to newspaper articles going back to
3 December or January of the previous year, which I didn't
4 realise until later on that this was a kind of saga.

5 Q. Yes. One of the points that again Mark Thompson made
6 was that his impression -- I'm not sure how close to the
7 action he was -- was that the press office had thought
8 for months by this stage that this was a non-story.
9 They had an answer to it and they had been pumping the
10 answer out on and off for months on end?

11 A. That's right. And that answer had been reached in
12 consultation with the editor of Newnight and the editor
13 of Newnight had repeatedly approved the lines that they
14 had put out.

15 That's the striking thing about the police/CPS
16 defence, ie this is what it was about and it hadn't met
17 those standards of proof required, or whatever: none of
18 those lines go out without the endorsement of an
19 editorial figure. All lines have to be checked against
20 the editorial figure who owns the issue.

21 Q. There was a subtle mutation in that Peter Rippon had
22 never actually said that he had done an investigation
23 into the Surrey Police and concluded that the
24 Surrey Police had done a --

25 A. No, the quality, that appears to be a mutation, but

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53 (Pages 209 to 212)

<p>1 obviously that came right at the end of the saga, as it 2 were. You might, I guess, trace a mutation starting 3 from earlier on but in terms of what -- the reasons 4 given for Newsnight not proceeding. But I reckon, you 5 know, Peter Rippon is asked to approve press -- the 6 basic press lines used on Newsnight from December 2011 7 right the way through to early October 2012. 8 Q. I think what Peter Rippon might say is that there was 9 a eliding of the reason why in the end the story 10 couldn't be run, the hurdle at which the story fell -- 11 A. Yes, with the original purpose of the story. 12 Q. Yes, precisely. 13 A. Yes. But at the same time I would say unless -- and 14 I don't know about this in detail because I have not 15 studied it in detail, but unless right at the end you 16 have people who are making that elision and are not 17 checking the line with Peter Rippon, the vast majority 18 of the stabilisation of the line of defence around CPS 19 are iterations of the line that Rippon himself approves. 20 In other words, if there was an elision, I think it 21 was -- if it was an elision that took place over time, 22 it was one pretty closely supervised by Peter Rippon. 23 Q. I'm just looking to see how many of these pages I have 24 here are for you, Mr Entwistle. 25 A. What kind of pages are those? Page 213</p>	<p>1 Newsnight were carrying out an investigation into 2 Jimmy Savile. Helen offered George no details of the 3 investigation. It is standard practice when News is 4 carrying out an investigation that has a potential to 5 affect another BBC division to let them know of the 6 investigation's existence but not to give them any 7 details." 8 A. I think that's a -- that's a reference to the kind of 9 entry that you would expect to see on the MRPL where if 10 it was highly sensitive it would alert you to the 11 existence of thing but not have confidential details 12 bruted(?) all over the organisation. 13 Q. But it certainly would not be standard practice for 14 Vision to be put in the picture by News in the margins 15 of an awards lunch. It would be done in a more 16 structured fashion? 17 A. That was not standard practice, I suppose. 18 MR POLLARD: What was the point of doing that, if I might 19 ask, "We told you we're doing a story but we're not 20 going to give you any details". How -- 21 A. I think the point -- the point -- 22 MR POLLARD: If that is maintained over a period -- 23 A. Yes. 24 MR POLLARD: -- say if you look at how that might have 25 happened in November/December 2011 -- Page 215</p>
<p>1 Q. Just my notes, that's all. Just my notes. 2 Can we just look in bundle 11, at page 190? 3 MR POLLARD: Can I just say, did you actually reply to 4 Liz MacKean, her email? 5 A. I think my assistant replied on my behalf. 6 MR POLLARD: Okay. 7 A. Just to say Kenny MacQuarrie is going to be in touch. 8 MR POLLARD: You steered her to the MacQuarrie interview? 9 A. Yes, yes. 10 MR MACLEAN: And he saw MacKean and Jones and then he 11 provided a -- 12 A. A note to me on the 10th. 13 Q. -- document to you? 14 A. Yes. 15 Q. Bundle 11, page 190. This is the line that Mr Mylrea is 16 trying to agree with you and Helen Boaden -- 17 A. Helen, yes. 18 Q. -- about the awards lunch. 19 "In December 2011 in a brief conversation 20 Helen Boaden told ..." 21 Which I think gets changed to "mentioned that"? 22 A. No, no, I think it gets changed to "told" from 23 "mentioned that". 24 Q. I see. Anyway: 25 "Helen Boaden told [or mentioned that] to you that Page 214</p>	<p>1 A. Yes. 2 MR POLLARD: -- and Newsnight were doing an investigation. 3 Helen says to you "We're doing an investigation. 4 I can't tell you any more because it is standard 5 practice that we don't", and the investigation rolls on 6 and actually it's not broadcast on the 7th, it's put 7 back, say, to the 10th or the 12th. In the end it goes 8 ahead, but all the time you are spending money on 9 Shane'll Fix It and so on, big money, so what's the 10 point of not telling you what it's about? 11 A. Well, this derives from a tremendous sensitivity there 12 is in journalism about the whole idea of putting their 13 sensitive projects on the managed risks programme list. 14 When the idea was introduced there was a lot of 15 anxiety in journalism about doing it at all because they 16 thought it was a breach of security and that other 17 people would see it, they would lose control of it, 18 competitors would be notified -- 19 MR POLLARD: That's different -- 20 A. Internal competitors. No, I -- but what I mean is 21 I think that goes to being one of the motivations for 22 this idea that it is still worth having a reference 23 to it such that if somebody is doing something that they 24 think might be affected by it, they have enough to be 25 able to say "I ought to try and find out about that". Page 216</p>

54 (Pages 213 to 216)

1 MR POLLARD: I see. Okay. So you put the details --
 2 A. That is the idea of it. So you are not spreading the
 3 details all over the organisation and running the risk
 4 that What Ho will steal Today's story, or Today will
 5 steal Newsnight's story, or even further afield Docs
 6 will steal something from Panorama. It tends to be
 7 anxieties about internal competition.
 8 MR POLLARD: "But Helen offered George no details of the
 9 investigation, standard practice ..."
 10 Et cetera, et cetera.
 11 Is, if you like, the missing link there that at some
 12 stage --
 13 A. Of course details would have --
 14 MR POLLARD: -- when it becomes a critical mass --
 15 A. If I imagine myself through to what might have happened,
 16 it might have been Helen coming back to me as she might
 17 have done and saying "They have stood it up. Our
 18 intention is definitely to air it".
 19 MR POLLARD: Yes.
 20 A. And she said -- and she would have said "It will make
 21 your Christmas plans for Savile untenable".
 22 I, of course, would have said: "Well, you will need
 23 to persuade me of that. I'm simply not going -- not
 24 that I'm setting some test for you, but what are you
 25 going to say?" I need to know to a degree at least to

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1 judge whether or not it is inappropriate to withdraw the
 2 Savile programmes.
 3 So my sense is that all that would have happened at
 4 the point where she had become confident that they had
 5 definitely made it work as a story and they were
 6 definitely going to air it, and at which point I would
 7 have expected her to tell Mark as well. She might have
 8 told Mark who would have told me, or she might've told
 9 Mark and me but in a sense that's the -- you know, when
 10 I recall saying to her "Keep me updated" or "Let me
 11 know", that's the thing I'm waiting for. I'm waiting
 12 for the -- because I really do -- my recollection is
 13 taking away from Helen, my conversation with Helen,
 14 a very strong sense of provisional -- provisionality
 15 about it, of conditionality about it, ie "I am not
 16 definitely doing this, George."
 17 And, you know, if Steve Mitchell is right in his
 18 email -- and that's the closest thing we've got to an
 19 account from the time of what was said in the
 20 conversation. Helen and I are both trying to remember a
 21 conversation a year later. Steve, the day afterwards,
 22 made a note of what he believed Helen had told me.
 23 Now I assume he must have made that note on the
 24 basis of talking to Helen because he wouldn't have put
 25 it there otherwise.

