

1 Tuesday, 20 November 2012
 2 (1.30 pm)
 3 MS HELEN BOADEN (called)
 4 Housekeeping
 5 MR POLLARD: Good afternoon. Welcome to Reed Smith and to
 6 this session of the inquiry, grandly known as the
 7 Pollard Inquiry. Most of the questioning will be done
 8 by Alan Maclean QC this afternoon, I may jump in with
 9 a question myself from time to time. Before we get
 10 started, Richard Spafford has a few procedural points to
 11 cover first.
 12 MR SPAFFORD: Thanks Nick, we have Richard Blakely on the
 13 end who is working with Alan. There is Alan, Nick,
 14 myself, Dame Janet is here as well, and the couple of
 15 people on the end are our best friends. They are the
 16 transcript writers so they will be taking a transcript
 17 of the proceedings and you can see in front of you
 18 a live feed of that. If we need to stop, there are ways
 19 which are beyond me, I hasten to add, of stopping it.
 20 At the end of the process the transcript will be
 21 given to Louis for typographical errors. One further
 22 point just to mention is that obviously we will stop at
 23 pre-arranged times in the afternoon to give the
 24 transcript writers a chance for a short break.
 25 Finally, of course, confidentiality is critical

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1 here. You kindly provided an agreement, but obviously
 2 it is very important that you understand and appreciate
 3 that this process is confidential. Can you just confirm
 4 that?
 5 **A. I'm absolutely happy to confirm that.**
 6 MR POLLARD: Okay, thank you. Alan?
 7 Questions by MR ALAN MACLEAN
 8 MR MACLEAN: Okay. Could you just explain to me how the
 9 Managed Programmes Risk List works from beginning to
 10 end, as it were?
 11 **A. Yes. It's fundamentally a document for the bigger**
 12 **pan-BBC -- the BBC executive board. And it flags all**
 13 **the sensitive journalism that is going on across the**
 14 **BBC.**
 15 Q. Sensitive in what sense?
 16 **A. It could be a variety of things. It could be**
 17 **a sensitive investigation that's underway. It could be**
 18 **something that is reputationally damaging for somebody**
 19 **within a piece of journalism. It could be very high**
 20 **risk in terms of safety. It could be simply a piece of**
 21 **journalism where -- or a programme where somebody is**
 22 **going to go to a dangerous place. So it's a variety.**
 23 **That's why it's called managed risk and risk involves**
 24 **many different things.**
 25 **Within BBC News we have a News group Managed**

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1 **Programme Risk List that's compiled by our business**
 2 **manager.**
 3 Q. Who's that?
 4 **A. She's called Emma Wilson. The different departments --**
 5 **and I think you've got my -- I hope you've got the**
 6 **framework of my job so you can see the different**
 7 **departments.**
 8 Q. Annex 1, this one?
 9 **A. That one, annex 1. It will contribute to that. The**
 10 **most -- the department that contributes most to that**
 11 **list is the programmes department, which you will see is**
 12 **run by Stephen Mitchell.**
 13 Q. Right.
 14 **A. That's because that is the department formed about four**
 15 **or five years -- I forget -- when we basically had to do**
 16 **a restructuring of all of News to make it multi-media,**
 17 **and we brought together all the daily and weekly current**
 18 **affairs programmes and they run their own Managed**
 19 **Programme Risk List which feeds into the bigger one.**
 20 Q. Right. Just pausing there, if you take bundle A4,
 21 please and turn to page 29. Once you get to 29, if you
 22 keep going over another page you should find some
 23 numbers, do you see 29.001, after 29? Keep going until
 24 you get to point 004. In other words another three
 25 pages on.

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1 Then cast your eye very quickly over that one
 2 sentence email. You will see there is a whole bunch of
 3 attachments to the email. If you go over the page, you
 4 will see something that's headed, "Editorial Standards
 5 Board Managed Risk Programme List for voting 8 December
 6 2011."
 7 We will come to the detail. If we just flick over
 8 the next 20-odd pages, there is a whole bunch of things,
 9 starting with Vision, BBC1, BBC2, BBC3, BBC4 and then
 10 into radio, okay?
 11 **A. Yes.**
 12 Q. Help me with the document that starts at 005. What
 13 stage of the Managed Programmes Risk List has this now
 14 reached?
 15 **A. If it has gone to the Editorial Standards Board, it is**
 16 **the snapshot at that moment of what's on the list. This**
 17 **is always a slightly living document because journalism**
 18 **is being developed all the time. But you have to have**
 19 **a moment where it's brought together. So even as this**
 20 **is being read there may be something else being put on**
 21 **the programmes Managed Programme Risk List.**
 22 Q. Right.
 23 **A. You know, somewhere in The Today Programme they are**
 24 **saying we're going to do a very difficult interview with**
 25 **whoever, and that will be going on their list, and then**

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1 will come to the News group board list and will
 2 eventually make it's way through to this list.
 3 Q. Do you sit on the editorial standards?
 4 A. I do.
 5 Q. That is chaired by David Jordan.
 6 A. It was chaired by David Jordan, that meeting. I do also
 7 chair it on occasion. I don't know why I couldn't do it
 8 that time, it may have clashed with another meeting.
 9 Q. He's described at 005, it seems, as both the author and
 10 the sponsor of this document?
 11 A. Yes. He is usually -- it is usually his responsibility
 12 and normally he would sponsor it when I was chairing the
 13 meeting. But if I wasn't able to chair the meeting --
 14 and I genuinely can't remember why I couldn't that
 15 day -- he would take on that responsibility.
 16 Q. The sponsor means to speak to?
 17 A. Well, to be honest it's quite difficult to speak to
 18 this, because it is so broad. It emerged, I think, this
 19 list primarily -- I think it might have been
 20 a post-Hutton development, which was when we realised
 21 that we needed to bring together all our high risk
 22 journalism in one place, and that naturally sits under,
 23 as it were, editorial policy. And everything on here
 24 almost certainly somebody in David's department will
 25 have had some contact with.

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1 But he wouldn't necessarily speak to each detail
 2 because there will be representatives on the Editorial
 3 Standards Board from each department. So I'm there from
 4 News.
 5 Q. There is a lot in these answers.
 6 A. I'm sorry, it is very dense.
 7 Q. There is a lot that you are downloading to us.
 8 MR POLLARD: Can I ask for can clarity, correct me if I'm
 9 wrong, I see four stages in this, up to this point.
 10 Looking at Newsnight in particular.
 11 A. Yes.
 12 MR POLLARD: I see a list generated just by Newsnight.
 13 A. Yes.
 14 MR POLLARD: And sent up to Steve Mitchell's office. I see
 15 Steve Mitchell and his assistant collating everything
 16 from News programmes. I see that list being sent up to
 17 a wider News group, so other things like radio and
 18 English regions and so on, which I might call stage 3,
 19 and then sent up to the Editorial Standards Board which
 20 might add things in risk programme -- risk involved
 21 programmes from entertainment or arguably sport or
 22 anything like that?
 23 A. It is slightly complicated in the sense that I don't
 24 know how other parts of the BBC do this, but I imagine
 25 they are doing exactly the same as we are in News.

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1 Which is in a devolved editorial structure, which is
 2 basically at the heart of how the BBC operates. It is
 3 the responsibility of the editor or in some parts of
 4 News it might be the executive producer of a comedy, to
 5 make sure they make a judgment and get, as it were,
 6 a programme where a risk has to be managed on to the
 7 appropriate list and going up the chain.
 8 MR POLLARD: Just so I'm clear, if you look at it like this,
 9 the Newsnight slice of pie: Newsnight, News programmes,
 10 whole of News and then whole of BBC.
 11 A. That's right.
 12 MR POLLARD: And we have here the whole of BBC.
 13 A. Yes.
 14 MR POLLARD: Got it.
 15 MR MACLEAN: If you go to 004, please, ie the covering
 16 email, this is being sent to the editorial standards
 17 board members, presumably, which will include you.
 18 A. Yes.
 19 MR POLLARD: : That is a generic email address list?
 20 A. Yes.
 21 Q. For tomorrow's meeting, which is presumably on Thursday
 22 the 8th. Now you mentioned -- right at the beginning
 23 when I asked you about the list, you said:
 24 "It flags all the sensitive journalism that is going
 25 to across the BBC."

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1 And I said, "Sensitive in what sense?" You said, it
 2 could be a variety of things. It could be a sensitive
 3 investigation, it could be something that is
 4 reputationally damaging for somebody in a piece of
 5 journalism. In other words presumably the subject of
 6 the piece; a public figure or a politician or whoever it
 7 might be. But the sensitivity might also be sensitivity
 8 for the BBC, might it, as well?
 9 A. Oh certainly. You wouldn't necessarily -- I'm trying to
 10 think when we did -- when Newsnight did its tax
 11 investigation, that would clearly have sensitivities for
 12 a lot of institutions, including the BBC.
 13 Q. That was about how some talent was paid?
 14 A. Yes. The critical thing about the Managed Risk
 15 Programmes List is by and large -- and it is a imperfect
 16 document -- it is when things are well on their way to
 17 transmission that they get on and that's where the live
 18 document issue comes. So often at a News group board
 19 you will have two, as it were, editions of a Managed
 20 Risk Programmes List.
 21 Q. -- at the News group board?
 22 A. Yes, at the News group board.
 23 Q. So that is one level below this?
 24 A. Yes, one level below this.
 25 Q. I will come to the News group board. Just before we do,

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1 if you look at page 005, which is the front page of the
 2 document --
 3 **A. Yes.**
 4 **Q. It says:**
 5 "The Managed Risk Programmes List identifies
 6 programme to be transmitted in the coming three months
 7 which are potential risks and also those whose
 8 production may be sensitive during the whole of the
 9 production process up to transmission."
 10 If we take those as being, as it were, the criteria
 11 for being on this list, are those the same criteria that
 12 are applicable all the way through the process, in other
 13 words from the bottom, to the second rank, to the News
 14 group and to the editorial board?
 15 **A. They should be but they are not always consistently**
 16 **applied, I am sure.**
 17 **Q. We have been told by somebody, I think -- you mentioned**
 18 **this is a post-Hutton innovation -- I think somebody**
 19 **told us this was an innovation of Mr Byford?**
 20 **A. Mr Byford was himself as it were a post-Hutton**
 21 **innovation in his role as head of journalism and deputy**
 22 **Director General. It is worth understanding that**
 23 **Mark Byford's role was fairly critical after Hutton. He**
 24 **was brought in to calm the journalism, he brought me in**
 25 **as head of News as part of that, and he set up a series**

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1 **of processes by which there was more visibility of the**
 2 **sensitive journalism that was going on. And indeed not**
 3 **just journalism, sensitive programme making that was**
 4 **going on across the BBC. That was a rule we hadn't**
 5 **until then had. It was an innovation by Mark Thompson.**
 6 **Q. By Mark Thompson?**
 7 **A. To create the head of journalism and deputy director**
 8 **role, which was Mark Byford's role.**
 9 **Q. And Mark Byford was brought in to fulfil that role?**
 10 **A. He was already in the BBC, but he was given the role to**
 11 **do that. But that role of course was abolished in 2011.**
 12 **Q. What happened to that part of his responsibilities?**
 13 **A. They were given to me.**
 14 **Q. You don't have a formal role beyond News, is that right?**
 15 **A. No. What happened was that when Mark's role was shut,**
 16 **his various -- I mean, basically I was told, "You will**
 17 **have most of his job, except for the nations, and**
 18 **because that's quite a lot to take on, we will get**
 19 **Tim Davie to chair the Editorial Standards Board for**
 20 **a year. Indeed it may well have been Tim who was meant**
 21 **to be chairing on the 8 December. I genuinely don't**
 22 **know.**
 23 **Q. His main, as it were, diet was running a bit of radio?**
 24 **A. Yes. But of course that does involve some editorial.**
 25 **And then he was meant to do that for a year and then**

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1 **I was meant to do it for a year.**
 2 **Q. Right.**
 3 **MR POLLARD: Could I just ask: does the version of this list**
 4 **that reaches the Editorial Standards Board, is that, if**
 5 **you like, the highest version that is produced?**
 6 **A. Um, I'm just trying to think. I think it's the last**
 7 **version and I think it then goes to what was the old BBC**
 8 **Direction Group for noting. It might even go to the**
 9 **Executive Board but to be honest I haven't been on the**
 10 **Executive Board, you know, sufficiently to kind of be**
 11 **completely au fait with what goes there and what**
 12 **doesn't.**
 13 **MR POLLARD: So is it not clear whether this would reach the**
 14 **Director General, for instance?**
 15 **A. I am sure it went to the BDG and if it didn't go to the**
 16 **BDG it went to the Executive Board.**
 17 **MR POLLARD: The BDG is?**
 18 **A. It is called the BBC Direction Group. It has been**
 19 **abolished. The BBC Direction Group was Mark Thompson's**
 20 **very large board that, as it were, brought together the**
 21 **different heads of output in other parts of the BBC.**
 22 **And the next layer above them was the Executive Board.**
 23 **George Entwistle, when he came in, abolished the BDG and**
 24 **created a much smaller management board, but of course**
 25 **that hasn't really had much time to be going.**

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

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

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1 Q. Do you see? South-East.
 2 **A. The issue about this list is the person, the editor or**
 3 **exec responsible for whatever programme it is, it is**
 4 **their responsibility to decide if the risk is**
 5 **significant enough to go on this list. It is quite**
 6 **telling to me that since the Jimmy Savile issue, but**
 7 **more especially the McAlpine Newsnight, I know because**
 8 **I have checked that the number of contributions to this**
 9 **list has gone up dramatically, because of course people**
 10 **suddenly become hypersensitive --**
 11 Q. Risk averse.
 12 **A. -- to any kind of risk, and indeed you could argue,**
 13 **I don't know if this is true, risk averse.**
 14 Q. Right. Say that it's, as it were, the responsibility of
 15 the programme first of all to say -- ask themselves is
 16 whatever you are doing, is that something for the
 17 Managed Programme Risk List?
 18 **A. Yes.**
 19 Q. And if it is they put it on to their list at the bottom
 20 of the chain?
 21 **A. Yes.**
 22 Q. That having been done for any particular programme,
 23 is it possible for that programme then to fall off the
 24 list, other than -- other than -- because of events
 25 overtaking it, in other words being broadcast?

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1 Obviously once it has been broadcast there is no point
 2 having it on the list.
 3 **A. Things that could make you decide to take it off is**
 4 **actually you have explored a story and it doesn't take**
 5 **you any further, that's a possibility. If you've**
 6 **misjudged the risk, which can also happen when you are**
 7 **doing journalism, that is really also a possibility.**
 8 **Most things, I think, that make certainly the News group**
 9 **board list, the one that I see, stay on there until**
 10 **transmission.**
 11 **Occasionally we may hit a problem with transmission**
 12 **so we may get injuncted or something else may happen,**
 13 **something in the schedule may become problematic. So**
 14 **you would see that sitting on the list but the**
 15 **transmission date would look further and further out of**
 16 **time as you wait for real life to catch up.**
 17 Q. I really am coming to the News group list that you see.
 18 **A. Yes.**
 19 Q. But is this right then: as a matter of course, save for
 20 something out of the ordinary happening, such as you
 21 just described, those programmes which are on the News
 22 group list will be fed into the Editorial Standards
 23 Board list?
 24 **A. Normally that would be true, yes.**
 25 Q. So if we look then -- let me just show you one more

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1 before I leave this document. If you go to page 020,
 2 there is another controversial subject matter, which was
 3 about [REDACTED] do you see, in
 4 English regions, which was legal and controversial
 5 subject matter. Those were the risks.
 6 Presumably the risk of defamation action from the
 7 subject of the piece, one assumes, and then Auntie and
 8 the Miners, and that was a programme examining
 9 allegations that the BBC had been biased in favour of
 10 the Government at the time of the miners' strike. So
 11 reputational and legal risks, the reputation there was
 12 the reputation of BBC as a whole, not just its
 13 journalists?
 14 **A. Absolutely.**
 15 Q. Controversial subject matter, reputational and legal
 16 risk. It gets on the list and it has been put there by,
 17 in this particular case, Radio Sheffield?
 18 **A. Yes.**
 19 Q. So some producer in Radio Sheffield has started the
 20 process which ends with this?
 21 **A. It is both in this case. Because of course I actually**
 22 **happen to know about this one, the journalism was under**
 23 **scrutiny, as it were, the historical journalism was**
 24 **under scrutiny. So it had reputational risk for the**
 25 **journalism and therefore for the bigger BBC.**

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4 (Pages 13 to 16)

1 Q. And because of that former aspect it was on your radar
 2 screen?
 3 **A. I just -- the controller of English regions mentioned it**
 4 **to me because he had heard it and thought it was**
 5 **a terrific piece and just said it was very interesting**
 6 **to see how it was interpreted, sort of now as opposed to**
 7 **then.**
 8 Q. Right. Having said that was the last page, it's not.
 9 Page 23, a programme from Northern Ireland called,
 10 "The estate". What the BBC was planning to do was have
 11 an eight part documentary following the lives of
 12 residents in what looks like a deprived area, and there
 13 is a reputational risk which is of, "Only reflecting
 14 people on the lowest rungs of society."
 15 Again that is a reputational risk to the BBC?
 16 **A. Yes, I think that wasn't Northern Ireland. I think it**
 17 **might have been Scotland.**
 18 Q. Why I say it is Northern Ireland, it is under Northern
 19 Ireland on the list.
 20 **A. It is under Northern Ireland is it? Sorry. Then I'm**
 21 **confusing it with something else then, because we had**
 22 **one in Scotland where we had a lot of criticism for**
 23 **doing precisely that; a sort of anthropological take on**
 24 **the poor, which some people found offensive.**
 25 Q. Right. I wouldn't take that further with you. Then
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1 Uganda Child Sacrifice, one of the risks is taste and
 2 decency?
 3 **A. Yes.**
 4 Q. That is just because of the particularly unpleasant
 5 subject matter?
 6 **A. Indeed.**
 7 Q. One of the points that has been mentioned to us about
 8 Jimmy Savile, to turn to that, was that there was
 9 a taste problem or issue about Newsnight running the
 10 piece. Is that something you remember discussion about?
 11 **A. No.**
 12 Q. The idea being that the man is only just dead and
 13 buried, and therefore that was a factor in whether or
 14 not a story might be done about him.
 15 **A. I had one conversation with Peter about -- as I have**
 16 **said in my --**
 17 Q. Rippon?
 18 **A. Peter Rippon --**
 19 Q. Yes.
 20 **A. -- where I don't -- I mean, if you look through what**
 21 **I said, when he first told me about the story which was**
 22 **through an accidental meeting, I did actually get**
 23 **through hold of the wrong end of the stick because he**
 24 **said, "We're doing this investigation which might be**
 25 **embarrassing for the BBC". He asked me if that was**
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1 a problem and I said it absolutely wasn't, we must
 2 always do journalism about the BBC as if it was
 3 a separate institution.
 4 When I asked him what it was, he said, "Jimmy Savile
 5 and teenage girls". And since this, I think, was about
 6 three weeks after Jimmy Savile had died I thought it was
 7 one of those slightly tabloid-esque stories involving
 8 groupies.
 9 Q. Hangers on, you mean?
 10 **A. Possibly, you often see them in the press when somebody**
 11 **has died. Indeed there had been a story about Jimmy**
 12 **Savile just prior to him dying, about someone claiming**
 13 **he or she was their love child, [REDACTED]**
 14 **[REDACTED]**
 15 And I said, "That doesn't sound like core Newsnight
 16 territory", but Peter went on to suggest that it was
 17 a very different story from that. It was about sexual
 18 abuse, it was about sexual abuse of teenage girls. So
 19 the taste issue for me wasn't critical. The thing that
 20 was always critical for me in this very short
 21 conversation was that because Jimmy Savile was dead was
 22 not a reason for lowering what I regard as BBC editorial
 23 standards.
 24 Q. I'm going to come to that. Can I just go back to the
 25 Risk List for a moment? If you take bundle 2, please,
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1 and put 4 away, please. Take bundle 2 and go to 188.
 2 Just cast your eye to the above the page first. You
 3 should see an email from Liz Gibbons to Sara Beck on
 4 17 November. That's obviously before the meeting of the
 5 Editorial Standards Board we have just been looking at,
 6 copied to Fiona Connory who I think works for
 7 Peter Rippon, or at least did, is that right?
 8 **A. I don't know.**
 9 Q. And to Peter Rippon. Liz Gibbons is sending:
 10 "Here you are Sara, having been asked to sent you
 11 the latest MPRL."
 12 Then looking up the page, we can see this list which
 13 has Newsnight and there is a Burma story, undercover cop
 14 story, money laundering et cetera and the last one is,
 15 "Jimmy Savile, investigation by Liz MacKean", the risk
 16 is identified as legal and taste. TBC. That's the
 17 transmission date is to be confirmed, I think, at that
 18 stage.
 19 **A. Yes.**
 20 Q. "It is a Newsnight story and the executive producer is
 21 Peter Rippon".
 22 That's the bottom rung of this MPRL ladder, isn't
 23 it?
 24 **A. Yes.**
 25 Q. That is the programme putting it up to the next stage of
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1 the chain?
 2 A. Yes.
 3 Q. Which is Sara Beck who is in Steve Mitchell's office?
 4 A. Yes.
 5 Q. All right. Then if we take bundle 3, and go to page 66.
 6 Where would it go? Where would list go once
 7 Newsnight had fed it this story up to Mr Mitchell's
 8 office? He's in charge of these --
 9 A. Sara would send to Stephanie Harris and Emma Wilson.
 10 Q. And they sit?
 11 A. They sit -- Stephanie and Emma both work, as it were, in
 12 my office, for the whole News Group. Stephanie deals
 13 with our complaints and Emma is our business manager.
 14 Q. So this is it coming to you, in effect?
 15 A. Er, I wouldn't see it until I saw the definitive version
 16 at the News Group board.
 17 Q. These are the ingredients coming up?
 18 A. These are the ingredients, yes.
 19 Q. And it is going to get baked into a list for News group?
 20 A. Yes.
 21 Q. And then go to the editorial board and meet other
 22 programmes from other parts of the BBC on the one we
 23 just looked at?
 24 A. Yes.
 25 Q. This is 28 November which is 11 days after the email we

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1 just looked at, okay?
 2 A. Yes.
 3 Q. "Here is our list as promised." In other words this is
 4 the programmes list?
 5 A. Yes.
 6 Q. "Hope it makes sense, Sara".
 7 When we look at the list which is over the page, if
 8 we go to page 70 and 71, those are the Newsnight
 9 programmes, the BBC2 bit starts with Newsnight. Do you
 10 see academies is the first one? By the time we get to
 11 71 we have moved away from Newsnight, and by the time
 12 you get to 72 we have moved away from BBC2 altogether
 13 and we are on to BBC3.
 14 What we don't see there, of course, is Jimmy Savile.
 15 Why?
 16 A. I don't know.
 17 Q. It has obviously disappeared from the list. Does that
 18 come as a surprise to you?
 19 A. Um, at the time it didn't. I simply -- I mean if
 20 I thought of it at all, I thought of it as something
 21 must have happened, because I had already had the
 22 conversation with Peter. But in retrospect it is -- it
 23 is slightly surprising that it didn't go through.
 24 I mean I -- you know, clearly in the post-mortem that
 25 has gone on, it would appear someone was on holiday

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1 during that period.
 2 Q. Who was on holiday?
 3 A. I think Sara may have been on holiday. I genuinely
 4 don't know, but that's one of the things that appears to
 5 have happened.
 6 Q. But she says -- let me just read you what she's told us:
 7 "I maintain and update a rolling document for news
 8 programmes of any reports or investigations or projects
 9 which carry a risk of any sort, be it editorial
 10 reputational legal, et cetera."
 11 Okay so far? Agree with that?
 12 A. Yes.
 13 Q. "The grid is kept in a drive which has limited named
 14 access by certain members of the News programmes
 15 management team".
 16 A. Yes.
 17 Q. "Once a week I request information from editors or their
 18 deputies... "
 19 I interpose in this case Liz Gibbons, yes?
 20 A. Yes.
 21 Q. "... In their department and they also send me entries
 22 on the list as they occur. I update the list as
 23 necessary during the week and use this document as the
 24 basis for a weekly routine meeting with Stephen Mitchell
 25 at which we discuss the content of the grid. Once

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1 a month this list is sent to Stephanie Harris, head of
 2 compliance, News, for her to compile the wider News
 3 MPRL, which includes entries from other departments;
 4 News gathering, regions and so on, and is seen by the
 5 News group board."
 6 By you right? You are nodding --
 7 A. Sorry, yes, I agree, that is the way the system is meant
 8 to work.
 9 Q. "I believe this list is then added to a corporate list I
 10 save the monthly programmes list and keep it in my
 11 files. I add information to the News programmes list
 12 but would not remove entries pre-transmission unless
 13 I was instructed by Steve or an editor or their deputy."
 14 Is that right? Do you know that -- how that works?
 15 A. Yes, I know that's how it works. I'm not sure how often
 16 that actually happens.
 17 Q. She says:
 18 "This is not an infrequent occurrence. Material and
 19 programmes which are being investigated do not all make
 20 it to air ..."
 21 And so on.
 22 So from what you said a moment ago, you used the
 23 expression, "At the time", did I understand you to be
 24 saying that you, as it were, noticed the absence of
 25 Jimmy Savile --

Page 24

1 A. No.
 2 Q. -- at the end of November?
 3 A. No, I didn't notice the absence of Jimmy Savile.
 4 I didn't -- I just simply didn't register it. I was
 5 looking at what's on the list, not what was not on the
 6 list.
 7 Q. So by this time you had had this -- we will come to this
 8 conversation. You had had this conversation with
 9 Mr Rippon. You may have got initially the wrong end of
 10 the stick in the conversation, but you had had
 11 a conversation with him. I think he said on what was in
 12 effect a walk through by -- you were on the way home
 13 or --
 14 A. Yes.
 15 Q. -- you were just literally passing through the office,
 16 is that right?
 17 A. Pretty much, a five to ten-minute conversation.
 18 Q. It was a walk by rather than a meeting?
 19 A. It was absolutely not a formal meeting.
 20 Q. And that was at some point before -- that was at some
 21 point before the end of November?
 22 A. Yes. I think it was 21 November.
 23 Q. Right. So since you mention 21 November, if we take
 24 bundle A2, if I use the expression, "Vision issues", to
 25 you in relation to Jimmy Savile, would you know what
 Page 25

1 I was talking about?
 2 A. Not really.
 3 Q. All right. What do you think Vision issues might have
 4 been for the Jimmy Savile piece? Vision with capital V,
 5 obviously?
 6 A. Yes, as in television, to use proper English.
 7 Well, it could have been, as we now know, the issue
 8 of the Christmas special, or specials. It could have
 9 been television's entertainment history. There could
 10 have been many issues for Vision around Jimmy Savile.
 11 Q. Right.
 12 A. But I'm speculating.
 13 Q. Okay. Look at page 276, please. This is -- if you look
 14 at the bottom, 21 November, from Liz Gibbons to
 15 Sara Beck, do you see? If you go over the page, there
 16 is Jimmy Savile on the list. If you go to 277, in the
 17 middle, okay?
 18 Then if you go back to 276, on 22nd, Sara Beck
 19 emails Liz Gibbons about two things, one of which is the
 20 MPRL:
 21 "Just so you know, have taken Jimmy Savile off for
 22 now and will put back on when its imminent. The
 23 document goes quite far in Vision et cetera and we
 24 thought it might be best to keep off just for now."
 25 Does that make sense to you as a step to have taken?
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1 A. Not really. I mean it's -- you know, clearly I don't
 2 know what Liz was thinking of when she was writing that
 3 in.
 4 Q. Clearly?
 5 A. I have no idea what she meant.
 6 Q. One might think that if ever there was a piece which
 7 needed to be -- that Vision ought to have known about,
 8 it would be a piece accusing somebody of being
 9 a paedophile when that person was a BBC star and in
 10 circumstances where, as it happened, the programme had,
 11 by this stage, gathered information that some of the
 12 unpleasant abuse had taken place at the BBC. So this
 13 would be a paradigm -- one might have thought this was
 14 a paradigm story to be on the Managed Programme Risk
 15 List, wouldn't one?
 16 A. Yes, yes.
 17 Q. So of course you can't account for what's in these two
 18 ladies' heads, I'm not asking you that. But you can't,
 19 as it were, account for this decision? It doesn't seem
 20 to add up to you, is that fair?
 21 A. Well it is always -- yes, it doesn't add up to me.
 22 Q. Okay. Look at the email above, the same day,
 23 22 November:
 24 "I know Peter [that must be Peter Rippon] and Steve,
 25 [that must be Stephen Mitchell] talked about the Vision
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1 issues surrounding Savile, so that sounds sensible."
 2 Obviously you were not party to that discussion.
 3 But that discussion, we think, took place on 21 or 22
 4 between Mr Rippon and Mr Mitchell.
 5 A. If you say so.
 6 Q. Which was the same day, I think, you had your brief
 7 discussion with Mr Rippon.
 8 A. Yes.
 9 Q. In the evening?
 10 A. I think the 21st -- the reason I remember it is that
 11 looking through the diary I know that I was meant to go
 12 to Oxford to do a lecture, or to attend a lecture, and
 13 the meeting overran so I literally didn't have enough
 14 time to get on the train and get there.
 15 Q. So do you remember being put in the picture, if I can
 16 use that expression, by Mr Rippon about Vision issues as
 17 such?
 18 A. I can't remember in my conversation with Peter, or if it
 19 was a later conversation with Steve. My memory is that
 20 it was Steve who told me we needed to alert George to
 21 the Savile investigation.
 22 Q. And that would be --
 23 A. After the 21st.
 24 Q. In a discussion with Mr Mitchell after the 21st?
 25 A. Yes.
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1 Q. Presumably, one might infer, having had this
 2 conversation with Mr Rippon?
 3 **A. Presumably Mr Rippon told him about it. He doesn't -- I**
 4 **don't think he crossed the Christmas schedules of BBC1.**
 5 Q. Sorry, what does that mean, "I don't think he crossed
 6 the Christmas schedules?"
 7 **A. Well, I don't think Steve would have known anything**
 8 **about the Christmas schedules of BBC1. I certainly**
 9 **didn't.**
 10 Q. It is, "he was across", the BBC verb of being across
 11 something?
 12 **A. I don't think he kept across the schedules. It is not**
 13 **one of those things in news that you spend much time on**
 14 **to be honest.**
 15 Q. Okay. So that discussion with Steve Mitchell was after
 16 the discussion with Peter Rippon?
 17 **A. Yes, because the discussion with Peter Rippon was the**
 18 **first knowledge I had, as I accidentally came upon it,**
 19 **that there was even a Jimmy Savile investigation going**
 20 **on.**
 21 Q. Right. You have worked at the BBC for --
 22 **A. A long while.**
 23 Q. -- a number of years, one might say. Did you ever meet
 24 Jimmy Savile?
 25 **A. Um-hm. I met him --**

1 **sit next to, because they are just a slightly unknowable**
 2 **lot, old radio presenters. I just got on with it. They**
 3 **asked me to do it, it was my job.**
 4 Q. Had you heard any dark rumours about Jimmy Savile?
 5 **A. No, I had never heard any dark rumours about**
 6 **Jimmy Savile.**
 7 Q. So you simply had this slightly odd encounter with him
 8 and --
 9 **A. A singular encounter and forgot it.**
 10 Q. Thought no more about it?
 11 **A. Thought no more about it. Had indeed entirely forgotten**
 12 **it until The Times kindly reminded me.**
 13 Q. Okay. When Steve Mitchell told you about the need to
 14 inform Mr Entwistle, wasn't that rather the point of the
 15 Managed Risk List; that Vision would have known what
 16 News was up to via that mechanism?
 17 **A. Yes. But I think Steve was just aware that actually it**
 18 **would be a kindness to George -- the irony of this has**
 19 **not escaped anybody of course -- he felt it would be**
 20 **a kindness to George to tip him off early because he**
 21 **would have to change the schedule if the investigation**
 22 **went ahead as we thought it would. And he could start**
 23 **thinking about that earlier rather than later.**
 24 Q. Tipping off early turns out to be the discussion you had
 25 at the awards lunch --

1 Q. There was a photograph on The Times front page the other
 2 day.
 3 **A. Yes, that was the Radio Academy lunch where Jimmy Savile**
 4 **was inaugerated into their hall of fame. I was chairman**
 5 **of the Radio Academy and was asked to host a table and**
 6 **sit next door to him.**
 7 Q. And this was when?
 8 **A. I think it was 2006.**
 9 Q. Right. So he wasn't -- he wasn't a regular face on BBC
 10 output at that stage?
 11 **A. No. The hall of fame --He was quite old and the hall of**
 12 **fame is, in a sense, where older talent gets recognised.**
 13 **And he came to the lunch, he kissed my hand at the**
 14 **beginning, he kissed my hand at the end, he said not**
 15 **a word to me between those events and at the very end he**
 16 **went round and had his picture taken with a great many**
 17 **people.**
 18 Q. That was the only time you met him?
 19 **A. That was the only time I met him.**
 20 Q. In your -- as it were when you met him, when you
 21 discovered you were going to be sitting besides him, did
 22 you have any reason to look forward to or not look
 23 forward to that encounter?
 24 **A. To be brutally honest in that role I had to sit next**
 25 **door to quite a lot of people I didn't find very easy to**

1 **A. Yes.**
 2 Q. -- on 2 December.
 3 **A. Yes.**
 4 Q. You see, what would you say if I said to you that it has
 5 been suggested to us that, as it were, one of the points
 6 of the Managed Programme Risk List was that it's not
 7 therefore necessary to have ten seconds or any number of
 8 seconds conversations between directors of News and
 9 directors of Vision at some event, because this
 10 mechanism is put there precisely so that Vision knows
 11 what News is doing and vice versa?
 12 **A. I would say it is a very purist version of what is**
 13 **actually a human industry. And having been a controller**
 14 **myself, when Steve said it might be a kindness to tip**
 15 **George off, I just thought that's perfectly sensible.**
 16 Q. Are we able to date your discussion with
 17 Stephen Mitchell?
 18 **A. I believe it was the 22nd. Because I was on holiday --**
 19 **no, the 23rd because I was on holiday on the 24th and**
 20 **25th, and we travelled up to Scotland on the 22nd for a**
 21 **seminar on Scottish independence held by BBC Scotland.**
 22 **We didn't travel together and we didn't have, as it**
 23 **were, a single moment where we could have discussed my**
 24 **conversation --**
 25 Q. "We" is you and Stephen Mitchell?

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

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1 Q. You say you didn't want to put it in an email. You
 2 wanted to have a face to face discussion with him. If
 3 you had put it in an email, if hypothetically you had
 4 been, for some reason, forced to put it in an email,
 5 what would you have written?
 6 A. This is obviously hypothetical but I probably would have
 7 said, "George, Newsnight is doing a highly sensitive
 8 investigation about Jimmy Savile. It will clearly have
 9 an impact on your Christmas schedule. I'm sending this
 10 to alert you to it."
 11 Q. Right.
 12 A. I may have mentioned the nature of the highly sensitive,
 13 but I might not have done.
 14 Q. The sexual abuse?
 15 A. Yes.
 16 Q. So if we go then to the awards lunch, we've actually
 17 been spending some of our time looking at the seating
 18 plan, believe it or not.
 19 A. Yes.
 20 Q. Let me see if I can find that and show it to you. If
 21 you take bundle 3, which is one of the ones we've had
 22 open, and go to page 231, this is a seating plan we see
 23 from 230 -- in fact it is actually being sent to
 24 Mr Entwistle by his assistant then, he of course being
 25 director of Vision at the time. So he's the table for

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1 this lunch.
 2 We can see where you are all sitting. You had
 3 a discussion with Mr Entwistle towards the end of the
 4 event, I think you said?
 5 A. Yes, basically everybody had got up. Janice had got her
 6 award, it was over. He was not well. He had an
 7 extremely bad cold and I nabbed him -- sorry, George was
 8 not well, had an extremely bad cold, and I got him to
 9 one side when there was, as it were, nobody around and
 10 just --
 11 Q. Some of these people weren't BBC people?
 12 A. No.
 13 Q. For example if you look at 230, Mr Entwistle has been
 14 given the heads up to who these ladies are he's going to
 15 be sitting besides.
 16 A. I think they are all BBC people, actually.
 17 Q. Are they?
 18 A. Cheryl Taylor was the commissioner for comedy, Emma is
 19 the commissioner for factual.
 20 Q. Janice Hadlow is the controller of BBC2.
 21 A. Which is why we were invited. Because she was receiving
 22 an award and she wanted to recognise the importance of
 23 Newsnight, so she asked us to be there as
 24 representatives of News and Newsnight, which is why
 25 Peter Rippon was there.