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1 MR POLLARD: Yes.
 2 A. So in other words the best thing we have in terms of
 3 contemporaneous account of the tenor of the conversation
 4 between me and Helen is not my recollection of it or
 5 Helen's recollection of it; it is Steve's saying that
 6 Helen said she told George she didn't think anything
 7 would come of it.
 8 MR POLLARD: Yes.
 9 A. That really seems to me an important point in evidential
 10 terms. It is written the day after and here I am trying
 11 to remember it and here is Helen trying to remember it
 12 nearly a year later.
 13 MR POLLARD: Sure, okay.
 14 MR MACLEAN: It is fair to say that there are a number of --
 15 well, one or two anyway, two or three -- different
 16 versions of what Helen Boaden actually did say.
 17 I don't know whether you have seen an email exchange
 18 she had with Jonathan Dimbleby. Did we provide that to
 19 you?
 20 A. No.
 21 Q. I will try to track it down. In the course of that she
 22 said:
 23 "I absolutely said if it goes ahead as we expect,
 24 you will definitely need to change your Christmas
 25 schedule?"

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1 A. Yes. When did she write that to Jonathan Dimbleby?
 2 Q. In October of this year.
 3 A. So again massively at odds with an account to
 4 Steve Mitchell the day after the conversation.
 5 Q. I will give you the reference: it is 13/149.001.
 6 There is no reason why you would have seen this, but
 7 there is an email at the bottom of the page from
 8 Jonathan Dimbleby to Helen Boaden on 16th October --
 9 A. "If it goes ahead as we expect", she remembers. Well,
 10 I -- I don't remember her saying that. It is a pretty
 11 powerful point that -- I mean, it seems to me to be --
 12 I'm in danger of harping, so I won't, but the Mitchell
 13 account is the day after.
 14 Q. I understand. I see the force of that. But she does go
 15 on to say in this email to Dimbleby, "so he clearly knew
 16 it wasn't just fluff". But I'm not sure you are
 17 suggesting it was just fluff?
 18 A. I'm not, of course, suggesting -- I mean, my hope would
 19 have been that Newsnight were not wasting their time on
 20 fluff. But at the same time they could have been
 21 wasting their time on allegations that looked very
 22 promising initially and turned out not to be at all
 23 promising. I don't -- you know, I won't go into boring
 24 details but as a -- as a Newsnight journalist at various
 25 stages I came very close to broadcasting stories that

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1 looked amazing and turned out not to be amazing, and
 2 went from amazing to not amazing, in one particular
 3 case, with 20 minutes to go to air.
 4 So, you know, my experience as a journalist here is
 5 possibly making me react in a way that is
 6 counter-productive for me in a broader sense, but it
 7 does seem to me to be wholly possible at that point,
 8 given the nature of what I recall Helen saying to me and
 9 certainly in the light of what Steve Mitchell thinks or
 10 thought the day after Helen had said to me, that she's
 11 not -- she doesn't have something she knows she's going
 12 to broadcast yet.
 13 Q. If you just look at the rest of the Boaden/Dimbleby
 14 discussion or exchange, she does say, and maybe you have
 15 less of a problem with this:
 16 "The irony is I didn't tell George more details so
 17 there could be no hint that he had interfered with the
 18 investigation, exactly the thing he has been accused of
 19 doing. As a former Newsnight editor he knows about that
 20 Chinese wall between News and the rest of the BBC and so
 21 do I. He would not expect to know more. I was simply
 22 tipping him off ahead of time because of the Christmas
 23 schedules which we thought contained some Savile stuff.
 24 Had the investigation gone ahead, I would have alerted
 25 him to it so that he could make a decision about the

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1 Christmas schedule based on what we had. I don't even
 2 remember telling him the precise nature of the
 3 allegations."
 4 And then the bit I put to you earlier.
 5 A. Well, in my conversations with Helen, I have had the
 6 impression that she and I broadly agreed what we said to
 7 each other. I think point of disagreement, if there has
 8 been one, is I would say I do not remember her telling
 9 me what the investigation was about; she said "I don't
 10 remember whether I told him what the investigation was
 11 about or not".
 12 Q. If you cast your eye to the last main paragraph of that,
 13 she addresses the Thompson point:
 14 "I didn't tell the DG [who of course was
 15 Mark Thomson] because I didn't raise with him programme
 16 items which were not happening."
 17 A. Yes.
 18 Q. Then the last sentence:
 19 "Of course, I never saw him. Had it been
 20 commissioned, like George, he would have known all
 21 about it."
 22 Now --
 23 A. There is a peculiar use of the word "commissioned" here.
 24 Q. That is what I was going to ask you.
 25 A. No, "commissioned" has been problematic from this

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1 conversation for all sorts of people all the way down
 2 the line.
 3 A Newsnight investigation is not commissioned in the
 4 conventional sense. Commissioning to me now, given my
 5 experience elsewhere in the organisation, is a very
 6 formal process in which a minute is taken and two
 7 decisions are recorded -- the controller's and the
 8 commissioner's -- and it goes on to a system and is
 9 recorded as commissioned. You can say exactly at what
 10 time and on what date and in which room something was
 11 commissioned.
 12 Newsnight investigations are very different to that.
 13 I mean, it seems to me, reading between the lines, that,
 14 um, Meirion -- Meirion set going on his investigation at
 15 the beginning of November without necessarily -- without
 16 Peter Rippon necessarily having said "I definitely want
 17 you to do this". But I also infer from the rest of it,
 18 from the rest of the documentation, that Meirion's
 19 standing in the programme was such that he was quite
 20 self-starting. That he was running a bit of an
 21 investigations factory and he was -- at one point he's
 22 in the United States finishing off a Greg Palast
 23 investigation while Liz MacKean is wanting to make
 24 progress on the Savile and Meirion is not there and he
 25 can't.

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1 So there is an awful lot going on in Meirion Jones's
 2 universe and the notion of it being commissioned is very
 3 hard to pin down in Newsnight terms.
 4 Q. I think I exaggerate only slightly if I tell you we have
 5 had as many definitions of commissioning as we have had
 6 people to whom we have asked the question. I think that
 7 is only a slight exaggeration.
 8 Some people say it is when the budget is set. Once
 9 you have started sending money or agreed to spend money,
 10 then it must have been commissioned because otherwise --
 11 A. Not on a show like Newsnight.
 12 MR POLLARD: I think I would say the position is exactly as
 13 George has described it: there was a conversation at the
 14 start of November, in fact followed up by an email from
 15 Peter to Liz MacKean, saying, effectively "Get on
 16 with it".
 17 A. From Peter Rippon to Liz MacKean.
 18 MR POLLARD: Yes.
 19 A. I have not seen that one --
 20 MR POLLARD: But you would not call that a commissioning
 21 email; you would just call it a "get on with it" --
 22 A. Yes.
 23 MR POLLARD: And obviously involving Meirion as well.
 24 A. And at that stage in Newsnight all that means is people
 25 are bashing phones. And if they are not bashing phones