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

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1 this stage you are looking -- you are seeing the line
 2 that the BBC is putting out and what you say is, as you
 3 remember, is at A11/338 -- I don't know we need to look
 4 it up.
 5 **A. No, I remember it.**
 6 Q. You say to Mylrea and Feeney:
 7 "Are we giving the impression I absolutely didn't
 8 tell George about the content of the Newsnight
 9 investigation. That's what Miriam's comments suggest."
 10 **A. Miriam O'Reilly.**
 11 Q. "If so, it is not quite true, I have always said I can't
 12 remember, but of course it is highly probable that I did
 13 mention that is about sex abuse, we can't rule it out.
 14 H."
 15 As you say, it's pretty likely that you would have
 16 told Mr Entwistle what the subject matter was, otherwise
 17 the conversation doesn't --
 18 **A. Make sense.**
 19 Q. -- really make a lot of sense, does it.
 20 So the purpose of you telling Mr Entwistle about
 21 this was what?
 22 **A. Was to give him a heads up that this was coming, because**
 23 **at that point we absolutely thought it was and that he**
 24 **needed to think about, you know, he'd got some chunks of**
 25 **the Christmas schedule he needed to think of alternative**
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1 programming.
 2 Q. So it follows from that that you would have expected him
 3 to do something with this information, even if it was
 4 only go back to Vision and wrack his brains as to what
 5 else he might do with his schedule if the problem
 6 presented itself?
 7 **A. That's what I would have anticipated.**
 8 Q. What about the point, just to take a step side ways for
 9 the moment, that even once the Newsnight story got
 10 canned, if I can put it like that, for whatever reason
 11 and by whomsoever, on any view Newsnight had gathered
 12 some information which suggested, to put it mildly, that
 13 Jimmy Savile was, or might have been, a predatory
 14 paedophile. And it is obviously possible that that
 15 information was going to come to you from some other
 16 media outlet, perhaps with less fastidious editorial
 17 standards than the BBC, and if it did that would cause
 18 the problem for the BBC, if it had in the meantime
 19 lauded this fellow with a bunch of tribute programmes.
 20 In other words, a problem for Vision and the running of
 21 the tributes didn't fall away because the Newsnight
 22 story was canned?
 23 **A. Well, the way you've just described the Newsnight**
 24 **investigation is not the way I saw it when it was**
 25 **canned. So the information that I had from Steve was**
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1 that this was an investigation that had fallen because
 2 the evidence was not strong enough. So he told me
 3 that -- I mean it was a pretty brief conversation in one
 4 meeting, but he told me that it was -- they had one
 5 victim on tape, that Peter regarded her as unreliable,
 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 **And the other women, which had been mentioned to me**
 10 **by Steve, he said that Peter had said there was a lot of**
 11 **hearsay involved in what they said. So your depiction**
 12 **of the solidity of the evidence was not my impression of**
 13 **it from my conversation with Steve.**
 14 Q. Right. I understand.
 15 One of the other things that doesn't seem to have
 16 been on really anybody's radar screen -- and I think you
 17 allude to this in your statement -- one of the aspects
 18 that has become very well publicised in the recent weeks
 19 is the aspect of some of the sexual abuse allegedly
 20 taking place at the BBC. That doesn't seem to have
 21 really been on anybody's radar to any great extent, does
 22 it?
 23 **A. Certainly when I had the brief conversation I had with**
 24 **Peter I did ask him if the approved school was involved**
 25 **and whether or not the BBC was involved, and he said**
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1 something like "No, the BBC couldn't have known
 2 about it", which I have to say I took as the BBC was
 3 only involved in the fact -- because Jimmy Savile was
 4 a BBC star. He also talked about the Rolls Royce being
 5 used and that was the image that I was left with and at
 6 no point --
 7 Q. So he explained that the locus, as it were, for the
 8 Jimmy Savile was the back of his Rolls Royce?
 9 **A. He said they used the Rolls Royce. So throughout this,**
 10 **until it started -- you know, the -- in fact until the**
 11 **ITV Exposure programme, I was under the impression that**
 12 **the connection with the BBC was Jimmy Savile, BBC star,**
 13 **not BBC premises.**
 14 Q. So what did you know before Exposure on 3 October, about
 15 the allegation about Gary Glitter having full sex in the
 16 BBC --
 17 **A. I knew nothing about that. I knew nothing about that.**
 18 Q. You now know that in fact that allegation about full sex
 19 in the dressing room was actually in [REDACTED]
 20 original web memoir --
 21 **A. Indeed.**
 22 Q. -- which was sent to Mr Rippon on 31 October last year
 23 right at the very beginning of the genesis of the piece?
 24 **A. Yes. He did not mention that to me.**
 25 Q. He being?
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1 A. Peter Rippon. In the brief conversation we had.
 2 Q. What about Stephen Mitchell?
 3 A. Steve Mitchell never mentioned it to me.
 4 Q. So from your point of view, given your knowledge
 5 therefore, your answer to the point about, "Surely
 6 Vision had a problem, whether the BBC exposed him as
 7 a paedophile or somebody else might do later", your
 8 answer to that was, well, since the information you had
 9 was that the story had not been stood up by the CPS,
 10 there was no real reason to think that somebody else --
 11 A. It was not just the CPS. I took the strong impression
 12 from my conversation with Steve that actually this was
 13 smoke without fire largely. And I think I was affected
 14 in this by the assumption that stuff like this comes out
 15 when celebrities die, which may be wrong on my part but
 16 I think that had to some extent conditioned the way
 17 I saw it.
 18 Q. What did Mr Entwistle say when you gave him this brief
 19 heads up at the awards lunch?
 20 A. I think he said, "Thank you, keep me posted".
 21 Q. Did he give you any indication that he had reason to
 22 have a fairly good idea as to --
 23 A. No.
 24 Q. -- Jimmy Savile's predilections?
 25 A. Absolutely not. He didn't -- he didn't. No, he didn't,

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1 he just said, "Thank you, keep me posted". I mean he
 2 was quite poker faced, really.
 3 Q. We had this discussion a few minutes ago. You gave him
 4 the heads up so he can go back, as it were, to Vision
 5 and consider Vision's position vis-a-vis the Christmas
 6 schedule. He said to you, "Keep me posted", so there
 7 was potentially therefore a reason for either he to go
 8 back to you or you to go back to him. But did either of
 9 you do so?
 10 A. No, we didn't.
 11 Q. So where did it lead to, this conversation?
 12 A. Well, it didn't lead to anything, because from my point
 13 of view the evidence, as I understood it, was not strong
 14 enough to sustain a transmission and you will have to
 15 ask George where it led to from him.
 16 Q. So in terms of the Christmas tributes, when you had the
 17 conversation with him you knew that Vision was planning
 18 something but you didn't know the detail?
 19 A. I didn't really know the detail.
 20 Q. But you knew there was something?
 21 A. Yes, I knew there was something being planned because
 22 Steve had told me -- I think Steve had told me that
 23 Vision had some plans.
 24 Q. You may or may not now know that Mr Jones and Ms MacKean
 25 say that they actually heard the news about these

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

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

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1 [REDACTED] which is about as shaming as you
 2 can get in my world.
 3 Q. About child labour?
 4 A. About child labour.
 5 Q. Yes, I remember.
 6 A. So I'm very, um -- I'm quite anxious with where people
 7 start when they do their journalism. It is always
 8 better in my view to have not too much of a personal
 9 investment in the story.
 10 Q. When you spoke to Mr Mitchell -- I promise I will try to
 11 get it right -- on 23 November?
 12 A. We think it is the 23rd. I honestly can't hammer it
 13 out, but I think that makes sense.
 14 Q. For present purposes, nothing turns on the point.
 15 A. Exactly.
 16 Q. A day either way.
 17 If somebody had come to you that day and said, "Can
 18 you tell me what your view is of the relationship
 19 between the editor of Newsnight and his staff generally
 20 or Meirion Jones in particular", would you have had
 21 a view and what would it have been?
 22 A. I think I would have had a view not about the staff in
 23 general. Peter had had a very difficult time with two
 24 people [REDACTED] One of them is [REDACTED] and
 25 the other one is [REDACTED]

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1 Q. Um-hm.
 2 A. [REDACTED] had been to see me at some point --
 3 I think it was -- actually, I can't remember if it was
 4 before or after, the months melt into each other.
 5 Anyway, [REDACTED]
 6 [REDACTED] And that was entirely
 7 mutual.
 8 Q. [REDACTED]
 9 A. [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 Q. [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 A. [REDACTED]
 24 Q. [REDACTED]
 25 [REDACTED]

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1 A. [REDACTED]
 2 Q. [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 A. [REDACTED]
 7 Q. [REDACTED]
 8 A. [REDACTED]
 9 Q. [REDACTED]
 10 [REDACTED]
 11 A. [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 But you were asking me about were there problems
 16 with the team?
 17 Q. Yes.
 18 A. And I'm saying I was aware of two problems within the
 19 team. I was not at all aware that there were issues
 20 with Meirion and Liz.
 21 Q. Do you now understand that there were issues with
 22 Meirion Jones and Liz, or not?
 23 A. I think from the vitriol that emerged once the ITV
 24 programme went out and the issues around the blog not at
 25 least and the Panorama, it is perfectly obvious that

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1 there were significant problems. Whether they were
 2 there before the Savile investigation, I don't know.
 3 Q. Right.
 4 I'm coming back to Mr [REDACTED] in a minute, don't let
 5 me forget. But the email I had in mind is, if you want
 6 to see it, A1/274 and 275.
 7 I am not going to read out those names but you see
 8 the reference in the second email at 274 at 3.53 in the
 9 afternoon. It includes a bit of office gossip, but
 10 [REDACTED]
 11 [REDACTED]
 12 A. [REDACTED]
 13 Q. [REDACTED]
 14 [REDACTED]
 15 A. [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 Q. You said you understood there was a problem with
 25 Mr Rippon's relationship with [REDACTED] which you

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1 have described. The other person you identified was
 2 [REDACTED] He had come to see you, hadn't he, on
 3 a number of occasions to discuss Peter Rippon?
 4 A. He had. His view was that Peter was a very decent man
 5 who did news analysis well, but he, in his view, lacked
 6 the leadership qualities that [REDACTED] thought were
 7 necessary in an editor of Newsnight.
 8 Q. He thought, to be frank, [REDACTED]
 9 [REDACTED]
 10 A. I don't think he ever used that phrase to me. He may
 11 have danced around it.
 12 Q. But that was the message he was giving?
 13 A. I think that's overstating it, to be honest.
 14 Q. Was there a -- [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 A. [REDACTED]
 18 [REDACTED]
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 [REDACTED]

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1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 Q. [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 A. No. He did -- you know, he was quite honest about
 15 finding managing [REDACTED] difficult and he was
 16 quite honest about his relationship with [REDACTED] which
 17 I think he said, you know, was always going to be uneasy
 18 but he felt they had got to something of a level playing
 19 field.
 20 Q. We've been rattling along you and I, and it is probably
 21 overdue a short break, are we?
 22 A. Are we allowed?
 23 MR SPAFFORD: We could do.
 24 MR POLLARD: Ten minutes.
 25 (2.51 pm)

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1 As it happens, the world has changed greatly. We
 2 have reduced our senior manager population by
 3 25 per cent. There are not the roles simply available
 4 that people, [REDACTED] often think there
 5 might be. [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 I contacted -- I tried to ensure that he was given
 11 a bit more pan-BBC profile, so he was on -- we did a big
 12 project called "Delivering Quality First", which was
 13 about how we made the BBC function on significantly less
 14 money, and there were groups of people getting together
 15 to develop ideas and Peter was on one of those. I think
 16 he was on the technology one, which I had fostered for
 17 him.
 18 Q. This was a notch for his belt that would help him?
 19 A. Yes. I did that for others too, because it is a way of
 20 getting people to kind of get a bit more profile; it
 21 expands their contacts, it gives them new skills.
 22 [REDACTED]
 23 [REDACTED]
 24 [REDACTED]
 25 [REDACTED]

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1 (A short break)
 2 (3.09 pm)
 3 MR MACLEAN: Can I ask you about Peter Rippon's attitude to
 4 the story?
 5 You mentioned earlier that Steve Mitchell gave you
 6 a whole host of reasons --
 7 A. He gave me some. He didn't give me that many.
 8 Q. One of them was about [REDACTED]?
 9 A. Yes.
 10 Q. The fact that the girls had been in the approved school
 11 in the first place?
 12 A. No. He didn't mention that. It was what he really said
 13 was that, um, Peter -- Peter didn't think the only
 14 victim they had on tape was credible and one of the
 15 reasons for that was she was [REDACTED] and he
 16 felt that could -- could be seen to have compromised her
 17 credibility. Ie, she could have been seen to have had
 18 ulterior motives in making allegations.
 19 MR POLLARD: Could I just ask whether you have a clearer
 20 date for that second and final discussion with
 21 Steve Mitchell? You said about two weeks after the Sky
 22 lunch.
 23 A. He went on holiday to Australia on, I think, Friday
 24 16th. So I think it was in that week and I think it was
 25 one of those, "You're off on holiday, let's just have

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1 a big catch up, where are we"? Those kind of
 2 conversations.
 3 MR POLLARD: Yes.
 4 A. For various things. Not -- Savile was part of it --
 5 actually, to be honest, at that point we were very
 6 focused on the DQF cuts and the sort of -- there were
 7 big management issues to go through.
 8 MR POLLARD: So probably in the week of around about
 9 12 December --
 10 A. Is the 12th a Monday?
 11 MR POLLARD: It is.
 12 A. I'm so confused on the dates. I think it would be
 13 somewhere in that -- I have looked in my diary and there
 14 was no formal routine, but as I said we tended to sort
 15 of catch up at the end of the day or catch up early in
 16 the morning because we would both be in by about 8, or
 17 8.15.
 18 MR POLLARD: Certainly during that week it would be clear to
 19 Steve, who probably made clear to you, that the story
 20 had been dropped by then.
 21 A. Yes.
 22 MR MACLEAN: So you had two conversations with Mr Mitchell.
 23 One when the investigation -- the work is being done by
 24 Newsnight in November, 23 November. Then in the next
 25 conversation you have with Mr Mitchell, the story is

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1 dead?
 2 A. No, there's a middle conversation. Because -- and
 3 I don't know when that happened, but I remember
 4 a conversation where Steve says, "Peter has re-nosed the
 5 story", by which he meant he had found another way into
 6 it, and the thing that he was interested in was the
 7 Surrey Police investigation into the allegations.
 8 Q. I see. So just looking at your statement there -- it is
 9 just important to understand -- I now see that you refer
 10 to a catchup meeting?
 11 A. Yes.
 12 Q. So just looking at your statement then, so I have this
 13 right --
 14 A. What point is it?
 15 Q. Paragraph 30, look at that first.
 16 A. Yes.
 17 Q. That's the informal conversation with Mr Rippon on the
 18 21st.
 19 A. Yes.
 20 Q. That's the walk through the Newsnight office.
 21 A. Yes.
 22 Q. Then you go on to -- you don't actually mention there, I
 23 don't think, the Mitchell conversation on the 23rd. So
 24 here, paragraph 30, is the 21st with Rippon --
 25 A. No, 29 is the first conversation. If you look at point

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1 29.
 2 Q. Well, that's about, "I think I mentioned my conversation
 3 with PR to SM". I see, that is the day after that?
 4 A. Yes, that's the 23rd conversation, just before I went on
 5 holiday.
 6 Q. So that's the 23rd, okay. Then you talk about going on
 7 holiday at paragraph 31, rather, on the 24th to the
 8 28th?
 9 A. Yes.
 10 Q. Then we have the awards dinner on the 2nd that we talked
 11 about and we will come back to.
 12 A. Yes.
 13 Q. Then 34 is the big catch up that Nick just asked about?
 14 A. You missed 33.
 15 Q. 33, "Our catchup meeting", so where does that --
 16 A. The only place I can place is that is the week that
 17 would have began Monday 5 December, so some point in
 18 that. Because I clearly -- I know I had more
 19 information and could only have come from Steve. And
 20 I know I remember -- I know he definitely told me about
 21 the re-nosing of the story and the 12-minute film and
 22 the problems with anonymous women who wouldn't go to
 23 tape.
 24 Q. Right. So what was your understanding of Mr Rippon's
 25 attitude to the story? He described it to us, his

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

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1 aware of?
 2 **A. No, the first time I ever knew about the letter was when**
 3 **it was in The Mail on Sunday.**
 4 Q. Which was in 2012 some time?
 5 **A. It was in early 2012 -- no, late 2012. Didn't that come**
 6 **out after the Exposure ITV documentary?**
 7 Q. In the last few weeks.
 8 **A. Yes.**
 9 Q. Well, there was another piece in the Mail earlier.
 10 Hannah Livingston, I assume, wasn't on your radar
 11 screen either, is that right?
 12 **A. No, she wasn't.**
 13 Q. So page 11. Trying to piece this together, one of the
 14 important milestones in the development of this story is
 15 on 25 November, when [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 [REDACTED] -- tells Jones that the Surrey Police have
 19 now confirmed that they did investigate Jimmy Savile
 20 about sexual abuse of minors and they interviewed the
 21 girls from Duncroft as part of that enquiry. What it
 22 doesn't say here, of course, is why it runs into the
 23 sand.
 24 That's an important milestone in the development of
 25 the story, on the 25th, which is after your conversation
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1 with Mr Rippon and after your conversation with
 2 Steve Mitchell as well.
 3 **A. The first conversation.**
 4 Q. The first one?
 5 **A. And of course Peter hasn't mentioned the police.**
 6 **I don't remember him mentioning the police at all.**
 7 Q. To you?
 8 **A. No.**
 9 Q. So if you look over the page at page 12, Mr Rippon's
 10 response to this is, "Excellent, we can then pull
 11 together the transmission plan".
 12 So on the face of it, it's all systems go at this
 13 stage. So when you had your conversation with
 14 Mr Rippon, had the conversation with Steve Mitchell on
 15 the 23rd, you then go on holiday for a few days. Did
 16 you have a view as to whether this was the -- the story
 17 was likely how to happen? Presumably at that time it
 18 was likely to happen?
 19 **A. I had an absolute view it was likely to happen and**
 20 **that's one of the reasons I alerted George to it.**
 21 Q. So after the first -- the Rippon and Mitchell
 22 conversations, you are under the impression, given what
 23 they told you, that the chances were that Newsnight was
 24 going to run this story. Now we know that the
 25 transmission plan isn't pulled together, or doesn't
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1 start to get pulled together until now. On this day you
 2 are actually away, but what was your expectation about
 3 timing, if you had one?
 4 **A. I had absolutely no expectation of timing. And, as**
 5 **a sort of new piece of information, no one had ever**
 6 **given me a transmission date. I was surprised to**
 7 **discover -- this is like -- more recently -- that there**
 8 **had been a transmission date at some point in the eyes**
 9 **of Liz and Meirion.**
 10 Q. Of 7 December?
 11 **A. Yes. I mean I only knew that sort of, as it were,**
 12 **retrospectively.**
 13 Q. It wasn't just Liz and Meirion. It was on the Newsnight
 14 board.
 15 **A. No, no, I am sure. It's just I had no idea when the**
 16 **transmission date was. No one had flagged that to me.**
 17 MR POLLARD: I was just going to ask: when you said in
 18 response to Mr Maclean your view when you went off on
 19 holiday, "I had an absolute view it was likely to happen
 20 and that's one of the reasons I alerted George to it",
 21 did you not worry that you going off on holiday for four
 22 days would mean that you didn't have the opportunity to
 23 alert him before transmission?
 24 **A. No, because the thing Peter had said was they only**
 25 **had -- as far as I knew from that conversation they had**
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1 **only got one person on tape and it didn't seem to me**
 2 **that one person on tape was ever going to constitute**
 3 **a film.**
 4 MR MACLEAN: That would never be enough anyway --
 5 **A. No.**
 6 Q. -- because as we all know from Hutton, you couldn't do
 7 the story with one source?
 8 **A. Precisely.**
 9 Q. If you look actually just on that point over the page,
 10 page 13, the same day:
 11 "We are hoping to interview second victim on Monday
 12 afternoon, but we won't know for sure until midday.
 13 I think transmission early week of 5 December easily
 14 possible, let's talk Monday."
 15 From Jones to Rippon. Now in fact, the second
 16 interview does take place. Meirion Jones interviews
 17 somebody who we know to be called [REDACTED] who
 18 in fact wasn't a victim, as such, or at least doesn't
 19 claim to be a victim. When did you become aware -- you
 20 said you had been told by Peter Rippon or by
 21 Steve Mitchell or by both of them, that there was
 22 only -- anyway, the burden of their conversations was
 23 that there was one person on tape?
 24 **A. That was when Steve told me it was being dropped.**
 25 Q. Right --
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1 A. And he said they had only got one -- I don't know if he
 2 said victim or person, on tape.
 3 Q. So this is the week of 5 December?
 4 A. No, the week of 12 December.
 5 Q. The third conversation?
 6 A. Yes.
 7 Q. So before that did you have any --
 8 A. Well, the only thing that Steve had said to me was that
 9 they were struggling to get anyone else as it were to be
 10 both anonymous and go on tape. So I got the
 11 impression that all they had was quotes and quotes are
 12 quite problematic.
 13 Q. Stephen Mitchell said that he never saw the script.
 14 Peter Rippon takes issue as to whether the document that
 15 had been produced actually was a script as such. But do
 16 you now know about ROUGHSAVILE 2 and ROUGHSAVILE 5; have
 17 you seen those?
 18 A. Only to the extent that I've seen them in the bundle.
 19 Q. In the last couple of days?
 20 A. Yes.
 21 Q. Would you have expected Stephen Mitchell, in his
 22 discussions with Peter Rippon, to have looked at the
 23 script?
 24 A. I don't know. It depends -- I might have done given the
 25 nature of the allegations. I might have done. Normally

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1 what happens is once something -- I mean this is a draft
 2 script, that's the problem. What usually happens is
 3 that when you've commissioned, or something is
 4 definitely commissioned and signed off by the editor,
 5 you focus on what is going to happen. So you look at
 6 what is definitely going to be broadcast.
 7 As I understand it -- and this is only an
 8 understanding -- the script that Peter was presented
 9 with was very, very draft, and in that case I'm not sure
 10 I would have expected Steve to have looked at it.
 11 Q. The script that he got had words which it was
 12 anticipated Williams-Thomas would say, for example. But
 13 he hadn't ever said them yet.
 14 A. In that case it's not really a proper script, is it?
 15 Q. You talked about in a story like this. You were told
 16 that Peter Rippon had concerns about the credibility of
 17 the women. Some of them?
 18 A. No, no, the woman.
 19 Q. All right, the woman. Surely in order to form a view
 20 about one of the -- one of the best tools for forming
 21 a view about the credibility of the woman who was on
 22 tape would have been to look at the rushes, wouldn't it?
 23 A. Yes, and if that had been my job I would have done it.
 24 But I'm the director of News --
 25 Q. I'm not suggesting you should have done it.

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1 A. Well that's really the editor's job. Editors --
 2 Q. I'm not suggesting you should have done it.
 3 A. I certainly agree that somebody should have done.
 4 Credibility arrives massively on what you see and hear
 5 as well as the factual information.
 6 Q. Do you now know that it would appear that Peter Rippon
 7 didn't look at the rushes, didn't look at any film at
 8 all?
 9 A. I do, because he told me in one of the post-Exposure
 10 conversations and I was very, very surprised. And then
 11 he explained it to me in a way that clearly made sense
 12 to him which was, "I just wanted to think about it
 13 without any emotion". And I both understood that and
 14 still found it very, very surprising.
 15 Q. Does it -- he wasn't normally the executive producer of
 16 these -- this type of piece for Newsnight. Normally
 17 that was Liz Gibbons, right?
 18 A. Yes.
 19 Q. You are nodding.
 20 A. Yes, I know that.
 21 Q. Were you aware in 2011 about the enthusiasm or lack of
 22 enthusiasm for this story from the deputy editors of
 23 Newsnight?
 24 A. No, I only learned that very recently.
 25 Q. That there was a difference of view between

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1 Shaminder Nahal, at one end of the spectrum, and
 2 Liz Gibbons at the other?
 3 A. That's exactly right. I only learned that in the last
 4 couple of weeks.
 5 Q. And Peter Rippon somewhere when in between perhaps?
 6 A. I don't know about that. I only know about Liz's lack
 7 of enthusiasm.
 8 Q. You mentioned commissioning a moment ago. We've had
 9 slightly conflicting stories about what commissioning
 10 means. How could one tell when commissioning has taken
 11 place? There doesn't seem to be any kind of, as it
 12 were, test that you can apply. When does commissioning
 13 happen?
 14 A. Well, I think it's fair to say it is a moveable feast
 15 and it is different for different output. So when I was
 16 an editor, um, a programme was commissioned when I said,
 17 as it were, "It is going into production", but it still
 18 needed a sign off from me, because you can commission
 19 something and then you look at it and it is so damn
 20 ropey, you can't possibly transmit it.
 21 Q. You can kybosh it, still?
 22 A. Of course.
 23 Q. But commissioning means, does it: other things being
 24 equal this is going to go ahead?
 25 A. Other things being equal I would expect it to go ahead,

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1 but other things are not always equal and sometimes you
 2 change or drop or alter.
 3 Q. And commissioning is a decision taken by whom?
 4 A. In my world it is the editor because we have a very
 5 strong value in BBC News, that came partly after the
 6 Hutton debacle, and something was set up call the
 7 Neil Committee, which I happen to be on, which
 8 reiterated and made much more explicit that editors are
 9 responsible for what goes out on their programmes.
 10 Q. The programme editor?
 11 A. The programme editor. Not a content editor like
 12 Robert Peston, but a programme editor. Editors edit is
 13 the kind of core of that.
 14 Q. But within that it is perfectly all right for the editor
 15 of a programme like Newsnight to have a discussion with
 16 his immediate superior, in this case Steve Mitchell,
 17 about the editorial strengths and weaknesses of a story?
 18 A. You would always expect that editors edit -- editors
 19 edit is a way of saying: it is your responsibility mate,
 20 you can't pass it on to someone else. But it is always
 21 done within the framework of BBC values and BBC training
 22 and referring things upwards. So clearly a good editor
 23 who has a dilemma would share it with their departmental
 24 head.
 25 Q. If there was a difference of view between me, as

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1 a programme editor and you as a departmental head, and
 2 we had a discussion and I said, "I think this is just
 3 about over the line, strong enough, I think we can run
 4 this", and you take a different view, whose view would
 5 prevail?
 6 A. I think in the end it would be the nature of what the
 7 debate -- it is a hypothetical but it would be the
 8 nature of what the sort of discussion was all about.
 9 But in the end editors do edit and they absolutely have
 10 the right to say, "I will take that risk".
 11 Q. So in the ultimate shake out, the programme editor can
 12 say, "Thanks very much, Steve, or Helen, or whatever,
 13 I value your input, I'm going ahead"?
 14 A. Yes.
 15 Q. In part of the recent events the BBC -- by which I mean
 16 the whole BBC -- seems at times you might think to have
 17 gone out of its way to emphasise that this decision
 18 was solely taken by Peter Rippon without recourse to
 19 anyone at all. You have seen -- have you been aware of
 20 that?
 21 A. It is such a fundamental part of our ethos, that it
 22 would be surprising if we said anything else.
 23 Q. I just want to show you bundle 7, page 187.
 24 Do you know who Ben Webster is?
 25 A. I certainly do.

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1 Q. He's a journalist on The Times.
 2 A. Funnily enough, I know that. Having featured heavily on
 3 the front page of The Times with Jimmy Savile.
 4 Q. Back to the photograph, yes. If you look at page 190,
 5 this is the end of a thread of emails.
 6 A. Yes.
 7 Q. And Mr Webster is sending a series of questions to
 8 somebody called Julian Payne, who is in the press
 9 office --
 10 A. No, he's in the --
 11 Q. Corporate --
 12 A. He's in the corporate press office.
 13 Q. Right. That's important, I think. When you go to the
 14 foot of 187, do you see the email from Webster to
 15 Helen Deller at the very foot of 187 and then over the
 16 page?
 17 A. Yes.
 18 Q. He wishes he was still writing about transport:
 19 "I don't have a specific response, so I will say the
 20 BBC declined to say when George became aware."
 21 Now look at the email at 187:
 22 "Hi Ben, talk to Peter. As I said there were
 23 discussions as normal in our editorial processes but it
 24 was not referred up or sideways or wherever, Peter took
 25 the decision as editor of the programme."

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1 Now in fact, leave aside, "Peter took the decision
 2 as editor of the programme", in fact this decision was
 3 referred up, wasn't it, in the sense that Rippon
 4 discussed it with Steve Mitchell?
 5 A. I think he explained his reasons, but that's not really
 6 referring up. That's explaining your reasons. I mean,
 7 he wasn't saying to Peter -- he wasn't saying to Steve:
 8 say yea or nay to my decision. He was saying, "I'm
 9 taking this decision for the following reasons".
 10 Q. So there is a distinction then between referring up,
 11 which is saying, "Can you please make this decision",
 12 and a discussion in which he says, "Can we have a chat
 13 about this, so that I can make a decision"?
 14 A. He's made his decision and he's explaining why he's made
 15 his decision to Steve.
 16 Q. But the referral up would to be Stephen Mitchell,
 17 wouldn't it, first of all?
 18 A. Yes.
 19 Q. And then the next person would be you, in the line?
 20 A. Yes.
 21 MR POLLARD: Can I just suggest that in practice the
 22 distinction that perhaps we're trying to draw between
 23 a discussion and referral up is never as clear cut as
 24 that, is it? I think it is worth pointing that out,
 25 I think, although you said at the end of the day if

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1 there is disagreement say, between the editor and the
 2 person's immediate superior, the editor has the call.
 3 That is the complete opposite of what Stephen Mitchell
 4 said to us. He said if it came to the crunch and there
 5 was a disagreement, he said he would have the final --
 6 the final say.
 7 But it's -- are there not always shades --
 8 **A. There are massive shades of grey.**
 9 MR POLLARD: Shades of these things? So for instance an
 10 editor might be saying to his superior, not just,
 11 "Here's my decision, I wanted to let you know", but,
 12 "I would really like your take on this before I am going
 13 to take a decision". That's more really how it works.
 14 **A. That may well happen. I mean I was not involved in any**
 15 **of these discussions.**
 16 MR POLLARD: Yes.
 17 **A. But he may have said -- I mean, Steve is right in the**
 18 **sense that if an editor is going to do something**
 19 **irresponsible, he would absolutely have the right to**
 20 **stop it -- not just the right but the responsibility to**
 21 **stop it. But if it is just an editorial disagreement,**
 22 **I think the editor still has --**
 23 MR POLLARD: The person who decides whether it is an
 24 irresponsible --
 25 **A. That is where the debate comes in, of course.**

1 MR POLLARD: Sure.
 2 **A. Very often.**
 3 MR POLLARD: I suppose the point I'm making -- and I accept
 4 this is a press officer on page 187 making this point,
 5 Helen Deller -- the distinction that she makes between:
 6 "There were discussions, yes, but it was not
 7 referred up or sideways or wherever."
 8 A sort of vehement statement that that didn't
 9 happen. It is a false one, is it not? Because very
 10 often most of these conversations take place somewhere
 11 between a discussion and a referring up?
 12 **A. No, I completely agree with that. Also you have to**
 13 **remember the context of this. This is the BBC in the**
 14 **middle of a terrible storm about that programme being**
 15 **covered up and an editor being leaned on. I think**
 16 **that's where we're up to. So Helen -- it doesn't**
 17 **surprise me that she is as emphatic as she is, because**
 18 **nuance doesn't really work when you are in the middle of**
 19 **one of those storms. So to me it reads as being in the**
 20 **context of there has been a cover-up, Peter Rippon was**
 21 **leaned on. And what she's saying is, "No, he made his**
 22 **own decision".**
 23 MR POLLARD: But there is a danger in that, is there not, of
 24 the BBC -- we will perhaps come to this issue at 2012 --
 25 of the BBC making a rod for its own back by trying to

1 oversimplify a particular process?
 2 **A. Yes, I think there is always a danger of**
 3 **over-simplification becoming a sort of a problem.**
 4 **Because I was not privy to the discussions between Steve**
 5 **and Peter, I don't know how much of a debate they did**
 6 **have.**
 7 MR POLLARD: I think it is fair to say that we are looking
 8 at that process very closely, about exactly how
 9 Peter Rippon and Steve Mitchell discussed this story,
 10 both in emails and -- and in a sort of personal contact,
 11 or whatever.
 12 But for my purposes that's why I would be very
 13 interested in a slightly more specific or practically
 14 based view from you about how that relationship should
 15 work where there is a difficult story that is maybe not
 16 absolutely clear cut in the minds of either of those two
 17 people.
 18 **A. Well, I can only engage with it from my own experience**
 19 **when I was head of current affairs, which is where, if**
 20 **you had a difficult story you did -- you did -- I did go**
 21 **into quite a lot of detail about what the material and**
 22 **information was. I wouldn't necessarily --**
 23 MR POLLARD: With your superior.
 24 **A. No, I'm talking about me as the superior with an editor**
 25 **referring.**

1 MR POLLARD: I understand, yes.
 2 **A. Thing have changed since then. When I ran current**
 3 **affairs it was 150 people. Steve now runs a department**
 4 **of 900. So as a consequence what I suspect he does --**
 5 **and in fact I know he does and he has steered some of**
 6 **our most difficult investigations to a successful**
 7 **conclusion -- is he focuses very much on an editor is**
 8 **definitely taking this forward, you know, how do we take**
 9 **it forward in that way? And, you know, I have seen him**
 10 **steer, with an editor, difficult pieces of journalism**
 11 **like the FIFA investigation successfully to a conclusion**
 12 **at that level. I don't know how he viewed this because**
 13 **of course this wasn't a programme that -- well, an**
 14 **item -- that appeared to actually be in the process of**
 15 **being transmitted as it were.**
 16 MR POLLARD: But knowing Steve as you do, it would be your
 17 view that he would sort of roll his sleeves up and want
 18 to examine the evidence if the programme editor was
 19 actively asking his view of it.
 20 **A. If the programme editor had actively asked him, he**
 21 **absolutely would do that. And even if the programme**
 22 **editor hadn't actually asked him, he's meticulous and**
 23 **conscientious. So if I have ever been involved in, um,**
 24 **programmes that might have to go to the Director General**
 25 **for example -- you know there is a tiny number of**

1 those -- one of the things I always notice is that Steve
 2 is across the detail almost as much as the editor is in
 3 those kinds of programmes. But those are programmes we
 4 know are definitely going to air, and my argument about
 5 this is it wasn't -- I expected it to, but in terms of
 6 where I connected with this, they didn't appear to have
 7 that much material.
 8 MR POLLARD: Right.
 9 A. Yes.
 10 MR MACLEAN: So, can I show you, if you have bundle 3,
 11 can I ask you to go to page 214. You may have seen this
 12 email, I don't know, at the time or maybe only more
 13 recently.
 14 A. I didn't see at the time.
 15 Q. Does it ring a bell?
 16 A. It does ring a bell.
 17 Q. From the last few days?
 18 A. Only from the last few days, yes.
 19 Q. "Having pondered this overnight", this is 30 November:
 20 "... I think the key is whether we can establish
 21 that the CPS did drop the case for the reasons the women
 22 say. That makes it a much better story."
 23 Pausing there, do you agree with that, that that
 24 would make it a much better story?
 25 A. I think it probably makes it a story that Newsnight
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1 feels more comfortable with.
 2 Q. Because you then --
 3 A. Because it is an institutional way in, so the headline
 4 is, you know: Surrey Police had the chance to charge
 5 Jimmy Savile with sexual abuse, Newsnight reveals they
 6 failed on it. That would be a headline for them.
 7 Q. The point of it would be that if they dropped the case
 8 for that reason, implicit in that is that there was
 9 actually enough evidence that he was a paedophile?
 10 A. Clearly.
 11 Q. Whereas if they drop it because there was not enough
 12 evidence, then if the police have spoken to all the same
 13 women Newsnight has spoken to, that takes the air out of
 14 the story?
 15 A. Again, it goes back to the credibility of what you think
 16 your witnesses are telling you.
 17 Q. But all you have then is a story that the police have
 18 spoken to X, Y and Z. They took a view. We have spoken
 19 to X, Y and Z. Here's our film, you might take
 20 a different view, but that's not a great story?
 21 A. Well, it's hard for me to answer this, because not
 22 having seen the evidence that Newsnight was working on
 23 at this point I just can't judge. I can see why
 24 Newsnight wanted to focus it around institutional
 25 failure. That was something that Peter was always
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1 interested in. If you look at his record in the four
 2 years, he often looked at, as it were, institutional
 3 failures.
 4 Q. As we discussed earlier, touched on earlier, the
 5 suggestion that perhaps there was institutional failure
 6 by the BBC many years ago doesn't -- didn't focus in at
 7 this time at all?
 8 A. No, that wasn't there.
 9 Q. In the discussions -- at this stage, you have had
 10 a discussion, one with Peter Rippon and one with
 11 Steve Mitchell. Was there any focus in those
 12 discussions about the key being the CPS --
 13 A. No.
 14 Q. -- dropping the story for one reason or another?
 15 A. No. The CPS angle came up in the second conversation
 16 with Steve.
 17 Q. Right, I'm coming to that.
 18 A. Yes.
 19 Q. So can you shed any light upon how this key was
 20 identified?
 21 A. No.
 22 Q. Can I ask you to look at page 197.001?
 23 A. Yes.
 24 Q. Now, to the extent that it was reported to you either by
 25 Mr Rippon or Mr Mitchell that Mr Rippon had formed
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1 a view about the credibility or otherwise of the woman,
 2 what was reported to you was, if I have understood you
 3 correctly, he had concerns about the credibility of the
 4 woman. That's what you said a few minutes ago, is that
 5 right?
 6 A. Yes.
 7 Q. So were you ever aware of Mr Rippon taking a different
 8 view, a more optimistic view, if you like, about the
 9 credibility of the woman?
 10 A. Well, the opening conversation -- I mean, you know, his
 11 opening conversation wasn't, "I've got a terrible
 12 witness". It was clearly -- in the only conversation
 13 I had with Peter he clearly felt, you know, that they
 14 had someone on tape who might prove valuable to them in
 15 the story.
 16 Q. If you look at the bottom of 197.001, there is an email
 17 from Rippon to Mitchell the day before the one we have
 18 just been looking at. This is afternoon of 29 November.
 19 A. Um-hm.
 20 Q. Do you see at 118? If you go over the page, you have
 21 seen this email:
 22 "We've made progress on the Savile story?"
 23 A. No.
 24 Q. Just cast your eye over that email, please.
 25 A. That's when he's talking about, "Two on tape".
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1 Q. Yes, you see, "Two on tape".
 2 **A. Yes.**
 3 Q. Next line:
 4 "We have also confirmed that Surrey Police carried
 5 out an extensive investigation into the allegations but
 6 in 2009 the CPS decided not to prosecute on the grounds
 7 that he was too old."
 8 Pausing there, they had not confirmed that at the
 9 time. All they knew, you remember from a few minutes
 10 ago, is that on 25 November they got confirmation that
 11 the police had investigated. But they did not know why
 12 the police investigation ran into the sand. So they had
 13 not got that confirmation. That's not true, that
 14 sentence, okay?
 15 Then look at the next paragraph, "The women are
 16 credible".
 17 Just read that paragraph. Do you see, "The women
 18 are credible"?
 19 **A. Um-hm.**
 20 Q. Now, that's not easy to reconcile with what you told me
 21 earlier you had been told by Mr Rippon and Mr Mitchell
 22 about the views they had formed, is it?
 23 **A. No.**
 24 Q. Indeed, it's rather --
 25 **A. Perplexing.**

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1 A4/60 -- we will come to it:
 2 "Following an investigation by Kent Police..."
 3 That was an error, it was Surrey:
 4 "... The CPS reviewing the order advised the police
 5 that no further action should be taken due to lack of
 6 evidence."
 7 So they get that on 9 December. So that's the
 8 definitive information that the key isn't going to
 9 arrive, as identified in 214. But what is interesting
 10 is that the afternoon before, on 29th, Rippon sends to
 11 Mitchell the email I have just shown you at 197.002.
 12 Now look at Steve Mitchell's reply at 197.001.
 13 **A. Hang on, where is it?**
 14 Q. 197.001, the page before, the one we just looked at. Do
 15 you see at 13.37, within 15 or 20 minutes of getting the
 16 email he says:
 17 "I'm travelling to Belfast but can call you later.
 18 You mentioned the woman who ran this place."
 19 That is, as it turns out, Jones' aunt.
 20 "Found her? Do any of the victims say they approach
 21 staff? Steve."
 22 Then you will see Mr Rippon's reply at the top of
 23 the page. What he's doing there in that email is he's
 24 copying in a chunk of what he calls the script. Do you
 25 see?