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1 about one thing, they will be bashing phones about
 2 another, so it is hard to talk about incurring actual
 3 budget expenditure. Expenditure of budget comes when
 4 they start arranging to film the Rolls Royce and
 5 whatever else.
 6 MR POLLARD: Yes.
 7 MR MACLEAN: Let's press on --
 8 A. There was just one thing drawn to my attention.
 9 Q. Yes?
 10 A. This is a Helen Boaden text to Paul Mylrea:
 11 "The reason I never told him [this is Helen] was
 12 there was no film to be transmitted."
 13 I don't know who the "him" in Helen text is.
 14 Q. What is the reference? What is the time, the date?
 15 A. It is PM2/017 and it is 18.25 on 10 October.
 16 Q. 10 October?
 17 A. Yes.
 18 Q. I'm sure we have that.
 19 A. I think it just goes to this question of there could
 20 really have been quite some distance to go for the
 21 project -- I know that there wasn't, now I have seen the
 22 timeline -- between Helen telling me on the 2nd and, if
 23 she had chosen to do so, subsequently saying "They have
 24 now reached a point where it is fit for broadcast and
 25 you need to know and to make your dispositions."
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1 Q. If you still have bundle 11 and go over the page from
 2 where we were at 190 to 191: is that the sum total of
 3 what Mr MacQuarrie produced for you?
 4 A. Sorry, 11?
 5 Q. 191. The one you have just shown us is in this bundle
 6 at 221.
 7 A. Yes, that looks about right.
 8 Q. So this is what Mr MacQuarrie produced. If you go to
 9 237 in the same bundle, he sent it to you on the 10th,
 10 or Sarah Jones did on his behalf --
 11 A. Yes.
 12 Q. -- to be precise. You saw it that evening, or at least
 13 you indicated you would read it that evening and call
 14 Kenny in the morning?
 15 A. Yes.
 16 Q. Which presumably you did?
 17 A. I think I did, yes.
 18 Q. So the morning then would be the 11th. So what has to
 19 happen now from the 11th onwards, before the blog gets
 20 corrected?
 21 Before you answer that question, does it have
 22 something to do with the fact that on the 11th --
 23 I think it is on the 11th -- you establish this gold,
 24 silver and bronze command structure which we see at
 25 page 368?
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1 A. Well, I -- I would say it's not a function of
 2 establishing the gold and silver command structure. So
 3 what -- what happens in my -- what's going on in my mind
 4 from the morning of the 10th onwards -- or is it the
 5 morning of the 11th onwards?
 6 Q. You have the discussion with MacQuarrie on the 11th.
 7 You get the MacQuarrie thing on the 10th?
 8 A. Okay. So it is from the morning of the 11th.
 9 Q. Right.
 10 A. Is that I know -- I have become convinced that pinning
 11 down how we are going to review what has gone on inside
 12 the BBC over Savile is going to have to be a subject --
 13 there is going to have to be an independent review.
 14 And I would say I was spending more time on that
 15 issue, on the 11th and 12th, than I was on anything
 16 else. If I look in my notebook and so on, one of the
 17 things I was preoccupied a bit about was if I have a
 18 single review that will mean that any discoveries about
 19 Newsnight will not become clear until Dame Janet has
 20 finished her work which could take months and months --
 21 or will take months and months and months. And so I --
 22 I was working very hard on what I was going to do by way
 23 of the reviews to try to get that announced at the end
 24 of the week, and I was not focused first and foremost on
 25 changing the blog.
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1 The reason the two things go together was because
 2 the MacQuarrie had convinced me that I was not going to
 3 be able to get a -- what I regarded as a reliable
 4 understanding of what had happened on Newsnight by
 5 talking to Rippon, Jones and MacKean. They clearly
 6 didn't agree with each other. There was a lot of
 7 emotion about it. You know, in conversation with Kenny
 8 he said that [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 Q. The "them" there was MacKean and Jones?
 12 A. Yes.
 13 Q. Because he had not spoken to Rippon?
 14 A. No, he had not spoken to Rippon.
 15 Q. So MacQuarrie deals with the other two?
 16 A. Yes, with MacKean and Jones. Because I thought perhaps
 17 he will have a really clear conversation with
 18 Meirion Jones and Liz MacKean and it will be absolutely
 19 clear that there are four points, total agreement with
 20 the pair of them, they can be taken to Rippon, Rippon
 21 will say "Bobs your uncle".
 22 And then maybe I can deal with Newsnight internally.
 23 Maybe I can say to Kenny, "Right, Kenny, will you now do
 24 a quick internal review of what happened on Newsnight?",
 25 but I came away thinking "No, that won't work". I don't
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1 think the way Kenny was treated, the way the notion of
 2 Kenny doing some work on Newsnight had been treated
 3 externally and the controversy it had created
 4 internally – that controversy being News regarding it
 5 as immensely insulting to them that somebody outside the
 6 division had been brought in to look at any proceeding
 7 inside News -- all of that was pushing me towards a view
 8 that the only way I was ever going to be able to get an
 9 account of what had happened on Newsnight that would be
 10 brought into by the entire culture was to give it to
 11 somebody outside the organisation.
 12 Q. So what --
 13 A. And I was much more preoccupied about that, although
 14 obviously it links to the blog thought because it is all
 15 about reliability of the account. So I felt that week
 16 what I did was two things: I established the fact that
 17 we were going to need reviews plural and that the way
 18 I was going to be able to do anything about the blog was
 19 to make sure that the legal team did a forensic analysis
 20 of all the underpinning documents and thus were able to
 21 give me a non-emotional account of what had been wrong
 22 with the blog.
 23 Q. That is a long and useful answer but two things out of
 24 that. This resistance to MacQuarrie going in from News:
 25 did that come from the journalists, did that come

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1 from Jones and MacKean and people like them, or did it
 2 come from Mitchell and Boaden and the management
 3 or both?
 4 A. No, I wouldn't -- I had made sure that Mitchell and
 5 Boaden did not object to the notion of Kenny talking to
 6 Liz and Meirion in the first place. You know, that
 7 would have been bridge one to cross. No, it was my
 8 sense of the cultural howl around of asking somebody
 9 from elsewhere in the BBC to do that job.
 10 Q. Right.
 11 A. So the way I see it, and you know one of the things
 12 I look back at and am critical of myself about is the
 13 time it takes to get from my conviction that I can't
 14 rely on the accounts I have got as a way of correcting
 15 the blog to the moment where I have enough information
 16 to do it. Now, I guess what I might have done is tried
 17 to drive the document-gathering process harder in that
 18 period.
 19 Q. The second thing that came out of that answer a moment
 20 ago was that I think it follows from what you've said
 21 there that you can't have formed a view at this stage
 22 that the legal department of the BBC had got a grip of
 23 what the facts were in whatever they had done in
 24 September?
 25 A. What they had done in September was, to my

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1 understanding, was a historical look at what was known.
 2 They had done the work on all the personnel files to
 3 look at historically whether Savile had been -- that was
 4 my sense of what had been done then.
 5 Q. All right.
 6 A. The legal department became very actively engaged in
 7 understanding what had happened on Newsnight at the
 8 point where I panicked about whether the team on
 9 Newsnight knew they had given anything to the police or
 10 not -- everything to the police or not. So the initial
 11 point of engagement between BBC Legal and Newsnight was
 12 me saying to them "I need better assurance than I'm
 13 getting about whether everything that should have gone
 14 to the police has gone to the police."
 15 And a lot of information started to come in at that
 16 point which then proved useful in the business of trying
 17 to work out exactly that had happened editorially.
 18 Q. You said the initial engagement between BBC News, and
 19 Newsnight. I think you meant BBC Legal, did you, and
 20 Newsnight?
 21 A. Did I say News?
 22 Q. You said News.
 23 A. I meant Legal.
 24 Q. You must have meant Legal?
 25 A. I meant Legal.