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1 Q. Yes.
 2 **A. So what date was this?**
 3 Q. The 29th, in the afternoon. So just to remind you where
 4 we are, I showed you the email of the 25th, remember?
 5 They got the information from the police, at page 11,
 6 the same bundle?
 7 **A. 11?**
 8 Q. I showed you that.
 9 **A. Yes.**
 10 Q. Yes.
 11 **A. Yes.**
 12 Q. And I showed you Rippon's response at page 12.
 13 **A. Yes.**
 14 Q. Then I showed you Mr Rippon's email of 30th, at 214, the
 15 one that has had some publicity recently because of the
 16 sentence I didn't read to you, the one about, "just the
 17 women that we have asked you about".
 18 But what I'm more interested in 214 about is that he
 19 has pondered overnight and then he talks about what the
 20 key is. Of course, if we then are jumping ahead, on
 21 9 December -- which is after your second conversation
 22 with Mr Mitchell -- on this 9 December, which is in the
 23 next bundle I will show you in a moment --
 24 **A. Okay.**
 25 Q. -- they get confirmation from the CPS who say --

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1 **A. Yes.**
 2 Q. Which he's been sent by MacKean and Jones, who have been
 3 working on script. Then we think a conversation took
 4 place between Mr Mitchell who was in --
 5 **A. Belfast.**
 6 Q. -- Belfast, and Mr Rippon. Is this news to you, this
 7 electronic discussion that Mr Mitchell and Mr Rippon are
 8 having?
 9 **A. Yep.**
 10 Q. Let me show you something else. Same bundle, go to
 11 page 302.001. There are two emails on this page, they
 12 are both important. I want you to look at the moment
 13 only at the lower one which is from Rippon to Mitchell
 14 at 19.30, do you see?
 15 **A. Yes.**
 16 Q. So same day, this is 29th, the day before the pondering
 17 overnight, the same day as the email I have shown you
 18 about the two on film and the women being credible:
 19 "I will get a script to you this time tomorrow.
 20 I just need to iron out a few bits with Meirion first,
 21 he's interviewing a second victim on camera tomorrow.
 22 Others chasing it. All the women who have told us they
 23 were interviewed by Surrey Police also say they were
 24 [contacted] by a named [REDACTED]
 25 [REDACTED]

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1 [REDACTED]
 2 And so on.
 3 It may be that one could infer that by the time he
 4 sent that email he'd had some sort of discussion with
 5 Stephen Mitchell. You don't know, presumably, about
 6 that.
 7 But given that email, which I think is the last
 8 email we've got for the 29th, we then have the one of
 9 the 30th at page 214, "Having pondered this overnight".
 10 Were you ever aware of important discussions having
 11 taken place between Mr Mitchell and Mr Rippon on
 12 29 November --
 13 **A. No.**
 14 **Q. -- that appear, on the face of the documents, to have**
 15 **catapulted Peter Rippon from the view at 197.002, which**
 16 **appears to be it is still all systems go, into the**
 17 **position at 2214, which is he has pondered it overnight**
 18 **and he has identified the key which is going to make or**
 19 **break the story.**
 20 Is this all news to you?
 21 **A. Yes.**
 22 **Q. Then while we're at 302.001, just look at the email at**
 23 **the top from Stephen Mitchell to Peter Rippon on**
 24 **Saturday 3rd. That's the day after the awards lunch.**
 25 **A. Yes.**

1 **Q. "Not sure where you are with this. Helen told George E**
 2 **about it yesterday, but said she didn't think anything**
 3 **would come of it? X."**
 4 Now that, the suggestion that Helen told George E
 5 about it yesterday but said she didn't think anything
 6 would come of it, is hard to reconcile with what you
 7 have been telling us this afternoon, isn't it?
 8 **A. It is. Although one of the things that has been a theme**
 9 **throughout this, from my knowledge of it, from the**
 10 **beginning and of discussions with Steve, was the**
 11 **difficulty of 30-year-old allegations. I mean we**
 12 **certainly talked about that from the beginning. I never**
 13 **thought nothing would come from it. Um, I didn't know**
 14 **whether anything would come from it. But it is the kind**
 15 **of investigation that is very difficult.**
 16 **Q. But you told us earlier that you told**
 17 **George Entwistle -- the whole point of having the**
 18 **discussion with Entwistle was--**
 19 **A. Exactly, was I definitely did think something would come**
 20 **of it.**
 21 **Q. -- something was coming down the track that was going to**
 22 **be of interest to Vision?**
 23 **A. I wouldn't have bothered to have the conversation with**
 24 **him if I hadn't have thought that.**
 25 **Q. That's my next question. So can you offer any**

1 explanation for why Steve Mitchell is sending this to
 2 Peter Rippon the day after? They were both at this
 3 lunch of course.
 4 **A. Yes.**
 5 **Q. Maybe he got this from you? Maybe he got it from**
 6 **George Entwistle? Maybe he got the wrong end of the**
 7 **stick?**
 8 **A. The only -- I mean the only explanation I can give is**
 9 **that we -- that the theme about the difficulty of**
 10 **30-year old allegations we did -- you know it was**
 11 **a ongoing kind of theme. But I don't think --**
 12 **Q. That was not an Entwistle point that, though, was it?**
 13 **A. No, no, not at all. But I certainly didn't -- I mean**
 14 **I absolutely didn't say to George I didn't think**
 15 **anything would come of it. I said, "You will need to**
 16 **change your Christmas schedule if it goes ahead".**
 17 **Q. Yes and implicit in that was that was the working**
 18 **assumption that Mr Entwistle should -- that was your, as**
 19 **it were, working assumption --**
 20 **A. It was the only reason I had the conversation.**
 21 **Q. Yes, quite. Now were you aware that -- all hell**
 22 **breaking loose may be putting it slightly too high, but**
 23 **I think only slightly, broke loose in the Newsnight**
 24 **office on 30 November when Mr Jones and Ms MacKean got**
 25 **it pretty clearly from Mr Rippon that this story was --**

1 suddenly there had been a volte-face and Mr Rippon was
 2 going cold on the story, as we see from 214. That was
 3 how they interpreted it?
 4 **A. No, I was absolutely completely unaware of all hell**
 5 **breaking loose in the Newsnight office.**
 6 **Q. We have evidence of all sorts of discussions and**
 7 **arguments and debates and so on that took place. You**
 8 **presumably weren't then aware, but are now aware, that**
 9 **Liz MacKean and Meirion Jones set out their views to**
 10 **various friends and colleagues?**
 11 **A. I am aware of it now. I wasn't aware of it then.**
 12 **Q. So for example if you go to 215, Liz MacKean to**
 13 **Jackie Long, you have seen this?**
 14 **A. Yes, I have seen that one.**
 15 **Q. Now "PR in an absolute spin. He's already done the**
 16 **surrender gesture and told me and Mei if the bosses**
 17 **aren't happy (they won't be) I can't go to wall on this**
 18 **one."**
 19 Similarly you have seen this one as well at 220,
 20 "The very long political chain".
 21 **A. Yes, I have seen both of those.**
 22 **Q. What do you say about the very long political chain,**
 23 **first of all?**
 24 **A. I have no explanation for it. I don't know why it was**
 25 **said and I don't actually know what it means.**

1 Q. Do you know whether it was or wasn't said?
 2 **A. Clearly not, I wasn't there.**
 3 Q. Had anybody said to you that it was said?
 4 **A. No.**
 5 Q. "The bosses", the, "Bosses not being happy", if you look
 6 at 215, Liz MacKean is reporting to her friend
 7 Jackie Long that Mr Rippon had -- it's not a direct
 8 quote, but that he had indicated -- somehow said that,
 9 "If the bosses aren't happy I can't go to the wall on
 10 this one." In other words basically saying to the
 11 journalists, "There's nothing I can do about this. It's
 12 come from on high, come from above me, come from the
 13 bosses".
 14 What do you say about that?
 15 **A. I can't really did comment on -- on a comment I didn't**
 16 **make.**
 17 Q. Can you think of any reason why Mr Rippon might say to
 18 his journalists --
 19 **A. Well, it has been known for editors to use bosses or**
 20 **editorial policy as arse-covering reasons when they**
 21 **actually want to make their own decision. I mean, you**
 22 **will be talking to David Jordan a man well versed in**
 23 **editorial policy being blamed for what an editor doesn't**
 24 **want to do, and that's how it reads to me.**
 25 Q. In other words, it's a convenient way of deflecting the
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1 fire that's directed at him from --
 2 **A. It's not my fault, Guv.**
 3 Q. -- from Jones and MacKean: I'm very sorry, the bosses
 4 are dead against it?
 5 **A. That's how it reads to me.**
 6 Q. But whoever the bosses might be and whatever Mr Rippon
 7 might have said, you hadn't expressed any view about
 8 being happy or unhappy about this story as at
 9 30 November? You had had these two conversations.
 10 **A. I had not expressed a view about being happy or unhappy.**
 11 **I had flagged to Peter some of the challenges of the**
 12 **story which didn't seem to surprise him.**
 13 Q. Now you emphasised to Mr Rippon that he should apply --
 14 the fact that Jimmy Savile was dead, as it were, didn't
 15 make any difference?
 16 **A. No, that's a quote in the papers, that apparently I said**
 17 **the same should apply if someone was dead or not. What**
 18 **I was saying is that we're the BBC, you are Newsnight,**
 19 **and actually our editorial standards need to apply. Not**
 20 **a legal thing. It's our editorial standards.**
 21 Q. That was what I was getting at. The fact that he is
 22 dead means that there is not going to be a defamation
 23 writ.
 24 **A. Well yes, but that doesn't mean to say you can**
 25 **completely abandon the idea of editorial standards.**
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1 Q. Rippon disagreed with that view, did he?
 2 **A. No, very much not, actually.**
 3 Q. He agreed with you?
 4 **A. Well, he certainly didn't disagree.**
 5 Q. Right. I will come back to that.
 6 Mr Horrocks has told us a little bit about some of
 7 this. Let me just find it. Peter Horrocks told us
 8 a little bit about his understanding of a discussion you
 9 had with Peter Rippon.
 10 **A. Where did he get that understanding from?**
 11 Q. I'm going to tell you once I have reminded myself. What
 12 he says was this:
 13 "I don't think that the accounts that Helen gave me
 14 herself, and I subsequently heard indirectly from
 15 a representative of Peter Rippon, were necessarily at
 16 odds with each other. In the description I heard and in
 17 the description I heard of Peter Rippon's view of it --
 18 certainly at the time that was given to me -- at the
 19 time it was given to me it was a proper editorial
 20 conversation that he did not regard as being
 21 inappropriate."
 22 That's not terribly good English but he was having
 23 this discussion. So what he said was he had spoken to
 24 you at some stage about what you had said to Rippon and
 25 then he had heard from somebody else, not Peter Rippon,
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1 about his, as it were, side of the story, and there was
 2 not a huge disparity.
 3 Then he said:
 4 "It was possible for him to have interpreted as an
 5 instruction or a very strong recommendation in terms of
 6 an editorial course of action, and I don't know whether
 7 Peter absolutely feels it was the right thing to do or
 8 it was something he wanted to subsequently challenge."
 9 He suggested that you have a clear and strong
 10 personality and you had acknowledged to him that you had
 11 expressed yourself fairly forcefully with Mr Rippon and
 12 perhaps rather more forcefully than you might have done.
 13 MR CHARAMBOLOUS: Can I interrupt? I think before Helen
 14 answers this you need to give a bit of context as to how
 15 Mr Horrocks is able to give this evidence and about --
 16 and where is he getting it from?
 17 MR MACLEAN: I'm not asking about Peter Horrocks. I'm just
 18 asking about whether you -- the steer or the instruction
 19 or the comment, whichever word you wish to choose, that
 20 you gave to Peter Rippon about maintaining the editorial
 21 standards --
 22 **A. I think it is quite important to understand the context**
 23 **of this conversation. Peter Horrocks was execing the**
 24 **Panorama. I was working late. He came over to me and**
 25 **said, "Do you want to chat?" I assumed this was a chat**
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1 between colleagues who were having a difficult time.
 2 And we went into an office and, um, Peter said, you
 3 know, this is very difficult for both of us, which
 4 reinforced the idea that this was a conversation between
 5 colleagues.
 6 I, of course, was at that point -- because until the
 7 Panorama was being made, it had never occurred to me
 8 that my conversation with Peter had had any
 9 significant -- or could have had any significant bearing
 10 on anything. It was only when that narrative emerged
 11 and this narrative of the handbrake turn that
 12 immediately I started to think: was it something I did?
 13 Because anybody with any conscience would look into
 14 their heart and think, "Have I inadvertently made
 15 a difference?"
 16 And what I was sharing with Peter was not, "I think
 17 I said it too strongly", but, "The worry is that I may
 18 have said it too strongly."
 19 Q. Right. So leave Mr Horrocks to one side then. Your
 20 account of what you said to Peter Rippon was that, as it
 21 were, the usual rules apply to this story?
 22 A. That's exactly what it was about. And the usual rules
 23 apply and they are tricky because of the 30-year issue,
 24 the fact these allegations go back a long time. So you
 25 don't have -- you have one person's word against

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1 another. You have, um, an individual who is dead so who
 2 can't answer back. And therefore the idea of
 3 credibility and care was really what I was getting over
 4 to.
 5 I have to say, I don't think it was a very forceful
 6 conversation. I think it was a rather banal
 7 conversation, but clearly I was, you know, challenging
 8 myself because that's really what you have to do if you
 9 are in my job.
 10 MR POLLARD: So when you say, "The worry is that it was more
 11 forceful than it might have been", you mean other people
 12 might think that?
 13 A. [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 I subsequently discovered that. About -- you know, you
 17 just go through in your head, "Did I miscast it, was
 18 I more forceful than I ..."
 19 Just, you challenge yourself. You would know that.
 20 MR POLLARD: And this was the only conversation you had with
 21 Peter. This was the November 31 conversation?
 22 A. This was the only one I had, yes.
 23 MR POLLARD: Okay.
 24 A. You know you just, you think -- because I had just
 25 discovered this narrative with the handbrake turn

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1 through the letter that Panorama had sent me, I was of
 2 course thinking, where does my -- did I get it wrong?
 3 MR MACLEAN: Let me tell you what Peter Rippon says about
 4 this conversation. He says:
 5 "I recall having a conversation with Helen Boaden.
 6 I can't recall the date, but from memory it was a few
 7 days after my meeting with Steve."
 8 We have his meeting with Stephen as 21st or possibly
 9 22nd.
 10 A. Okay.
 11 Q. You remember the Vision issues email, which is the 23?
 12 And you are pretty sure it was the 23rd:
 13 "I do not have a record, but it was probably in the
 14 week beginning 21 November. It was an ad hoc meeting in
 15 my office as part of a wider discussion about a number
 16 of issues. She will often drop in to the Newsnight
 17 office to catch up on issues. I cannot recall the level
 18 of detail, I set out the story to her."
 19 There is a word missing from that sentence but you
 20 get the drift.
 21 "My referral chain on difficult stories is Stephen
 22 so that is where I went through it in detail. Savile's
 23 funeral was still fresh in mind in the memory and I can
 24 recall us discussing the need to make sure anything you
 25 put on air would stand up to the intense scrutiny it

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1 would get because of huge numbers of our audiences who
 2 revered and were still mourning him. We agreed on this
 3 one.
 4 "It has been reported that Helen said in this
 5 meeting that the evidence threshold needed to be as high
 6 as if he were alive. She did not say this. I am
 7 confident I would have remembered if she had. This
 8 would have been to set the threshold too high in my
 9 view. In reality the level of certainty I was wrestling
 10 with was being dictated by my assessment of the public
 11 mood at the time not by any legal test. The potential
 12 scheduling issues with Vision were raised on the same
 13 terms they were with Stephen. I can't remember if it
 14 was by me or her. I can recall very clearly -- I can
 15 recall her very clearly telling me to be guided by the
 16 evidence only and the implication for other parts of BBC
 17 were irrelevant."
 18 A. Yes.
 19 Q. That sounds --
 20 A. That sounds pretty much what I was saying. The
 21 interesting thing is about -- I remember talking about
 22 the audience, not in the sense of it's a problem, but it
 23 is an about the credibility, and that's again going back
 24 to the editorial standards. The year before we did the
 25 big FIFA programme where, um, you know we were massively

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<p>1 criticised by every tabloid front and back, most of the 2 broadsheets, the head of the FA, the Prime Minister and 3 large chunks of the audience. But because we had 4 editorial credibility in the journalism, you can 5 withstand it and actually we were vindicated. It was 6 that kind of a conversation. 7 Q. Right. Later on he said to us: 8 "All I can remember again is, as Stephen had, is her 9 [that's you] saying very, very firmly, don't worry about 10 anything to do with Vision, follow the evidence and make 11 the judgment on the evidence." 12 Then I asked him if he thought you were firing 13 a shot across his bows and he said he didn't feel that. 14 A. That's because I wasn't. 15 Q. So, where we get to on 29 or 30 November is that you -- 16 I think to use your word -- find it is bit perplexing, 17 isn't it, on the document, but you can't take it any 18 further? 19 A. Sorry. 20 Q. The perplexing email of the 29th -- 21 A. There were several perplexing emails. 22 Q. The one in the afternoon on the 29th, which is hard to 23 reconcile with some of the rest of the -- the one from 24 Mr Rippon saying that there are two women on film? 25 A. Yes.</p> <p style="text-align: center;">Page 93</p>	<p>1 A. "Amazing Meirion", I've got it. 2 Q. His gmail. Then that's a long titles of a document. Do 3 you see the docx suffix? 4 A. Yes. 5 Q. If you go over the page, this is the attachment. 6 A. Yes. 7 Q. It is what Mr Jones calls his red flag email. You have 8 seen this? 9 A. No, I only saw this -- 10 Q. In the last few days? 11 A. -- in the last few days, sadly. 12 Q. He says that he contemplated, I think -- I'm 13 paraphrasing now -- essentially contemplated sending 14 this to you or to Stephen Mitchell or both of you but 15 didn't. So no one is suggesting that this was sent to 16 you at the time. You have presumably read it in the 17 last few days? 18 A. I have. 19 Q. My question is, did Meirion Jones ever make any of these 20 points to you in 2011? 21 A. No. 22 Q. You had no conversation with him at all? 23 A. No, no. 24 Q. Was there any reason why he couldn't have? 25 A. No.</p> <p style="text-align: center;">Page 95</p>
<p>1 Q. And credible and so on -- 2 A. Yes. 3 Q. -- and I think you used the word perplexing? 4 A. Yes. 5 Q. But you can't help us any further with recovering -- 6 A. No, I can't. 7 Q. -- that which is perplexing. 8 So, we have mentioned the email of the 3rd, the one 9 on the Saturday from Mr Mitchell to Mr Rippon. I have 10 shown you that. 11 Then look at page 274, if you still have bundle 3. 12 This is 1 December. So this is the next day and 13 Mr Rippon emails Meirion Jones, "I assume still no 14 word". You see the subject is, "Cops", so this is 15 chasing up the point about the investigation not 16 happening. And he says, "I will pull editing etc for 17 now." That had been booked for the end of that week 18 beginning of the following week, and we see transmission 19 date was more or less set for 7 December. 20 He says that it's not a strong enough story without 21 that aspect. What then happens was that Mr Jones wrote 22 an email at page 268. In fact he had done it earlier 23 that day, the same day, 268, which he copied to himself 24 at his email address which is set out at 268 there. Do 25 you see?</p> <p style="text-align: center;">Page 94</p>	<p>1 Q. Some barrier to coming to see you? 2 A. No. I mean people do come to me or to Steve, but often 3 to me when they are disappointed, disgruntled or deeply 4 concerned that something is going wrong editorially. 5 Sometimes it is just that they are disappointed their 6 item didn't get on the 10 o'clock news. Sometimes it is 7 that they think an important strand of our editorial is 8 really being underreported. 9 Q. Sorry, what does that mean? 10 A. Well, you know, if we had a really superb investigative 11 journalist who had been with us for years who is very 12 interested in the Muslim world and Muslim terrorism and 13 Islamic terrorism in this country and he was finding it 14 terribly difficult to get on air with any of this stuff 15 and he came to me and talked to me and we talked about 16 how he could do that. 17 You see the thing is, in the BBC there is always 18 somebody to go and talk to if you want to flag that you 19 are concerned about something editorial. Even if it is 20 not me, there is David Jordan, there is the lawyers, 21 there is always somebody. 22 MR POLLARD: But various people have made the point to us 23 about a reluctance to go over their editor's head as 24 well. 25 A. I think that is always a dilemma. But it is -- to be</p> <p style="text-align: center;">Page 96</p>

1 honest, I think that's a little bit of an excuse. It's
 2 a bit like the arse-covering email. You know it is,
 3 "I didn't want to do it because it would have been
 4 disloyal to my editor". Actually if you care about your
 5 story -- and in this particular case if you care about
 6 the victims who are involved in your story -- the
 7 responsible thing is to find someone else to talk to.
 8 MR POLLARD: How well do you know Meirion Jones and
 9 Liz MacKean?
 10 A. I know neither of them very well. I know Meirion
 11 a little bit because he has done some good journalism,
 12 but he has also done some stuff that got us into
 13 trouble: [REDACTED]
 14 [REDACTED] So our paths have crossed, that has been sorted
 15 out.
 16 Liz I always had a huge amount of time for because
 17 she has done some really good institutional failure
 18 journalism but humanised it and I also like the stuff
 19 she does from Northern Ireland. I wouldn't say I knew
 20 her, but she did a brilliant series about kids leaving
 21 care that I thought was completely exceptional and
 22 actually became a mini series on BBC2. If they had come
 23 to me, I would have taken them seriously.
 24 MR POLLARD: Yes.
 25 MR MACLEAN: Now Mr Jones didn't send that email to you or

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1 to Steve Mitchell. What he did do, if you take
 2 bundle 4, on 7 December, was to send an email --
 3 page 42 -- to Peter Rippon.
 4 Now, this is 7 December, so this about the time of
 5 your middle chat with Steve Mitchell, okay?
 6 A. Um-hm. Well, yes, it is probably that week, isn't it?
 7 Q. Well, I'm --
 8 A. It has to be that week, because he disappears on the
 9 16th.
 10 Q. I know you are being prompted from the side but your
 11 evidence --
 12 A. No, no.
 13 Q. There is nothing between you and I. You said earlier
 14 that the paragraph 33 meeting was the week of Monday
 15 5th.
 16 A. Yes, I think that is absolutely fine.
 17 MR CHARAMBOLOUS: I'm wrong, sorry.
 18 MR MACLEAN: This is not a criticism, but you can't identify
 19 it any more precisely in that week.
 20 A. No, but I'm pretty sure it was in that week.
 21 Q. So this is in the middle of that week. You see at the
 22 bottom of 42 that Helen Deller is emailing Rippon and
 23 Jones and MacKean and Liz Gibbons and she thinks that
 24 the piece is still in the pipeline, do you see? You see
 25 what she's saying?

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1 A. Um-hm.
 2 Q. She's kind of gearing up to do her job, which is dealing
 3 with some of the consequential and implications of the
 4 story. She's talking about concerns and so on. She's
 5 concerned that there are going to be complaints from the
 6 viewers about running the Jimmy Savile story. Not
 7 complaints that Jimmy Savile was a paedophile in BBC
 8 premises in the 1970s, but quite the reverse. She's
 9 contemplating, as we see over the page, complaints about
 10 traducing this public hero. That is my telescoping of
 11 it.
 12 A. No, no, I agree with that.
 13 Q. You see that Peter Rippon emails Meirion Jones, "What is
 14 the latest, did CPS get back?" And then he says:
 15 "Still waiting for CPS, files are not electronic ...
 16 As you know, I already think story is strong enough and
 17 danger of not running is substantial damage to BBC
 18 reputation. But no point having that discussion until
 19 I have final word from CPS."
 20 In fact I think they never really have that
 21 discussion that Meirion Jones is contemplating because
 22 of course two days later they get the email from the
 23 CPS, which I mentioned to you, which is at page 60 in
 24 the same bundle, which says:
 25 "Following the investigation no further action was

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1 taken due to lack of evidence".
 2 Now, for Peter Rippon that is the tin hat on this
 3 story, essentially.
 4 A. Um-hm.
 5 Q. And Jones and Rippon never have the discussion that
 6 Jones contemplates here. But there was no reason, was
 7 there, why Mr Jones, if he was concerned about
 8 substantial damage to the BBC's reputation, couldn't
 9 have taken that concern to Stephen Mitchell or to you?
 10 A. There was every reason to do that.
 11 Q. Or to Mark Thompson?
 12 A. Yes, for David Jordan or to a lawyer, or to another --
 13 you know, there's lots of -- you can even go to another
 14 editor if you feel shy and say, "Look, can you raise
 15 this further up the food chain"? It is not ideal, but
 16 my point is that Meirion was not without pathways to
 17 raise this as an issue.
 18 Q. Peter Rippon, I think, would say and I think did say,
 19 that as far as, though, the Vision issues aspect of it
 20 was concerned, when he had the discussion with
 21 Steve Mitchell which -- you saw reference to that email
 22 about Vision issues, he had, as it were, put that on the
 23 table so far as he was concerned, raised it with
 24 Steve Mitchell who was the right person to raise it
 25 with, and then he went back to his job running

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

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

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1 clear that this Newsnight programme was rolling down the
 2 track and you had every reason to think that it would
 3 happen. You have the catchup meeting a few days later
 4 with Steve. You didn't have the meeting where Steve
 5 told you the story was dead until around about the week
 6 of the 12th.
 7 **A. Yes.**
 8 MR POLLARD: So there were ten days, if you like, between
 9 2nd and 12th where this story was live and in your mind
 10 likely to happen, and in the meantime George and his
 11 Vision people were busy preparing their Christmas
 12 schedule with Savile programmes in.
 13 Was there a moment within that ten day period where
 14 you said, "By the way, George, this story is still
 15 live"?
 16 **A. No, I didn't, and I possibly should have done. But the**
 17 **reality is that George and I were, I think, dancing**
 18 **around this very delicate line about BBC News being**
 19 **independent from the rest of the institution. So I do**
 20 **understand why George didn't ask any more questions. As**
 21 **a former editor of Newsnight, I think he would have been**
 22 **acutely aware of giving the impression of, as it were,**
 23 **trying to influence the Newsnight investigation.**
 24 MR POLLARD: But you had made -- if you like, you were
 25 making the running on this pathway of information, you

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1 were telling him. I mean, ten days is quite a long
 2 time, because they are presumably recording these
 3 tribute programmes and locking them down, spending money
 4 on them --
 5 **A. Honestly, Nick, I have no idea what they were doing with**
 6 **the tribute programmes. They were not in the front of**
 7 **my mind.**
 8 MR POLLARD: But that was the reason why you had warned him
 9 in the first place?
 10 **A. Yes, I had flagged it -- I had flagged it to him. What**
 11 **I assumed he would be doing, because I don't know what**
 12 **the recording schedule is, because quite often they are**
 13 **done a long time before was if you -- if you -- now you**
 14 **know this you need to have something else to replace the**
 15 **tribute programmes.**
 16 MR MACLEAN: The idea of Mr Entwistle being acutely aware of
 17 News being independent, that seems a little odd. It's
 18 not as if you were some junior person in news. You were
 19 the director of News and you were his equivalent. You
 20 knew, as well as he did, what the demarcation rules were
 21 about Vision and rules, and it was obvious that you were
 22 not going to be intimidated or pressured.
 23 **A. You would be surprised. I have had occasions where very**
 24 **senior people have made it clear that they have found**
 25 **News coverage of the BBC uncomfortable. I am not in any**

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1 way implying George would have done that, but you become
 2 very scrupulous about it.
 3 Q. But you weren't expecting George Entwistle to say
 4 anything about News' position. You were expecting him
 5 to be on, as it were, receive and not transmit in this
 6 discussion, weren't you?
 7 A. Yes.
 8 Q. And then go away and attend to it, do whatever he does
 9 as director of Vision?
 10 A. Yes.
 11 Q. Which wasn't your problem?
 12 A. Yes, that's exactly what was happening.
 13 MR POLLARD: So you would have a conversation with him which
 14 had no more status or weight than the conversation you
 15 had with him at the lunch. In other words, "By the way,
 16 George, eight or nine days afterwards, after we had that
 17 conversation, this is still a live story?"
 18 A. Yes, I mean, that's exactly what happened. Well,
 19 that -- I mean it was still a live story. I didn't know
 20 its status until, you know, that week that we talked
 21 about. I had, as it were, left it in his lap to prepare
 22 an alternative schedule should the film go ahead. That
 23 was the point of the conversation; it was to alert him
 24 to get your replacement films in place.
 25 MR POLLARD: The fact is it there was no conversation

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1 between -- or rather there wasn't a conversation after
 2 December 2 with George?
 3 A. No, there wasn't.
 4 MR POLLARD: Okay.
 5 MR MACLEAN: After you were told in the week of 12 December
 6 that this story was dead, various organs of press start
 7 sniffing around, don't they, in late December and early
 8 January. Miles Goslett, there is a piece in The Oldie,
 9 there is a piece in the Sunday Mirror and so on.
 10 What was your involvement at that stage in
 11 responding to those or noting them or fending them off
 12 or whatever?
 13 A. The press office contacted me and their main thrust was,
 14 "They are accusing you of suppressing this journalism".
 15 Of course I said that wasn't true, because it wasn't.
 16 Q. Unless you want to, I wasn't proposing to go through the
 17 twists and turns of The Sunday Mirror and the Oldie and
 18 how all these various things were responded to, because
 19 we can essentially see that from the emails.
 20 A. Yes.
 21 Q. I just want to ask you a little something, however,
 22 about one aspect of this. Bundle 4, page 267.
 23 Who is James Hardy?
 24 A. James Hardy is the previous press officer for News who
 25 left to work for Audio and Music about three months ago

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1 to be raised by Paddy Feeney.
 2 Q. So he's a News press person, rather than a corporate
 3 press person?
 4 A. Yes.
 5 Q. Is that right? So just to give you the context, The
 6 Sunday Mirror had published a piece on 8 January, which
 7 I think was a Sunday. Okay?
 8 A. Yes.
 9 Q. This thread is about -- you see there is log at the
 10 bottom from Helen Deller, bottom of 267:
 11 "Nick Owen has asked if Newsnight dropped an
 12 investigation into the sex abuse allegations against
 13 Jimmy Savile because of planned Christmas specials."
 14 Blah blah blah. And Helen Deller had -- she
 15 records -- this press log records who it is that the
 16 press officer has gathered information from in getting
 17 to the line that is then given back to the press. In
 18 this case it is Peter Rippon and Stephen Mitchell and
 19 Karin Rosine, do you see?
 20 A. Um-hm.
 21 Q. What I want to ask you about -- it is not that you have
 22 any involvement in this -- I just want you to read the
 23 email at 17.09 on 8 January. Just read that to
 24 yourself.
 25 A. Yes.

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1 Q. How do you react to that? This is a BBC press officer.
 2 A. It looks really unprofessional.
 3 Q. Because?
 4 A. Well, Meirion is a BBC producer. And actually I think
 5 we should have had the conversation with him rather than
 6 do this.
 7 Q. I infer that there was a suspicion that Meirion Jones
 8 had been the source, or at least a source for The
 9 Sunday Mirror. That's presumably Meirion's suspected
 10 role. That seems the obvious inference.
 11 If I was to suggest to you that by pretty early on
 12 in January Meirion Jones was seen as a bit of
 13 a non-person so far as the BBC was concerned, he was
 14 persona non grata --
 15 A. No, it doesn't really work like that.
 16 Q. Is that something you can comment on?
 17 A. Um, the press office is clearly frustrated. Meirion,
 18 I have since learned, has a very long track record of
 19 being suspected of leaking, which again I didn't know
 20 until we got to this point. I don't think he's ever
 21 been persona non grata.
 22 Q. You see, one thing that is very curious is that almost
 23 until -- well, until October 2012, with the exception of
 24 one short meeting with Stephen Mitchell, which I think
 25 is in September, Meirion Jones, who does after all know

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

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1 Q. Yes, I understand. Let me just show you a couple of
 2 email, 4/44, please. Tell me if you have seen this
 3 before.
 4 You wouldn't have seen it at the time, because it is
 5 an email from Meirion Jones to somebody called
 6 Mary Wilkinson.
 7 **A. Yes.**
 8 Q. Have you seen this in the last couple of days?
 9 **A. Yes, I have.**
 10 Q. You have read that, have you?
 11 **A. Yes, I have.**
 12 Q. You see that Meirion Jones on 7 December was saying that
 13 he was:
 14 "Dealing with the BBC, which doesn't want to put out
 15 a piece about Jimmy Savile being investigated by police
 16 about sexual ...(reading to the words)... because it
 17 might damage the audience for Jim'll Fix It Christmas
 18 Special. At the moment my opinion of BBC management
 19 is..."
 20 And you see what he says.
 21 That, one might think, was the clearest evidence
 22 that Mr Jones was putting it about, at least to
 23 Mary Wilkinson, that the story had not been run in order
 24 to protect the audience for the Christmas special.
 25 **A. It looks like it.**

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1 Q. That's what it says. There's another similar one if you
 2 look at 52 and 53 to David Lomax. I don't know if you
 3 have seen that one?
 4 **A. I have.**
 5 Q. It is to much the same effect, isn't it?
 6 **A. Yes.**
 7 Q. So would you agree that, putting these emails from Jones
 8 together with the dripping poison from the press office
 9 about Meirion Jones, putting those together, it looks as
 10 if there has been a pretty serious corrosion of trust --
 11 **A. Massive.**
 12 Q. -- by January?
 13 **A. Yes, undoubtedly.**
 14 Q. And not just between Rippon and Jones, but more widely?
 15 **A. More widely in terms of the lack of trust. Um, but it's**
 16 **a sort of paradoxical thing that you can have people in**
 17 **the BBC who you suspect may be leaking, but you actually**
 18 **still engage with them in terms of their professional**
 19 **life, their journalism. There is a culture of leaking**
 20 **at the BBC.**
 21 Q. Right. Now, as I say, I wasn't going to get into the
 22 detail of the various press stories, but can I ask --
 23 MR POLLARD: Can I just make a point? I think this is
 24 implicit in what we've been discussing that quite
 25 clearly through that January/February time, and as the

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1 year goes on, the versions of the story that are put out
 2 to the press are wrong in some key aspects, because they
 3 are only based on what Peter is being asked to
 4 contribute. So even though it would appear that Peter
 5 has been told by Meirion Jones on several occasions that
 6 there are mistakes in that version, they are not getting
 7 out to the wider world. So those mistakes are
 8 perpetuated and reinforced in statement after statement.
 9 **A. Yes, I don't know what was going on between Peter and**
 10 **Meirion, that's the problem.**
 11 MR MACLEAN: One of the key confusions is that at some point
 12 Peter Rippon, it appears, gets it into his head that the
 13 key witness, as he puts it on a number of occasions, had
 14 said that the police investigation hadn't been proceeded
 15 with because he was aged and infirm, and the key witness
 16 had said that the allegation against herself hadn't
 17 taken place at the BBC premises but at the school. And
 18 that was an eliding of the story presented by two
 19 different women.
 20 **A. Right.**
 21 Q. One had talked about the police investigation not going
 22 ahead because Savile was aged and infirm, not [REDACTED]
 23 but somebody else. And [REDACTED] had not mentioned the
 24 police because she had never been contacted by the
 25 police, nor herself contacted the police. And she was

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1 the one that said that she was not abused by Savile at
 2 the BBC Television centre, but she had observed somebody
 3 else in the dressing room. The abuse of her had taken
 4 place in the Rolls Royce at Duncroft.
 5 Once that important confusion is made, that then
 6 feeds through for a long time --
 7 **A. Um-hum.**
 8 Q. -- and it is very important for the CPS angle because if
 9 you think that the police have interviewed all the
 10 women --
 11 **A. And they haven't.**
 12 Q. -- if you think they have and there is not enough
 13 evidence to prosecute, that's one thing. But if they
 14 have not interviewed all the women, in particular have
 15 not interviewed your key witness, well the fact that
 16 their investigation is not pursued for lack of evidence
 17 so far as the main witness is concerned --
 18 **A. Is irrelevant.**
 19 Q. -- is neither here nor there.
 20 And Meirion Jones knew that.
 21 **A. We trusted our editor.**
 22 Q. Yes, well --
 23 **A. That's the reality of it. We did trust our editor.**
 24 Q. Let me just show you where -- I'm not going to go
 25 through all the things in detail. Most of it we can
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1 take from the emails. But just where you are actually,
 2 yourself, involved. You remember, do you, that the
 3 Sunday Times indicated to the BBC in August that it was
 4 planning to run a story in the magazine?
 5 **A. I do, yes.**
 6 Q. Let me show you bundle 4, page 133. They raised
 7 a series of questions, including some rather -- 133,
 8 yes. This is from Mark Edmonds, who is the associate
 9 editor at the Sunday Times magazine:
 10 "I'm writing to give you notice we propose to
 11 publish a piece about the late Jimmy Savile and the BBC
 12 in The Sunday Times magazine."
 13 It talks about allegations of -- taking place in the
 14 BBC premises. He also mentions the fact that ITV were
 15 planning a documentary, do you see, in the second
 16 paragraph?
 17 Take bundle, A5, it's a better reference. Go to
 18 268. This is a better reference because it is the same
 19 email. This is 22 August. That's the same email we
 20 have just seen.
 21 **A. Yes.**
 22 Q. Okay. Obviously a response has to get drafted to this
 23 Sunday Times enquiry. If you go to 273, Karin Rosine
 24 has had a look at a draft response which has been put
 25 together by Helen Deller, I think that is what is going
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1 on.
 2 Do you see in that draft response at the bottom half
 3 of 273 there is a paragraph beginning:
 4 "To be absolutely clear ..."
 5 This is responding to the particularly vexatious
 6 claim about Mark Thompson.
 7 "We have previously said he was not involved at any
 8 stage (we may need to think about whether we say the
 9 same now for Helen)."
 10 Do you see near the bottom of 273?
 11 **A. Yes, yes. Yes.**
 12 Q. Then at 288, this is quite helpful, this one, because
 13 this one shows you the question that's Sunday Times had
 14 asked and the draft answers.
 15 **A. Um-hm.**
 16 Q. So you see the questions start at the bottom of 287:
 17 "1. Why was the Newsnight film of Jimmy Savile not
 18 broadcast?"
 19 Then over the page 288:
 20 "2. At what point did Mark Thompson and
 21 Helen Boaden know about Newsnight's findings?"
 22 "As we have previously stated, Mark Thompson was not
 23 involved at any stage. Helen Boaden was made aware of
 24 the line of enquiry, as she would be with any
 25 potentially contentious investigation, but had no
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1 involvement in any of the decisions about the film."
 2 Then question 8:
 3 "At what point was Helen Boaden told, if she was
 4 told, that the Newsnight film on Savile was not be
 5 broadcast?"
 6 The answer is you were:
 7 "Informed after it was decided that the specific
 8 allegations that Newsnight were pursuing could not be
 9 substantiated."
 10 That's all fine. That's all right, isn't it, from
 11 your point of view?
 12 **A. Yes.**
 13 Q. So this draft then goes to Steve Mitchell, if you look
 14 at page 290. "Hi Steve", basically, are you happy? And
 15 he says at the top of the page that he is happy, you see
 16 at page 290?
 17 **A. Um-hm.**
 18 Q. Then it goes to you at 292:
 19 "As discussed here is the email from The Sunday
 20 Times magazine. If you are broadly happy with this
 21 approach, we will run it past various other people."
 22 And you did of course approve the final version that
 23 was sent.
 24 **A. Um-hm.**
 25 Q. Then if you go to 306, this is a slightly unilluminating
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1 page, you might think. The email at halfway down the
 2 page:
 3 "Helen, as discussed ..."
 4 **A. Yes.**
 5 Q. That's the one we just looked at, at 292. But somebody
 6 has redacted bits of it. I assume, but tell me if this
 7 is wrong. I assume that these redactions are nothing to
 8 do with you, somebody in the BBC has done this?
 9 MR CHARAMBOLOUS: It is redacted legal advice privilege,
 10 isn't it?
 11 MR MACLEAN: I know, but if you look at 306, "Helen, as
 12 discussed here is the email... "
 13 We have the full version of that at 292, don't we?
 14 We have just looked at it, haven't we? If you compare
 15 306 and then go back to 292.
 16 **A. Yes.**
 17 Q. Yes? So you can't help us with why somebody has been
 18 blanking out bits of these?
 19 **A. No idea.**
 20 Q. Right. Then look at the one at -- the second one at
 21 306, at 14.01. Again it says, "Redacted LEP", but if
 22 you look at 308 --
 23 **A. Sorry, 308, yes.**
 24 Q. If you look at 306 it is redacted, but if we go to 308,
 25 we get it there. What you actually said to James Hardy