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

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<p>1 something that we ought to know, please phone him now", 2 which they did on the 16th, "and get him to tell you 3 what it is." 4 And they phoned him and he said "I'm not sure I'm 5 prepared to have that conversation with you" and it 6 didn't happen that day. 7 Q. Did you have a slightly wider concern about speaking to 8 Mr Jones that, um, what you said to him might find its 9 way into the newspapers? 10 A. Yes. 11 Q. So that was another reason not articulated to Mr Jones 12 for giving him the brush off? 13 A. I didn't articulate any reasons to Mr Jones. I just 14 said "I am afraid I'm not able to do that". 15 But obviously what I think would have been 16 irresponsible would be to cut myself off from the 17 possibility that he had something important to say and 18 I took an immediate action to try and get him to say the 19 important thing to as neutral a bit of the organisation 20 as I had available to me, which was litigation. And my 21 understanding is that he didn't -- he declined to have 22 that conversation on that day, although subsequently he 23 did produce that document for me ahead of the Select 24 Committee which was useful. 25 Q. Before the Committee, yes.</p> <p style="text-align: center;">Page 233</p>	<p>1 11 October, I think it was? 2 A. That was the Thursday night, wasn't it, yes. 3 Q. And that same day there was a piece in The Guardian -- 4 I don't know if you remember this in particular, tell me 5 if you do -- which referred to "two BBC sources close to 6 the investigation" saying "Newsnight collected the 7 evidence unknown to the police at the time of filming" 8 and so on. 9 Do you remember? Did that have a particular impact 10 on you? 11 A. It doesn't particularly ring a bell. 12 Q. All right. So you set up the gold, silver and bronze 13 structure on the 11th and you were the gold commander, 14 and that is an indication that this is reaching some 15 sort of crisis level? 16 A. That the various bits of the organisation we had dealing 17 with the various bits of the Savile crisis needed to be 18 better integrated and coordinated than they had been 19 before that point. 20 Q. Then at about this time the Panorama -- 21 A. Yes, it -- 22 Q. -- is in the pipeline? 23 A. My recollection is that there was an incredible amount 24 of stuff in play at this point. We were being 25 investigated by ourselves and lots of people were having</p> <p style="text-align: center;">Page 235</p>
<p>1 A. There was another thing in my mind at this point: I was 2 doubtful about whether what he would tell me would be 3 accurate or not. The reason I was doubtful about that 4 was that he had already, according to my intelligence 5 from BBC Litigation, given them an account -- and this 6 was in the process of finding out what Newsnight had got 7 in relation to getting it to the police -- in which 8 there was only one taped interview. 9 I had been told there were noted -- a noted 10 conversation between Meirion and somebody in litigation 11 in which he said "There is only one interview on tape". 12 So when I, on the night of the 12th, said "There is only 13 one interview on tape", I was taking that from 14 Litigation's account of an interview with Meirion. 15 So when afterwards he said -- he sent me a note 16 correcting me saying "We had another interview on tape" 17 my immediate thought was in that case why did you tell 18 Litigation you only had one interview on tape? 19 Q. Did you think that Jones was, to put it bluntly, playing 20 games with the BBC and deliberately trying to trip you 21 up by this stage? 22 A. I don't think that view ever formed that brutally in my 23 mind, but I definitely was worried about whether I could 24 rely on the accounts I was getting from him. 25 Q. Newsnight dealt with this story for first time on</p> <p style="text-align: center;">Page 234</p>	<p>1 lots of conversations, the output of which did not 2 necessarily always seem to add up. 3 Q. What was Mr Jones's role in Panorama as you understood 4 it? 5 A. My first apprehension was that he was working on 6 a Panorama about a Newsnight that he had made. 7 Q. Did you think that was appropriate? 8 A. I thought it was completely unacceptable. 9 Q. Who had, as it were, allowed that to happen? 10 A. Well, he had -- apparently for some time they had been 11 considering a move of him from Newsnight to Panorama. 12 In the end the only person that Newsnight and Panorama 13 have in common managerially is Steve Mitchell. 14 Q. What about the position of Mr Rippon? Panorama is 15 making a programme which to some extent is a case for 16 the prosecution of Newsnight in general and Peter Rippon 17 in particular, you might think, yet he gets a letter 18 from Panorama, as you do, and -- 19 A. A chance to reply, yes. 20 Q. He's given a chance to reply which he declines. But it 21 might be thought to be not entirely fair to Peter Rippon 22 to have Meirion Jones leading the prosecution evidence? 23 A. I think that is exactly true. The intervention I made 24 was to say -- through I think what was by then the new 25 line of management, the cutout line of management for</p> <p style="text-align: center;">Page 236</p>

59 (Pages 233 to 236)

1 Savile -- was that it was not acceptable to have Meirion
 2 working on the programme.
 3 There was no harm in him handing over any
 4 information he had to them, but that was how it needed
 5 to be handled, and I was told that what was tolerable in
 6 terms of the circumstances in which he was working on
 7 the Panorama was made clear to Tom Giles, the editor of
 8 Panorama, and Meirion's position on Panorama was
 9 regularised.
 10 Q. But Meirion Jones had access to emails that if it had
 11 been an independent company making this programme they
 12 would never in a thousand years have had access to?
 13 A. No, I agree with that.
 14 Q. For example, the Liz MacKean emails to her friends.
 15 You can put bundle 11 away, Mr Entwistle, and take
 16 bundle 12. We are nearly finished. Bundle 12, page 91.
 17 You got a letter from Panorama -- or an email rather
 18 with a letter -- offering you the opportunity to, as
 19 they enticingly put it, "brief us with regard to your
 20 involvement"?
 21 A. Yes.
 22 Q. An invitation which you decline?
 23 A. Yes.
 24 Q. Then in the same bundle at page 132, on 12 October,
 25 which is the -- that must be the Friday --

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

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1 A. No, I didn't read the script, not at that point. I read
 2 the script later on.
 3 Q. By this stage, you didn't know who to believe and who to
 4 trust, is that --
 5 A. That's right, and I didn't think that -- yes, I -- I was
 6 absolutely firmly of the view by Friday night, because
 7 I had announced there was going to be an independent
 8 review of what happened at Newsnight that I no longer
 9 thought there was a single individual who could give me
 10 a fair account of what it had all been about and, um --
 11 but I remained hopeful and all the interim indications
 12 I got from the legal team, as they pulled the
 13 documentation together, the scripts, interview notes,
 14 emails and so on, that I would get a sense -- more of
 15 a sense of what had happened on the show, as that sort
 16 of evidence base was built up, the following week, which
 17 it was, through to the 18th.
 18 Q. At some point we have -- the select committee starts to
 19 loom on the horizon. You went to the Select Committee,
 20 I think, on the 23rd. So there is another week yet.
 21 If we go to bundle 13, page 2, I think it is. This
 22 one, the cover page --
 23 A. Page 2?
 24 Q. -- right at the beginning. It is either 1 or 2.
 25 A. Yes, yes.

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1 Q. This is your notebook, is it?
 2 A. Yes.
 3 Q. If you go to page 3.
 4 A. Yes.
 5 Q. "CMS prep 1910."
 6 So your own notes in preparation for the committee?
 7 A. Yes.
 8 Q. Middle of the page:
 9 "My initial findings were in line with
 10 Peter Rippon's blog."
 11 Is that -- does that need some unpicking?
 12 A. What I meant by that was when I -- when I first asked,
 13 you know, Stephen and Helen about what they thought had
 14 gone on, obviously they were supportive of Peter but
 15 I was effectively not interrogating multiple sources at
 16 that point. I was effectively interrogating a single
 17 source through multiple points of access.
 18 Q. Then there is a draft letter from you to the
 19 parliamentary committee chair at page 30. Did that --
 20 I can't remember, did that go or something like it,
 21 before -- in advance of your appearance at the committee
 22 you sent them a kind of statement, if you like?
 23 A. Yes, I think it -- I think it did, or something like it,
 24 yes.
 25 Q. Let me see what else. We've dealt with the Jones

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1 discussion. You sent another email to everyone at
 2 page 312. This is now on the 16th.
 3 A. Yes.
 4 Q. So this is now the end of the week before, or the week
 5 before the appearance before the committee --
 6 A. Yes.
 7 Q. -- and you get a fuller letter from Panorama the
 8 following day, I think, in the next bundle, bundle 14,
 9 at page 56, if you want to look at that.
 10 A. Sorry, what page are we on?
 11 Q. Page 56, quite a detailed letter to you from Panorama.
 12 It is obvious from this letter that Panorama has access
 13 to all the --
 14 A. Newsnight stuff.
 15 Q. -- Newsnight stuff. I think others got similar letters
 16 around here in the bundle. There is one to
 17 Peter Rippon, one to Steve Mitchell, one to
 18 Helen Boaden. I think the decision was taken not to --
 19 essentially, not to engage with Panorama.
 20 A. I'm not even sure I read that in detail. I think
 21 I probably handed it to Paul Mylrea.
 22 Q. Right. Then you replied to Mr Jones's email, the one
 23 saying you weren't being properly briefed, in this
 24 bundle at 354.
 25 A. Same bundle?

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1 Q. Same bundle, yes. 354. Sorry, a reply on your behalf
 2 from Jessica Cecil.
 3 It might be thought not to be -- may be you have
 4 given the reason for this five minutes ago. Jones
 5 having sent you the email on the 12th, the one saying he
 6 had the second on-camera interview and sending you the
 7 script, The response is a fairly bland response from
 8 Jessica Cecil at page 354, not saying "You are quite
 9 right, Mr Jones, we will change the blog" or whatever,
 10 just saying "We will pass this to the Pollard review and
 11 the legal team to ensure we have had an accurate
 12 description."
 13 So Jones is being kept somewhat at arm's length,
 14 isn't he?
 15 A. I think it reflects, um, the possibility in my mind that
 16 the best way to look at anything Meirion has to say is
 17 by triangulating it.
 18 Q. Yes. I understand. Then something is being worked up.
 19 What is at 370, on the 19th from Andrew Scadding. This
 20 looks like some sort of script being worked up for you.
 21 A. I wonder if this is Andrew Scadding giving me some sort
 22 of sense of the type of language he would advise I use
 23 for --
 24 Q. This is all for the committee now?
 25 A. All for the committee, I guess.

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1 Q. I just want to ask you a couple more questions about
 2 this weekend, that leads to the correction of the blog.
 3 If you take bundle 51 --
 4 A. Nick, can I say I'm starting to feel very weary and not
 5 particularly focused. So I would love it if we didn't
 6 have to go on too much longer, if that is all right.
 7 MR POLLARD: Sure.
 8 MR MACLEAN: I have very little more and I think Dame Janet
 9 has a few questions.
 10 A. I'm keen not to do no justice to Dame Janet's efforts.
 11 DAME JANET SMITH: I understand, it has been a very long
 12 day.
 13 A. I'm happy to answer questions, I just wonder if we
 14 could --
 15 MR POLLARD: Shall we say another five minutes?
 16 MR MACLEAN: I will be very brief. I do want to show you
 17 a couple of important emails I need to show you. This
 18 is on the 20th --
 19 A. Bundle 15, yes?
 20 Q. Yes, page 157. This is a text message on Mr Mylrea's
 21 phone and, as we understand it but we will check, it is
 22 coming from Mr Payne. I want you to assume that this is
 23 a text from Payne to Mylrea on the 20th.
 24 A. Yes.
 25 Q. "Thought of the hour: PR changes blog and accepts he was

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1 wrong and goes, giving Panorama a scalp. GE then goes
 2 into Select, saying he backed his editor as you would
 3 expect, turns out he was wrong, sad but he did the right
 4 thing and we all move on."
 5 Now --
 6 A. News to me, Ed.
 7 Q. Keep your finger there and take 16 as well, and turn to
 8 page 52. This is now the 22nd. Two days later, the day
 9 the blog corrections have been made and the day before
 10 your Select Committee appearance. This is Payne to
 11 Mylrea. Again, assume that is the case:
 12 "Think I'm going to need to be hard today that PR
 13 blog was the basis for all our position on this, only
 14 way to protect GE, et cetera. Would be good to know if
 15 they had any corroborating views besides just that."
 16 What would you say to the suggestion, putting those
 17 two pieces of evidence together, that by the weekend of
 18 the 20th to the 22nd, the inference is that the BBC was
 19 quite happy to push Mr Rippon off the deck of the ship
 20 in order to save --
 21 A. I would say that that is a conversation going on in the
 22 communications community whose job it is to think about
 23 things like that. I don't think it reflects where
 24 I was.
 25 Q. Did that conversation in the communications community