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1 is:
 2 "Some of these allegations are highly litigious and
 3 we need to make clear that we would take these very
 4 seriously indeed and we would seek legal redress."
 5 That was indeed your position and we have seen the
 6 letter from Mills & Reeve, which you are familiar with,
 7 which was sent to The Sunday Times on 6 December setting
 8 out your position. There has been some comment in the
 9 press about that recently.
 10 So I just want to show you what Mr Rippon says about
 11 this, which is really what this comes to. If you go to
 12 348, Peter Rippon to --
 13 **A. Helen Deller.**
 14 Q. Helen Deller.
 15 **A. Yes.**
 16 Q. And she's passed him on an email about The Sunday Times
 17 and she says:
 18 "In addition see our response. This will go from
 19 James copying in the legal department, the editor and
 20 group managing editor. It has been through the lawyers
 21 and HPSM."
 22 That is you, obviously. He says, "All fine by me",
 23 and then he follows that up with a private email to you,
 24 if you go to 357.
 25 **A. Yes.**

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1 Q. You remember this email?
 2 **A. I do. In fact I mentioned it to Louis.**
 3 Q. At 13.07?
 4 **A. Yes.**
 5 Q. So what is noteworthy about that?
 6 **A. It felt like someone who was very nervous. That's what
 7 it felt like to me.**
 8 Q. Now, Mr Rippon says to you then:
 9 "I dropped it because we were unable to establish
 10 any institutional failings by any party, so we were left
 11 with very old allegations that were more sexual
 12 harassment than assault made by women whose evidence
 13 would have been undermined in a court because of their
 14 known character."
 15 There is something wrong with the syntax of that, as
 16 to whether it is woman or women. But the reference to,
 17 "More sexual harassment than assault", suggests that
 18 Mr Rippon had mislaid from his mind the fact that one of
 19 the allegations made in the web memoir was an allegation
 20 of, as it says "full sex" in the BBC premises with
 21 Jimmy Savile present. Doesn't it? Because that could
 22 hardly be described as, "More sexual harassment than
 23 assault"?
 24 But at this time you weren't aware of that aspect of
 25 the evidence they had gathered --

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1 **A. No.**
 2 Q. -- we talked about that earlier.
 3 **A. You see I hadn't got what they'd got.**
 4 Q. And that was one of the bits that runs big when ITV do
 5 their story, for obvious reasons.
 6 **A. For obvious reasons.**
 7 MR POLLARD: I was to just going to ask, around about this
 8 time or just before or just after, did you think of
 9 saying, "Can I just see all this evidence? Can I see
 10 what you've got?"
 11 **A. No, with hindsight I bitterly regret that I didn't ask
 12 for that Nick, but in all honesty, I didn't. I think
 13 there was an awful lot of other things going on at the
 14 same time. I think we were recovering from Libya, if
 15 I remember rightly. Et cetera, et cetera. But of
 16 course it leaps out at you now.**
 17 MR POLLARD: Perhaps was it just likely before the point
 18 where you and the rest of the BBC realised quite what
 19 was coming down the line with the Exposure problem, was
 20 it? With the Exposure programme?
 21 **A. Yes, I think the problem was none of us were focusing on
 22 the allegations. We were focusing on the allegation of
 23 a cover-up.**
 24 MR POLLARD: Yes.
 25 **A. That to me, looking back on it now with the benefit of**

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1 **hindsight, seems to be what leaps out. That I certainly**
 2 **did not have some of the information -- well a lot of**
 3 **the information about the allegations. But if you look**
 4 **at it, everything is focused on there wasn't a cover-up.**
 5 MR MACLEAN: The cover-up being canning the story to save --
 6 **A. That we suppressed Newsnight --**
 7 Q. For the sake of the tributes?
 8 **A. -- for the sake of the tributes.**
 9 Q. Yes.
 10 **A. Just as it is very easy to miss the blindingly obvious**
 11 **when everyone is doing that, I think that's one of the**
 12 **things that happened.**
 13 MR POLLARD: One of the issues which has been mentioned --
 14 was even mentioned in front of the Select Committee,
 15 was -- and perhaps they were thinking more in terms of
 16 December last year -- why, instead of the investigation
 17 being dropped all together -- if there wasn't enough
 18 evidence why wasn't it just paused for a day or a week
 19 and then an effort made to try and stand it up either
 20 before or after that Christmas, rather than just burying
 21 it all together?
 22 So in theory, if at any stage through 2012 it could
 23 have been got out, dusted off, and perhaps actually when
 24 you see what evidence there was it wouldn't have been
 25 all that difficult to have topped it up with some

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1 further work.
 2 **A. I think that's reasonable, again with hindsight. You**
 3 **have to remember that what I was told by very trusted**
 4 **and good people was -- who I don't believe were lying in**
 5 **any way -- was that actually there was one witness who**
 6 **lacked credibility and there was hearsay. And actually,**
 7 **taking that on further is quite challenging.**
 8 MR MACLEAN: Those people were Stephen Mitchell and
 9 Peter Rippon.
 10 **A. Stephen and Peter.**
 11 Q. Who were your only sources of information?
 12 **A. Yes, of course, when you get to this stage one could**
 13 **say, "Shouldn't we have looked at a alternative source?"**
 14 Q. Did you know at the time that Meirion Jones had
 15 a face-to-face meeting with Stephen Mitchell about in
 16 about the middle of September, about 11 September?
 17 **A. Was that about leaking?**
 18 Q. Bear with me.
 19 Mr Jones says, "I heard that Exposure --"
 20 Tuesday, 11 September 2012:
 21 "I heard that Exposure were planning to broadcast
 22 their Savile film in October."
 23 One can perhaps work out where he might have heard
 24 that from:
 25 "And I emailed Mitchell and Stephen Mitchell to tell

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1 them that. At around about that time Stephen Mitchell
 2 sought me out for a face to face conversation about the
 3 decision not to run the Newsnight Savile film. He
 4 seemed to be aware how strongly I had felt that not
 5 broadcasting it would be a serious mistake. He told me
 6 that there was no high up decision to pull the film and
 7 that George Entwistle had been informed at the time,
 8 which was news to me, and that no pressure had been put
 9 on news by other parts of the corporation."
 10 **A. I didn't know about the meeting. I was actually on**
 11 **holiday at that time.**
 12 Q. By the weekend leading up to 1 October, this impending
 13 ITV broadcast was all over the papers. It wasn't
 14 finally broadcast until the 3rd. We know that -- well
 15 we know, maybe you didn't know at the time, that
 16 Steve Mitchell asked Peter Rippon to put together
 17 something called -- what became a chain of events?
 18 **A. That was after the broadcast, wasn't it?**
 19 Q. No, it wasn't.
 20 **A. All right.**
 21 Q. No, it wasn't. Let me show you, if I can find it. A7,
 22 bundle 7, please, page 178.
 23 **A. Yes.**
 24 MR MACLEAN: We're at the blog.
 25 MR SPAFFORD: 10 minutes?

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1 MR MACLEAN: 10 minutes.
 2 (4.47 pm)
 3 (A short break)
 4 (5.01 pm)
 5 MR MACLEAN: 178, please.
 6 **A. 178?**
 7 Q. Yes.
 8 **A. Right, I see.**
 9 Q. I'm just going to find out what day of the week that
 10 was.
 11 **A. I think it was a Monday.**
 12 Q. It's a Tuesday. At 8.43 in the morning,
 13 Stephen Mitchell emails Peter Rippon:
 14 "Given the press this morning ..."
 15 This is all trailing the ITV thing that is coming
 16 out in 36 hours time.
 17 **A. Um-hm.**
 18 Q. "This isn't yet going away, so it might be a good idea
 19 for you to draft a briefing note for our use on the
 20 decision making process, from commission to decision not
 21 to proceed, as best you can recall ... obviously various
 22 members of staff are putting their version out there."
 23 Which I infer is a reference to Mr Jones and perhaps
 24 others.
 25 Now the "our use" in the second line is you

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1 Steve Mitchell, isn't it? Do you see?
 2 "Briefing note for our use?"
 3 **A. I would think so, yes. But it may also be the News**
 4 **press office, I mean, it's a briefing note.**
 5 Q. Look at 180, it might help. First of all look at
 6 Peter Rippon's response, which is at 9.10, so within
 7 half an hour, it says, "Will do by lunch time". And
 8 then he says:
 9 "I agree it may be a good idea to get my side out
 10 there, as it seems to be my reputation in the firing
 11 line. Although it is tricky, because I cannot point to
 12 many of the weaknesses in the story that meant I judged
 13 on balance not to run it."
 14 So then Steve Mitchell replies:
 15 "For now it is for internal consumption. [So the
 16 full version.] If this goes on, as you say, we may need
 17 to put an edited version of your thinking out there.
 18 For now I want Helen and George to know the full story
 19 from you."
 20 So Steve Mitchell has asked Peter Rippon to produce
 21 a briefing note. The reference to the edited version is
 22 what becomes the blog. Okay?
 23 **A. Um-hm.**
 24 Q. We can see right at the beginning that Peter Rippon is
 25 making point to Steve Mitchell that it would be tricky

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1 to do the blog because, as he puts it, "I cannot point
 2 to many of the weaknesses in the story".
 3 **A. Yes.**
 4 Q. Which one might think is, "I cannot tell the whole truth
 5 in a public statement."
 6 **A. Yes. Because it is very difficult in this environment**
 7 **to say that you think your main victim lacks**
 8 **credibility.**
 9 Q. But if you are going to publish to the world on a blog
 10 an explanation of why the story was dropped, it's a bad
 11 start, isn't it, if the author of the blog starts off by
 12 saying, "I won't be able to tell the whole truth"?
 13 **A. I think you have to put this in context too, which is**
 14 **ITV do a brilliant job of rolling out Exposure. They**
 15 **soften people up, I thought, expertly. Do you remember**
 16 **they had Esther Rantzen, who interestingly said, having**
 17 **seen the five different women from five different**
 18 **locations, says: I watched them, I didn't think they**
 19 **wanted anything other than to tell their story, there**
 20 **were no ulterior motives. Which I thought was quite**
 21 **interesting in its own right.**
 22 So the press office, I know, is very anxious that we
 23 don't say, "Actually we didn't believe some of these
 24 women". That is the context of, "I can't put the whole
 25 thing out". It would be seen as grotesquely

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1 **insensitive.**
 2 Q. So, there's a fundamental problem here, isn't there? To
 3 the extent that the BBC is going to explain to the world
 4 what the editor is's thinking at the time actually
 5 was --
 6 **A. We can't actually tell the full story because of the**
 7 **sensitivities of the moment.**
 8 Q. But nonetheless the editor does go into print with an
 9 edited version of the events, but as I say it's a bad
 10 start that the author of the thing is -- his starting
 11 assumption is, "I can't tell the whole truth here"?
 12 **A. I think that was almost certainly -- I don't know if it**
 13 **was the advice then, but I certainly remember sitting in**
 14 **a meeting where the head of press and publicity said we**
 15 **can't possibly criticise any of the women or imply**
 16 **criticism. So this was about the general context of**
 17 **victimhood and saying -- for Peter to say our only**
 18 **victim on tape, I thought lacked credibility, not least**
 19 **because [redacted] would have felt**
 20 **very difficult in that environment.**
 21 Q. Right. Let me show you the chain of events that
 22 Peter Rippon produces. If you go to 191, at 12.15 on
 23 2 October he sends to you and to Steve Mitchell
 24 something called, "Savile narrative". We call this the
 25 chain of events. He's asked to produce -- Mr Mitchell's

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1 terminology is "a briefing note" and he calls it "a
 2 chain of events." Okay?
 3 You got this and presumably read it at the time?
 4 **A. Yes, I did.**
 5 Q. Do you see -- I mentioned to you earlier this confusion.
 6 Read the paragraph beginning:
 7 "Meirion then came back ... "
 8 Half way down the page, and focus on the words, "The
 9 key witness", right?
 10 **A. Yes.**
 11 Q. Then read the next paragraph.
 12 **A. "That the police have investigated, but dropped on the**
 13 **grounds that he was too old."**
 14 So basically is he confusing [redacted] and [redacted]
 15 Q. Yes:
 16 "The key witness was alleging that police had
 17 investigated him but had dropped it on the grounds that
 18 he was too old."
 19 Well, [redacted] certainly never said that.
 20 **A. Yes, but I didn't know that.**
 21 Q. No, no --
 22 **A. Yes.**
 23 Q. Then look at the next paragraph, second line:
 24 "We had no evidence that anyone from the Duncroft
 25 home should have known about it, and the key witness

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1 said in her original blog she was perfectly certain the
 2 BBC had no idea whatsoever of the goings on."
 3 That is perfectly true, but of course it is
 4 a different witness to from the one he referred to in
 5 the previous paragraph and that's one of the important
 6 confusions in all of this. I'm just pointing that out.
 7 **A. I can see exactly what the confusion is.**
 8 Q. It is very important.
 9 **A. It is also, actually -- I assumed they were all the same**
 10 **person.**
 11 Q. Well, you might think that's what the English says.
 12 **A. Yes. But it also corresponded to what I understood,**
 13 **which was there was only one victim on tape.**
 14 Q. Yes. Then look -- well the next paragraph:
 15 "We felt it best to interview the key witness on
 16 tape to ensure we had her story. We contacted
 17 Mark Williams-Thomas."
 18 Et cetera. Then look at the next paragraph, where
 19 there is reference to [REDACTED] do you see?
 20 "At this stage we put the story on the MPRL and
 21 I discussed it with Stephen as I would with any
 22 contentious story we were potentially going to do.
 23 Steve was very firm in stating that whether I did the
 24 story or not it had to be on editorial concerns alone
 25 and any wider concerns about the BBC should be set

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1 aside. Meirion continued to build the story, including
 2 doing a skeleton script."
 3 Did it strike you that one of Mr Peter Rippon's
 4 recollections was that they had put the story on the
 5 MPRL?
 6 **A. No, but that -- don't forget that there is this slight**
 7 **confusion they had -- MPRL -- clearly I couldn't**
 8 **remember whether it was on or not, that did not leap out**
 9 **at me. But because they had their own list it could**
 10 **well have been on there first. Don't forget, we have**
 11 **this tiered list.**
 12 Q. But the list that you saw --
 13 **A. It didn't have it on. That did not leap out at me as**
 14 **a fact. It was a year later.**
 15 Q. I understand. But the list you had seen didn't have it
 16 on --
 17 **A. It absolutely did not have it on.**
 18 Q. I think we discussed earlier that if it was put on the
 19 MPRL at the bottom of the chain, before you would ever
 20 have seen it, it is not easy to think of reasons why it
 21 comes off again.
 22 **A. Well they felt the story was not coming good.**
 23 Q. Although we know that it did come off.
 24 Then he said, last paragraph on that page:
 25 "I was also continually discussing it with my deputy

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1 editors who had very conflicting opinions about the
 2 merits of doing it. On reflection I felt that because
 3 the police would be obliged to investigate such a claim
 4 we should try to establish the claim that it was not
 5 pursued because he was too old."
 6 And then he says:
 7 "It did not feel like a Newsnight story. I had
 8 another meeting with Stephen Mitchell to tell him this
 9 was my decision and he accepted. I did also discuss it
 10 with Helen Boaden at some point before transmission she
 11 also very firmly stated I must judge the story only on
 12 its editorial merits."
 13 And so on:
 14 "Meirion Jones made very clear he disagreed with my
 15 decision, but he accepted it. We never had a row
 16 about it."
 17 One thing that -- if the BBC wanted to get
 18 Mr Rippon's view of events out, one thing it could have
 19 done would have been to have stuck that on the blog.
 20 But the reason it didn't, you have just explained.
 21 **A. I absolutely remember a conversation where -- I think**
 22 **this was after the programme when I'm pretty sure it was**
 23 **Paul Mylrea said, "We can't possibly be negative about**
 24 **any of the women because it's not an environment where**
 25 **this is possible." And that's why we came up with that**

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1 **rather measly and mealy mouthed, "Editorial reasons",**
 2 **which of course tells you nothing.**
 3 **And the reason that a blog was decided upon -- and**
 4 **I can't remember whose idea it was -- was that Peter was**
 5 **absolutely resistant to going on any media outlets to**
 6 **talk about his decision. [REDACTED]**
 7 [REDACTED]
 8 Q. And all sorts of people were pressing for Peter Rippon
 9 and others to be interviewed --
 10 **A. Yes.**
 11 Q. -- right left and centre?
 12 **A. Yes.**
 13 Q. You see the blog. You see the reference to 191 at the
 14 top:
 15 "This is a chain of events. I will now work on
 16 a blog".
 17 So the only people this has been discussed with at
 18 this stage, on the face of it --
 19 **A. Yes.**
 20 Q. -- are Mitchell and Rippon originally, 8.43 and --
 21 **A. And then me.**
 22 Q. -- then you get copied in, but you are told that he's
 23 working on a blog. So it looks as if the idea for
 24 a blog must have come from Peter Rippon or
 25 Steve Mitchell, or the two of them in some combination.