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1 perhaps have an influence on the way that you presented
 2 yourself before the committee, perhaps in contrast to
 3 the view you had expressed in the Today interview on
 4 8 October?
 5 **A. No, the key difference between me on 8 October and me on
 6 23 October is by 23 October I had chapter and verse on
 7 how much Rippon had got wrong about his own
 8 investigation, whereas on the 8 October, I still
 9 believed and definitely hoped that I could rely on his
 10 description of his own investigation.**
 11 **That's the key different about my position after
 12 that weekend is the legal department had given me
 13 a document which I think is -- it is in the mixture
 14 someone -- a sort of analysis of all the inaccuracies
 15 and I thought, "Well, I relied on you as I believed
 16 I could and should have been able to and wasn't able to
 17 because you didn't understand your own investigation".**
 18 MR POLLARD: Do we have that specific note?
 19 MR MACLEAN: Are you thinking of a table --
 20 **A. Yes, there was a table.**
 21 **Q. -- which sets out extracts of the blog and then
 22 comments --**
 23 **A. Yes.**
 24 **Q. We do, yes. That's what you have in mind?**
 25 **A. Yes, that's exactly what I have in mind.**
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1 the statements right.
 2 **A. Yes.**
 3 MR POLLARD: I just want to ask you briefly how you remember
 4 that weekend and in particular just ask you about the
 5 involvement of the Trust and Lord Patten --
 6 **A. Yes.**
 7 MR POLLARD: -- at that stage, and how closely you were
 8 liaising with him about fixing things?
 9 **A. Well, my feeling, on reflection, is that I wished I had
 10 phoned him a day sooner than I had to let him know.
 11 I think I called him on the Sunday morning.**
 12 MR POLLARD: That's right.
 13 **A. But I was absolutely convinced I was going to have to
 14 repair -- fix the blog on the Saturday morning. I would
 15 say Saturday morning was the point that I knew what was
 16 wrong with it. I was convinced it would have to be
 17 fixed and I had very nearly got to the point of how
 18 I was going to fix it, which actually took a little bit
 19 longer to get to, and I had been -- by and large, I had
 20 tried to be incredibly conscientious throughout about
 21 making sure the Trust knew what stage I was at with
 22 various things. I wish I had phoned them a day sooner.**
 23 **Q. Was that telephone calls or emails to the Trust to keep
 24 in touch?**
 25 **A. Generally speaking? Mostly telephone calls with
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1 **Q. I think, Mr Entwistle, that is pretty much all I wanted
 2 to ask you. I can't absolutely promise that something
 3 won't occur to me later on, in which case we might be
 4 able to communicate in writing. Would you like
 5 a short -- one more short break and then Dame Janet --**
 6 **A. I would quite like a short break. I promise I won't go
 7 away.**
 8 DAME JANET SMITH: I didn't think you would run away from
 9 me. Would you really prefer to leave it until another
 10 occasion?
 11 **A. No, I think it would be good to do it today.**
 12 DAME JANET SMITH: I can't promise if I ask you some
 13 questions now I won't need to ask you other questions.
 14 **A. I understand that, but many I'm very happy to try to do
 15 some --**
 16 MR POLLARD: A ten-minute break?
 17 **A. Thanks.**
 18 (4.53 pm)
 19 (A short break)
 20 (5.02 pm)
 21 **Questions by MR POLLARD**
 22 MR POLLARD: George, I just wanted to ask briefly before we
 23 handed over to Dame Janet, about the weekend of 20 to 21
 24 October, when I know there was a lot of discussion going
 25 on about the timing and correcting the blog and getting
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1 **occasional emails.**
 2 MR POLLARD: Thank you for that. Dame Janet it is yours.
 3 **Questions by DAME JANET SMITH**
 4 DAME JANET SMITH: My questions will seem very easily after
 5 the ones you have answered all afternoon.
 6 You know that I'm interested in culture and practice
 7 in the BBC and over a very long period of time.
 8 **A. Yes.**
 9 DAME JANET SMITH: I know you were not there for the whole
 10 of that time.
 11 **A. But I was there for quite a bit.**
 12 DAME JANET SMITH: You were there for quite a chunk of it.
 13 I recognise you were not involved in light entertainment
 14 and were not in direct contact with Savile. But I want
 15 to ask you about attitudes and what hypothetically your
 16 attitude would have been and what you think -- so far as
 17 you can say, what you think the attitude of other
 18 managers would have been. If you can't say about that,
 19 just say you can't say, but let's see how we get on.
 20 If you had received any expression of concern, at
 21 any time during your employment, to the effect that
 22 an underage girl -- and by "underage" I mean under the
 23 age of sexual consent, under 16 --
 24 **A. Under 16, yes.**
 25 DAME JANET SMITH: -- had been in sexual contact with any
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1 man on BBC premises or BBC location, under BBC
 2 control --
 3 A. Yes.
 4 DAME JANET SMITH: -- whether it be a employee of the BBC or
 5 a contractor or a performer, never mind who, would you
 6 have thought that the BBC was under a duty to stop it,
 7 to take action against?
 8 A. Well, I suppose it would have depended on whether I had
 9 heard of a single incident, as it were, or whether
 10 I knew something was ongoing. But either way --
 11 DAME JANET SMITH: Let's assume only a single incident.
 12 A. My view would have been, if I had come into the
 13 knowledge that that had definitely happened, I would
 14 have expected to report it to my manager and would
 15 probably have expected to end up reporting it to the
 16 investigations unit with a view to them taking it to the
 17 police.
 18 DAME JANET SMITH: If you knew that it had definitely
 19 happened, that if you -- you mean, if you had seen it
 20 with your own eyes?
 21 A. If I had heard something more than, "Oh, you know, old
 22 so and so used to get up to" --
 23 DAME JANET SMITH: That would be very vague.
 24 A. Yes.
 25 DAME JANET SMITH: Something more specific.
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1 problem, and I know it is hypothetical, but do you think
 2 that there has, over the years that you have been in the
 3 BBC?
 4 A. I wonder, to be honest, if I arrived at a time when that
 5 change in attitude was largely underway, because
 6 I started in 1989 --
 7 DAME JANET SMITH: Yes.
 8 A. -- and I think that is relatively late in terms of
 9 Savile's career, just regarding that as a period of
 10 time.
 11 DAME JANET SMITH: Yes. What would you say to the
 12 suggestion that -- you know, I have not heard any
 13 evidence yet, but I think that the kind of evidence that
 14 might be coming my way is "There's no point in reporting
 15 that, because the attitude will just be 'Oh, that was
 16 just Jimmy'", say?
 17 A. I mean, I -- I'm genuinely -- I feel very open -- I feel
 18 very much not persuaded that I know what kind of thing
 19 you are going to hear in your evidence.
 20 DAME JANET SMITH: All right.
 21 A. Obviously people have talked -- people have talked more
 22 about this in general because of what -- everything that
 23 has happened than I ever remember anybody talking about
 24 it before. I do not remember people talking about him
 25 before at all, generally speak.
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1 A. If I had any sense of something specific happening, the
 2 law being broken in that sense and somebody for whom the
 3 BBC had a responsibility therefore being abused,
 4 I believe I would have taken that to my manager. As you
 5 say, it is a hypothesis. I would have taken it to my
 6 manager and expected to have ended up talking to the
 7 police about it, via the investigations unit. Because
 8 that is how --
 9 DAME JANET SMITH: That is how it would have worked.
 10 A. We process anything -- anything that is a criminal
 11 offence happening under the BBC's responsibility or at
 12 the BBC went straight to the investigation's unit who
 13 made contact with the police on our behalf.
 14 DAME JANET SMITH: Right. Would you think that it would
 15 have been difficult for you to do that if the person,
 16 the man concerned, had been a star asset and could you
 17 see great embarrassment coming up for the BBC?
 18 A. Well, I -- it is very hard to judge, but I would like to
 19 think of myself that that would not have stopped me
 20 doing it. But I --
 21 DAME JANET SMITH: Do you think it might have stopped some
 22 people?
 23 A. Yes.
 24 DAME JANET SMITH: Do you think that there has been
 25 a significant change in attitude towards that kind of
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1 DAME JANET SMITH: No, you have said that.
 2 A. I have said that. But obviously since this has all
 3 happened I've been in involved with in conversations
 4 with people, for example [REDACTED] who have
 5 said -- and I have never thought anything of it,
 6 particularly, but it was always said, for example, that
 7 if you were [REDACTED] back in
 8 the 60s or 70s, there was an awful lot of sex going on,
 9 you know, a lot of [REDACTED] marriages got broken up
 10 because they were getting involved in extra-marital sex
 11 [REDACTED] and this
 12 kind of thing.
 13 DAME JANET SMITH: That would be grown up to grown up, adult
 14 to adult.
 15 A. Not necessarily, not necessarily.
 16 DAME JANET SMITH: Not necessarily, I see. Possibly adult
 17 with quite young people?
 18 A. Possibly adult with quite young women, was my sense.
 19 DAME JANET SMITH: Nobody reported this --
 20 A. I'm not getting the impression that people did.
 21 DAME JANET SMITH: -- or you don't think that they did?
 22 A. I don't think that they did.
 23 DAME JANET SMITH: Fine. Why do you think that they didn't?
 24 A. This is the thing that I think is going to be one of the
 25 hardest things -- one of the hardest things to factor
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1 into your consideration is to what extent was this just
 2 what was going on generally. That the BBC wasn't unique
 3 in this regard but in British society more generally
 4 there were attitudes to girls of around the age of
 5 consent that didn't make an awful lot of distinction
 6 between a 15-year old and a 17-year old, say. I get
 7 that impression when people talk about it.
 8 DAME JANET SMITH: That is the second part of the questions
 9 that I want to ask you. You have been very clear what
 10 your own attitude would have been, you like to think --
 11 A. I like to think. Of course I have to say I like to
 12 think.
 13 DAME JANET SMITH: Of course, I understand that.
 14 I understand that. But we have been talking about
 15 children, girls, who were --
 16 A. Under 16.
 17 DAME JANET SMITH: -- definitely under 16.
 18 A. Yes.
 19 DAME JANET SMITH: What about it if the girl was, say, 16 or
 20 17, and you heard something -- not just a vague rumour,
 21 but you had information that a girl of that age had, for
 22 example -- and I'm going to give you two examples -- for
 23 example been touched up, say, squeezing her breasts by,
 24 say, a performer or a disc jockey or somebody like that,
 25 not the most serious of --

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1 A. No, but a sexual assault, nonetheless.
 2 DAME JANET SMITH: A sexual touching, let's say for
 3 argument's sake that she's not actually complaining, but
 4 it is something that you know has happened on BBC
 5 premises and she's a lot younger than the man. Let's
 6 say we are talking about a man in his 40s and she's
 7 a girl of 16/17, and there is not a personal
 8 relationship between them. If is obviously different if
 9 you have a personal relationship going on, she's 16, 17,
 10 she's entitled to consent.
 11 But if she's a lot younger than the man --
 12 A. It's not -- it's not appropriate and, I mean, if -- if
 13 in my --
 14 DAME JANET SMITH: It's not illegal.
 15 A. No, but in my view, it is absolutely not appropriate it
 16 should be happening under the BBC's auspices. In my
 17 managerial career, if, for example, I had been on
 18 Tomorrow's World and somebody had said something like
 19 that about one of the presenters of Tomorrow's World and
 20 a -- this is entirely hypothetical -- and somebody of
 21 that sort of age, I would have regarded that as
 22 something I would have to take disciplinary action over.
 23 DAME JANET SMITH: It is not a matter for the police, so you
 24 can't just send it to investigations and send it to the
 25 police.

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1 A. In that situation, I would have expected to deal with
 2 the performer and make it absolutely plain that nothing
 3 like that was in any sense acceptable and that if it
 4 carried on it would have consequences.
 5 DAME JANET SMITH: Consequences like the end of the
 6 contract --
 7 A. Yes --
 8 DAME JANET SMITH: -- or not another contract.
 9 A. -- or not another contract or the end of the contract.
 10 DAME JANET SMITH: Yes, whichever.
 11 As you have answered that question in that way, it
 12 maybe that my second example, the answer is obvious.
 13 You probably know that one of the suggestions in the
 14 Newsnight programme that never was is that [REDACTED]
 15 had intercourse with a girl -- nobody knows her age, but
 16 she's said to be quite young, but she could have been 16
 17 or 17, she could have been 14 or 15 --
 18 A. In a BBC dressing room.
 19 DAME JANET SMITH: -- in a BBC dressing room with other
 20 people there.
 21 A. Yes.
 22 DAME JANET SMITH: That is very much at the top end of the
 23 allegation of sexual impropriety.
 24 A. It would be extraordinary to me, even at that time, that
 25 if anybody in anything resembling a position of

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1 authority at the BBC had known about that or witnessed
 2 it, that they had done nothing about it.
 3 DAME JANET SMITH: You would have expected at any time in --
 4 in your time at the BBC.
 5 A. At any time in my time at the BBC, I genuinely don't
 6 believe that if a manager had that brought to their
 7 attention in anything other than the sort of vaguest
 8 terms, that they would and should have done something
 9 about it.
 10 DAME JANET SMITH: What do you think that the attitude of
 11 the BBC would have been, and you yourself, to the
 12 discovery that two employees were having intercourse on
 13 the premises, two consenting adults. Is that a matter
 14 for the BBC or --
 15 A. It was always said that having sex on the premises was
 16 a -- was a -- was an immediate mandatory dismissal
 17 offence.
 18 DAME JANET SMITH: Right.
 19 A. I have never known whether that was one those urban
 20 myths or not. But when things like that were brought to
 21 my attention, they were things I looked into. There was
 22 one -- the only time that anything of that kind ever
 23 happened to me -- and I will try to anonymise this and
 24 deparicularise it as completely as I can -- but it was
 25 brought to my attention that an allegation was made by

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<p>1 a newspaper that one of the people who worked for me had 2 been caught on closed circuit camera having sexual 3 intercourse with someone else from another organisation 4 but effectively in -- 5 DAME JANET SMITH: On BBC premises? 6 A. Not quite on BBC premises but certainly on premises for 7 which we had responsibility at the time. 8 DAME JANET SMITH: Right. 9 A. My disciplinary responsibility in that situation was to 10 ring him up and make the allegation to him and have to 11 be persuaded that it couldn't have been true. I was 12 persuaded that it wasn't true, in fact. 13 DAME JANET SMITH: It wasn't on CCTV? 14 A. It wasn't even on CCTV. This is what the new newspaper 15 had alleged. Before waiting to see the CCTV I rang the 16 person in question and said "This is what is alleged, 17 can you reassure me or tell me whether this is true and 18 what happened", in other words it was something I dealt 19 with. 20 DAME JANET SMITH: If you had to deal with an allegation of 21 sexual impropriety, was your first reaction to speak to 22 the person against whom it was alleged? 23 A. No. The first -- my first reaction would have been to 24 talk to the person making the allegation -- 25 DAME JANET SMITH: All right. Page 257</p>	<p>1 Given you are so adamant that the culture isn't right, 2 what have you done about it? 3 "Answer: I have always been even-handed to both 4 sexes." 5 That's why I say it must have been to do with sex. 6 A. No, but I -- but no, I don't think it was to do with 7 sex. It was to do with -- I felt what I was talking 8 about there was, um, men and women, the fortunes of 9 women in particular in the BBC and how BBC culture 10 treated women, not necessarily sexually. 11 DAME JANET SMITH: You mean so far as employment and 12 promotion and that kind of -- 13 A. Equal opportunities. But also to what extent the 14 culture allowed them to be subject to inappropriate -- 15 not sexual assault, but, um -- 16 DAME JANET SMITH: But sexual harassment. 17 A. Yes, sexual harassment, I think. 18 DAME JANET SMITH: Had there been discussions about that? 19 A. We talked -- I would not have said we talked masses but 20 we talked a significant number of times about a number 21 of aspects about the sort of maleness of BBC culture, 22 and by that I mean -- 23 DAME JANET SMITH: When you say "we talked", who do you 24 mean? 25 A. Groups of managers. Page 259</p>
<p>1 A. -- because this was a newspaper, in this case it was 2 different. 3 DAME JANET SMITH: There was nobody else to ask other 4 than -- 5 A. I felt that with a newspaper allegation there had to be 6 at least a chance that it was nonsense and that the 7 fastest way to get to grips with whether or not it was 8 out and out nonsense and could be shown to be such was 9 to talk to the person alleged -- who I had 10 responsibility for and was alleged to be involved. 11 DAME JANET SMITH: Did you sue, by the way? 12 A. No, because they did not publish. We were able to go 13 back and say it wasn't actually -- 14 DAME JANET SMITH: You were forewarned, were you? 15 A. (Inaudible). 16 DAME JANET SMITH: Just very briefly, you said in your -- 17 I think it was your evidence to the Select Committee, it 18 was a quite short exchange, two little questions and 19 answers at 17.64 -- you can have a look at it if you 20 want to refresh your memory, but you said that you 21 discussed culture and I think you meant "sexual culture" 22 at the BBC. Just have a look at it. 23 A. Do you know where it was? 24 DAME JANET SMITH: 17.64. Just below halfway down the page. 25 "Question: You have been at the BBC for 23 years. Page 258</p>	<p>1 DAME JANET SMITH: How would I find out about those? Would 2 those discussions be minuted anywhere, or not? 3 A. You will find the formal structure for that would be 4 through the BBC's diversity board which definitely had, 5 as I recall, some discussions about that. 6 DAME JANET SMITH: Okay. 7 A. But diversity board discussions went down to divisional 8 boards, too, so you may find divisional boards have 9 minutes of conversations of that kind of thing. 10 DAME JANET SMITH: All right. That was one of the things 11 I wanted to ask you about, what kind of documents might 12 exist that would help us to chase the kind of things 13 that we're interested in. Diversity boards would be 14 one. 15 A. Yes. I spoke to um, [REDACTED] -- 16 DAME JANET SMITH: Yes. 17 A. -- who I tried to persuade to come to talk to you and 18 I hope I succeeded. 19 DAME JANET SMITH: I hope she's coming in the next week or 20 two. 21 A. I asked her to speak to you because she had very 22 interesting stories to tell, it seemed to me -- although 23 I was trying not to have her tell everything to me and 24 then tell everything to you -- about the culture on 25 Radio 1 when she arrived there -- Page 260</p>

65 (Pages 257 to 260)

1 DAME JANET SMITH: Right, okay.
 2 A. -- and [redacted] conviction was that she --
 3 [redacted]
 4 [redacted] --
 5 DAME JANET SMITH: [redacted] My question really
 6 relates -- I can find out from [redacted] myself, so
 7 don't second-guess her.
 8 A. Yes.
 9 DAME JANET SMITH: My question really relates to what kind
 10 of documents do you think --
 11 A. What I was getting at was that she talked a lot about
 12 how useful BBC Equal Opportunities had been to her at
 13 the time. So I assumed that BBC Equal Opportunities
 14 were a forerunner of what became BBC Diversity Board and
 15 it could well be that there is a sort of equal
 16 opportunities structure that goes back a lot further
 17 than the Diversity Board structure does but that I was
 18 not aware of, because it was a bit pre-me and in the
 19 1980s.
 20 DAME JANET SMITH: That's all right. At one stage, I think
 21 you also said to the Select Committee that the -- there
 22 was a change in the age at which people were of the --
 23 the audience limitation age --
 24 A. Yes, yes.
 25 DAME JANET SMITH: -- in the 1970s, so of course before your
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1 time.
 2 A. Yes.
 3 DAME JANET SMITH: Can you possibly point me in the
 4 direction at which we might find out about that.
 5 A. BBC Legal have all that.
 6 DAME JANET SMITH: Have they? Because they have not given
 7 it to me yet, okay.
 8 A. I think there is interesting stuff there about -- there
 9 was a News of the World report in the early 1970s that
 10 made allegations about what was going on --
 11 DAME JANET SMITH: The Brian Neil Report, okay.
 12 A. Possibly. There was some sort of BBC reaction to it and
 13 there was documentation surrounding the decision to
 14 change the age at which people were allowed to appear on
 15 Top of the Pops at around that time.
 16 DAME JANET SMITH: Good. Last question: you said something
 17 earlier today which I didn't understand and I think
 18 everyone else here did. That was something to do with
 19 a hoax in respect of Have I Got News for You.
 20 I have heard -- I have not yet seen the programme --
 21 that something was put to Jimmy Savile about his
 22 sexuality on --
 23 A. At one point, Hislop says to him "What did you get up to
 24 in that van?" and he answers, truthfully as it
 25 transpires, but at the time it feels like a joke,
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1 because nobody could possibly have believed that it
 2 wouldn't be a joke --
 3 DAME JANET SMITH: "Anything I can get" or something like
 4 that.
 5 A. "Anything I can get my hands on" or something like that.
 6 DAME JANET SMITH: Is that what you are referring to as the
 7 hoax?
 8 A. No. I believe, although I have never seen it myself,
 9 that there is -- that there is something on tape. There
 10 is a mockup of a -- I'm not sure, maybe you would know
 11 better than me, Nick.
 12 MR POLLARD: I think what is being referred to is there
 13 a transcript of a -- which is quite convincing when you
 14 read it -- of what is said to be an outtake of Have
 15 I Got News for You --
 16 DAME JANET SMITH: What is a outtake? I'm sorry.
 17 MR POLLARD: A non-transmitted part of the programme. But
 18 I think, significantly, it is not a recording, it's not
 19 an audio recording --
 20 A. I wondered if somebody had mocked something up.
 21 DAME JANET SMITH: It's just a transcript.
 22 MR POLLARD: It is pretty stunning and it is [redacted]
 23 grossly insulting Savile about sexual matters with
 24 apparent pre-knowledge of what he's been doing, and
 25 there's a sort of believable stunned reaction from other
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1 presenters and the floor manager and so on. I was
 2 pretty amazed when I saw it, and somebody said "It never
 3 happened, it's a hoax".
 4 A. Yes.
 5 MR POLLARD: But it is not for our --
 6 DAME JANET SMITH: [redacted]
 7 [redacted]
 8 MR POLLARD: But I think you would want to establish whether
 9 it happened or whether it was a hoax.
 10 A. My understanding is that it was a hoax. But there is
 11 also some other -- it would be worth your -- again, this
 12 goes onto Nick's territory, the business of how the
 13 external moderation company was pre-warned about some
 14 other hoax element to do with Savile that Online had
 15 suffered from on a previous occasion. I think they felt
 16 that there was some -- there was some hoax victim, some
 17 imaginary victim who, um, apparently messages had been
 18 posted about them or by them. That is the other thing
 19 that I heard --
 20 DAME JANET SMITH: This, it is said, put off the moderators.
 21 A. I think the moderators were put on alert about this
 22 danger that somebody had been posting stuff in the past
 23 that had proved to be a hoax and I wonder to what extent
 24 that had actually oversensitised them to stuff that
 25 wasn't a hoax.
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<p>1 DAME JANET SMITH: Thank you very much. I think that is 2 all. 3 MR POLLARD: Could I just with have one further question? 4 You remember that there was a question at one stage 5 about making a series out of the Shane'll Fix It. We 6 have seen various emails and it runs to a halt around 7 about February or March, maybe, something like that. It 8 is cancelled, I think, by Danny Cohen or on behalf of 9 Danny Cohen. 10 A. Right. 11 MR POLLARD: Did you have any involvement in that at all? 12 A. No, I -- I -- the last -- I remember discussing -- 13 I remember some -- there was some mention prior to 14 Christmas that if it went spectacularly well at 15 Christmas it was something people might think about 16 doing again, and I can't say when, because I don't 17 remember when but I remember a conversation with Danny 18 where I said to him "It didn't get a particularly good 19 audience" and that was the last engagement I had with 20 it. 21 MR POLLARD: There was no suggestion that because of the, if 22 you like, the post-Newsnight rumblings in the press -- 23 A. Not that I was aware of. 24 MR POLLARD: I think we're going to have a brief chat with 25 him or send him some questions.</p> <p style="text-align: center;">Page 265</p>	<p>1 thank you very much for coming along. It has been 2 a long day. Thank you. 3 A. Thank you. 4 (5.27 pm) 5 (The Inquiry adjourned until 10.00 am, 6 Tuesday, 27 November 2012) 7 I N D E X 8 MR GEORGE ENTWISTLE (called)1 9 Questions by MR MACLEAN2 10 Questions by MR POLLARD246 11 Questions by DAME JANET SMITH248 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p style="text-align: right;">Page 267</p>
<p>1 A. I didn't have any engagement with the Shane'll Fix It 2 idea, beyond that conversation I had with Danny where 3 I said "It didn't do particularly well, did it?" or 4 something like that. 5 MR MACLEAN: It is April. It is Mark Linsey who. 6 MR POLLARD: Yes, Mark Linsey writing to a guy called 7 Derek McLean. 8 A. Yes, I can't think who Derek McLean is. 9 MR POLLARD: "Dear Derek, I know we have kept you hanging on 10 with this for a very long time. I appreciate your 11 patience. We have decided that we will not move forward 12 with a series, even though we are still not sure what we 13 will commission in this teatime slot." 14 I think -- 15 A. That was not known to me. 16 MR POLLARD: -- other emails did suggest that it had done 17 well at Christmas but not stunningly so. 18 A. That was certainly -- in a sort of very soon 19 post-Christmas conversation with Danny, I would imagine, 20 when we would have been talking about general Christmas 21 performance, I remember remarking that it had not done 22 particularly well. 23 MR MACLEAN: There is an email recording his reservations 24 about a series on 10 January. 25 MR POLLARD: George, unless there are any more questions,</p> <p style="text-align: center;">Page 266</p>	<p style="text-align: right;">67 (Pages 265 to 267)</p> <p style="text-align: right;">8th Floor 165 Fleet Street London EC4A 2DY</p>