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1 **A. You are assuming that only emails tell the truth of**
 2 **a situation.**
 3 Q. Yes.
 4 **A. I certainly remember a conversation involving press**
 5 **office people, whether Peter was part of that, I don't**
 6 **know. I thought that happened after the film came out,**
 7 **but I may be confusing my dates.**
 8 Q. Peter Rippon, you have explained, didn't want to be
 9 interviewed. Did he want to put out the blog, or was
 10 that something that he was prevailed upon to do by
 11 others?
 12 **A. I genuinely -- I can't remember to be honest.**
 13 Q. He has a busy job to do, he's still the editor of
 14 Newsnight.
 15 **A. No, but this is top of his list at the moment. I can't**
 16 **remember whether he suggested it or somebody else**
 17 **suggested it. Certainly he was not averse to writing**
 18 **a blog.**
 19 Q. Right.
 20 So then look at 198, which is Steve Mitchell's reply
 21 to the email we have just seen:
 22 "This is for Helen and I and we will not be on
 23 passing."
 24 You say as you the reference earlier at 180 where he
 25 mentioned that they might go to --
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1 **A. George.**
 2 Q. -- Helen and George.
 3 **A. Yes.**
 4 Q. Now he says, "We will not be on passing." I infer --
 5 tell me if this is wrong -- the need to on pass, or any
 6 question of on passing the chain of events was overtaken
 7 by the fact that the blog gets produced, is that right?
 8 **A. Yes, I think so.**
 9 Q. Mr Rippon has produced this chain of events in a very
 10 short time period, hasn't he? He's asked at 8.43 and he
 11 sends it at 12.14?
 12 **A. That's not really short in news terms. It's just not,**
 13 **you know, people write things fast.**
 14 Q. Right, but, it is interesting, you say, "In news terms".
 15 It depends, doesn't it, what was going on here. It
 16 strikes me, as a lawyer, as a very short period of time
 17 to go away and set out the facts of a complicated chain
 18 of events that took place nearly a year before.
 19 **A. He is not a lawyer. He's a journalist. So, you know,**
 20 **quarter to nine to quarter past twelve is not, um,**
 21 **a lot -- it's not short in journalistic terms.**
 22 Q. It is also fair to Peter Rippon to point out that the
 23 instruction or invitation -- however one characterises
 24 it -- from Steve Mitchell at 8.43, was to set out
 25 a briefing note, "As best as you can recall".
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1 **A. Um-hm.**
 2 Q. So he wasn't, one might think, actually being asked to
 3 go away and look at it all on a root and branch basis?
 4 **A. It has sort of shifted, hasn't it, from: what do you**
 5 **remember Peter? To being a blog without anybody**
 6 **noticing, and there is a very different purpose there.**
 7 Q. Is hardens, once the blog is produced, in the BBC's eyes
 8 as becoming really the cornerstone of the BBC's story
 9 and gets so presented by Mr Entwistle when he gets to
 10 the Parliamentary Committee?
 11 **A. Yes, and that again happened without discussion. It**
 12 **became -- it was no one's deliberate intention, because**
 13 **an editor's blog is their version of something, but it**
 14 **shifted, as I think events overtook the BBC as the media**
 15 **storm grew and grew.**
 16 Q. I'm going to keep going through this but just let me
 17 jump sideways to 16 for a moment. Can I ask you to turn
 18 to page 52, please? What is Mr Payne's role?
 19 **A. Julian Payne, I think, is the deputy head of the**
 20 **corporate press office working to Paul Mylrea, I think.**
 21 Q. So Payne and Mylrea are close colleagues and one is the
 22 superior of the other?
 23 **A. Yes, Paul is --**
 24 Q. The superior?
 25 **A. -- Julian's boss, I think.**
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1 Q. Can I ask you to read that? It is a transcript of
 2 a text message, a text message from Payne to Mylrea.
 3 **A. Um-hm. No it is from Paul to Julian, isn't it?**
 4 Q. I'm not sure.
 5 **A. Anyway, whatever.**
 6 Q. It doesn't really matter.
 7 **A. That was not my understanding of the nature of the blog.**
 8 Q. Can I ask you to look over the page and just note the
 9 time of that text, which is 9.28 on the 22nd?
 10 **A. Um-hm.**
 11 Q. Mr Mylrea sent an email to Steve Mitchell and others
 12 eleven minutes later saying:
 13 "Here are the clear lines, happy for Peter to see
 14 them. Do tell Peter I'm happy to reassure him
 15 personally we will be doing everything possible to
 16 support him."
 17 Now if I was to suggest that with friends like
 18 Mr Mylrea, Peter Rippon didn't need enemies, what would
 19 you say?
 20 **A. I can understand where you are coming from.**
 21 Q. You see, this blog gets -- becomes -- not only hardened
 22 into the very cornerstone of the BBC's story, but also
 23 becomes, as we see here, a means of protection of the
 24 Director General --
 25 **A. Yes.**
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1 Q. -- when things really get hairy.
 2 Now, we asked Steve Mitchell about why he thought
 3 this happened, and he gave some explanation in his
 4 statement about why this happened. Why do you think --
 5 if you accept the premise that it is what happened, that
 6 is the premise of this question, why do you think this
 7 happened?
 8 **A. I think it happened because it was the only information**
 9 **we had. It was the only solid thing. And it was such**
 10 **a confusing time with, um, the world's media battering**
 11 **at the door making connections that felt, um, very, very**
 12 **challenging, you know: what did George know, what did he**
 13 **do? In a sense Peter's blog filled a vacuum.**
 14 Q. Now Mr Mitchell's view, if you put 16 away and go back
 15 to bundle 7 at 198:
 16 "Thanks Peter. As discussed, this is for Helen and
 17 I will and we will not be on passing.
 18 We have talked about that:
 19 "It is in effect the detail behind our existing
 20 public position, namely that Newsnight had focused on a
 21 very specific approach and when that did not stack up
 22 dropped the project on editorial merit. The blog will
 23 obviously have to steer away from some of the elements
 24 of witness reliability, but in essence can follow the
 25 same line."
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1 So is that the same point about not telling the
 2 whole truth?
 3 **A. Yes.**
 4 Q. Meanwhile, page 203 -- it may be that you are not
 5 involved in this, and if so, say so -- Mr Mylrea and
 6 others are developing a line because now the business of
 7 abuse having taken place on the BBC premises is now very
 8 much front and centre, isn't it?
 9 **A. Yes.**
 10 Q. ITV are going to run that very hard.
 11 **A. Yes.**
 12 Q. And they have film of some of those involved. The BBC's
 13 line is that these -- do you see, "These were criminal
 14 actions."
 15 Do you see that?
 16 **A. Yes.**
 17 Q. And it is in the context of abuse by Jimmy Savile, not
 18 by anybody else, but by Jimmy Savile. If you go to the
 19 first paragraph:
 20 "A number of series ... These were criminal actions
 21 which are the responsibility of the police, who have the
 22 powers to investigate anyone involved."
 23 Were you aware of being involved in this developing
 24 line? It is a bit curious that the BBC has --
 25 **A. No.**
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1 Q. -- decided that the criminal actions of Jimmy Savile are
 2 now for the police to investigate, where in fact the
 3 police's view later expressed is that the one person
 4 they wouldn't be investigating would be Jimmy Savile,
 5 for the obvious reason that he wasn't --
 6 **A. He's dead.**
 7 Q. -- he's dead, a waste of time. You were not involved in
 8 that. Is that because Mr Mylrea -- Mylrea's operation
 9 is what Steve Mitchell described to you as corporate?
 10 **A. Absolutely corporate.**
 11 Q. And you are News.
 12 **A. And we're News and we're also reporting on this.**
 13 Q. So when we see Mr Mylrea's side of things, we can take
 14 it, can we, that unless you or Steve Mitchell or
 15 Peter Rippon is asked a specific question --
 16 **A. Yes, I mean I'm just trying to think. Because there is**
 17 **a very complicating factor to this which is the new**
 18 **building, which -- for just reasons of newly moved, my**
 19 **desk is very near George Entwistle's office. So there**
 20 **were moments when, well, actually I had to put up a bit**
 21 **of a barrier and just say, "We're News, we're separate".**
 22 **For example Paul got incredibly cross about some of**
 23 **our cameras, some of our crews doing something in**
 24 **relation to this story --**
 25 Q. Was that doorstepping Mr Entwistle?
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1 **A. It might well have been. So that meant that there were**
 2 **moments where I actually -- I wasn't necessarily**
 3 **involved directly but I could see some of the things**
 4 **that were going on in a way that I personally felt was**
 5 **inappropriate and I did actually go and spend quite**
 6 **a lot of time at Television Centre as a consequence.**
 7 Q. I have seen an email -- I don't want to spend any time
 8 on it -- but I have seen an email from you more recently
 9 where you have some concerns about the layout and
 10 geography of the new building?
 11 **A. It is actually a very important point that I made. It**
 12 **sounds trite but when Mark Thompson decided to take on**
 13 **those offices that had been assigned for journalism.**
 14 **I said this is inappropriate because the Director**
 15 **General's office should never be too close to News**
 16 **because of that confusion, that you can be collusive in**
 17 **some way. And I was frankly ignored and I have**
 18 **continued to do it, but now I am simply going to move**
 19 **all my people to the second floor to be apart from it.**
 20 **A small interlude, but important in terms of separation.**
 21 MR POLLARD: The sort of things that you saw that you
 22 thought were inappropriate --
 23 **A. I don't think they were -- it was more just the**
 24 **corporate centre should be over there, dealing with**
 25 **protecting the institution and I as director of News**
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1 should be over here. So I saw a lot of -- it was a lot
 2 of shouting down telephones from the corporate centre
 3 press office and there just wasn't enough separation,
 4 frankly, which is why I went to Television Centre.
 5 MR POLLARD: In practice, and this covers I suppose the blog
 6 and the preparation of the Panorama programme, is it --
 7 is it actually possible to put a separation in, in
 8 a situation like that, between the news coverage and the
 9 reportage of a story like that and the corporate
 10 preparation of reliable facts?
 11 **A. I think it is very difficult and I think we've made it**
 12 **much, much harder for ourselves by getting rid of the**
 13 **Mark Byford role. If Mark Byford had still been head of**
 14 **journalism and deputy Director General and my boss**
 15 **I would have told him that Newsnight, as part of**
 16 **a routine, were doing an investigation into Jimmy Savile**
 17 **and sexual abuse. He then would have been responsible**
 18 **for managing the corporate side of things, completely**
 19 **separate from me managing the journalism. It's it is**
 20 **cordon sanitaire.**
 21 **When we had Ross/Brand, I remember distinctly**
 22 **Mark -- both the Marks were on holiday, but when they**
 23 **came back from holiday, Mark Byford was absolutely**
 24 **fire-fighting for the corporation and clearly trying to**
 25 **get information about what had happened. And I was**
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1 running the journalism, and never the twain shall meet.
 2 I think the blog is particularly difficult and
 3 I think it is one of those things that the BBC is
 4 slightly struggling with because it is a new form of
 5 communication, which is, um, I would have seen Peter's
 6 blog as an editor's blog about his view on his story.
 7 You might say it is right, you might say it is wrong,
 8 but it is his view. This is the first time I have seen
 9 that used as a corporate communication.
 10 And it happened -- my sense was it happened without
 11 anyone thinking it through.
 12 MR POLLARD: So in the past it has been part of the
 13 journalism, if you like?
 14 **A. Yes. And I think I can say that quite consistently.**
 15 **You -- partly blogs are quite new still. I mean not**
 16 **very new, but the way of using them is quite new. And,**
 17 **um, so in the -- I'm just trying to think of an example.**
 18 **I mean Ross/Brand was interesting, because there was**
 19 **a clear line. In fact I remember meeting you and saying**
 20 **I had had some ice from some of the people on the**
 21 **Executive Board about the way News was covering it. And**
 22 **you saying the only scandal would have been if News**
 23 **hadn't covered it like that, in that sense. So**
 24 **understanding that wall between News covering the BBC**
 25 **and the BBC corporate line is quite complicated and, if**
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1 I'm honest I think we have quite a lot of new people,
 2 both in the corporate centre press office and in other
 3 roles who do not get this. Or do not get it as much as
 4 you need to get it.
 5 MR POLLARD: But is your view that the blog has to meet the
 6 same editorial standards as the rest of BBC's
 7 journalism?
 8 **A. Yes, it does.**
 9 MR POLLARD: Which must have given you a problem when you
 10 were, if you like, taking things out of known facts and
 11 then make sure that they weren't --
 12 **A. I was very uncomfortable, as I flagged, with the idea of**
 13 **"editorial reasons", because it was an euphemism. But**
 14 **I did understand enough. It is a complicated role being**
 15 **director of News because you are both a corporate**
 16 **citizen and you are doing the journalism. Which is why**
 17 **this role, this head of journalism role and the**
 18 **Mark Byford role was so critical.**
 19 **In the end my -- since I have had it, since April,**
 20 **my view has been you have to try to protect the**
 21 **journalism first, because in the end that protects of**
 22 **reputation of BBC. But I was very uncomfortable with**
 23 **this euphemism.**
 24 MR POLLARD: Just one final question from me for the moment.
 25 When in October -- or perhaps it was just before
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1 October -- did it become clear to you that there was
 2 a centre -- I'm really talking about Meirion Jones and
 3 Liz MacKean -- of opinion that completely rejected
 4 Peter Rippon's version of the story? In other words,
 5 a counter version of it?
 6 **A. It became clear to me when, um, Steve had had**
 7 **a conversation with Meirion, Liz and Peter, and**
 8 **he actually, I think, used the phrase, "It's broken".**
 9 **You know, there is no -- there is no common ground and**
 10 **the level of personal vitriol had completely shocked**
 11 **him, I think.**
 12 MR POLLARD: That would be when? When in relation to the
 13 preparation of the blog, say?
 14 **A. That would have been after the blog. So for me the kind**
 15 **of real sense of it -- and I think -- I can't speak for**
 16 **Steve but my sense was as the chipping away at the blog**
 17 **by Liz and Meirion -- legitimately they had more facts**
 18 **on their side --**
 19 MR MACLEAN: If it helps, Mr Mitchell met Liz MacKean on
 20 8 October.
 21 **A. I think that was about the same time as the emails from**
 22 **Liz and Meirion which -- George did call me in to see**
 23 **and said, "Look at this". And my line then was, "We**
 24 **need an investigation, and it should be in anticipation**
 25 **of a disciplinary because this is really serious."**
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1 And actually the other thing about a disciplinary
 2 investigation is that everybody knows the rules.
 3 MR MACLEAN: And the object of the disciplinary
 4 investigation --
 5 A. To get to the bottom of what was true and what was not.
 6 Q. And the subject of it, the human being?
 7 A. Well, it would have been Peter. That, I -- in those
 8 circumstances felt very harsh but at least I felt he
 9 would have -- for my mind, because I still thought --
 10 I didn't quite realise how much he had forgotten or
 11 muddled -- in my mind that would have protected him too
 12 because, you know, you have rights, you have sort of --
 13 you can explain things.
 14 Q. All Mr Rippon has been asked to do is to set out
 15 a briefing note as best as he can recall, which is what
 16 he did.
 17 A. He did.
 18 Q. He might not recall correctly --
 19 A. No, no, exactly. But that then, as I say, morphs into
 20 a blog and that, almost without discussion, becomes the
 21 BBC's line.
 22 Q. Mr Mitchell said this:
 23 "On 1 October I asked Peter Rippon to draft
 24 a briefing note for me and the director of News laying
 25 out his decision-making."
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1 We can see the email that is in the early morning of
 2 the 2nd:
 3 "I received Peter's note on 2 October."
 4 I have shown you that. So did you:
 5 "Given the public criticism he also decided to write
 6 a blog which would be published on BBC editors' blog
 7 site in order to make clear he entirely rejected the
 8 allegation that pressure had been put on him to drop the
 9 Savile investigation."
 10 A. That was the most serious allegation at the time.
 11 Q. So the purpose of the blog was to rebut an allegation,
 12 rather than as the briefing note was intended to do,
 13 which was to set out the process from commissioning --
 14 A. I didn't -- I didn't see it like that. To be honest
 15 I saw it as his way of explaining his decision-making.
 16 Q. Right.
 17 A. And along the way to make it clear that it was not
 18 about -- he was not leaned on.
 19 Q. Then Mr Mitchell said this:
 20 "The editors' blog is a site where editors across
 21 BBC News explain stories and share their dilemmas and
 22 other issues with the public. Their blogs are not
 23 always overseen or checked by management and I did not
 24 believe that the detailed supervision of a blog lies
 25 within my responsibilities."
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1 A. I would agree with that. The editors are in a unique
 2 position with the blog, which is just as you don't sign
 3 off an edition of The Today Programme, you don't sign
 4 off an editor's blog. It is, if you like, a grown up
 5 place where they say, "This is my view on this". You
 6 know Ceri Thomas on the coverage of the Middle East
 7 right now, that would not be signed off. That would be
 8 his take.
 9 Q. About this, the next sentence:
 10 "Editors do liaise with the press office when
 11 publishing their blogs."
 12 A. Yes, that will happen on occasion.
 13 Q. Is that the News press office or is that --
 14 A. That would be the News press office.
 15 Q. It is not Mr Mylrea's empire?
 16 A. No it is not Mr Mylrea, no.
 17 MR POLLARD: Does that strike you as a good thing?
 18 A. No. You know, it happens because it is a public
 19 statement, and, you know the BBC so often feels so
 20 battered that any public statement the press office
 21 likes to have a look at. Personally I think, you know,
 22 we would not refer The Today Programme to the press
 23 office so why would we refer the blog. But I suspect --
 24 I can't really remember, but it may well have been,
 25 I have a vague memory of a Radio 1 blog which the press
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1 office did not see and there was a controversy around it
 2 and they felt they had been left in the dark. I don't
 3 think you should ever have the press office signing off
 4 blogs.
 5 MR MACLEAN: But it would be the news press office.
 6 A. It would be the news press office, the corporate press
 7 office is not something you would normally refer an
 8 editor's blog to.
 9 Q. Mr Mitchell says, in effect, that when Ken MacQuarrie
 10 comes on the scene, which is about Tuesday 9 October.
 11 A. Yes.
 12 Q. That what he says, what Mr Mitchell says is:
 13 "It appeared to me that the attempts I was making to
 14 understand the differences between the members of the
 15 Newsnight team..."
 16 Pausing there, he had seen Liz MacKean on the 8th,
 17 the day before.
 18 A. Okay.
 19 Q. "... Had been overtaken by the corporate process
 20 involving the DG. I contacted Peter Rippon, Liz MacKean
 21 and Meirion Jones to make this clear."
 22 Then he essentially took a lot less, if not nothing,
 23 to do with developing events thereafter.
 24 A. I think that was a reasonable response, because that's
 25 pretty much as I felt about it, which was that once
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1 **George had made the completely reasonable decision to**
 2 **bring in an outsider from News -- because clearly**
 3 **a disciplinary would have been a slightly different**
 4 **approach -- and that outsider, a good man,**
 5 **Ken MacQuarrie, reporting directly to him, at that point**
 6 **you are sort of slightly excluded from the process.**
 7 Q. So it is now on the MacQuarrie/Entwistle plate, if I can
 8 put it like that, is it?
 9 **A. I think they chose to put it to there.**
 10 Q. But it was on there anyway?
 11 **A. It was certainly on there. Ken as I understood it --**
 12 **and I am sure George will confirm this -- was doing that**
 13 **report for George as the Director General.**
 14 Q. Yes, right.
 15 Now the final version -- we have the final version
 16 of the blog if you go in A7 to 277.
 17 **A. Say it again, sorry?**
 18 Q. A7/277. This is a final version of the blog.
 19 You see Peter Rippon at 17.02 on 2 October, and
 20 that's him saying, "Can you put this up?"
 21 Mr Mylrea, there's a false start, Paul Mylrea's
 22 email to hold fire:
 23 "Is it sorted now?"
 24 "Yes, it is sorted, it can go."
 25 So 277, 278 this is the final version of the blog

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1 I'm not going through all the detail of it with you, but
 2 we can see for example that we still have the business
 3 about the key witness, you see, at the bottom of 277:
 4 "The key witness told us..."
 5 Penultimate line.
 6 **A. Yes.**
 7 Q. Over the page second new paragraph.
 8 "We had no evidence ... in her original statement
 9 our key witness said ... "
 10 And then, penultimate paragraph:
 11 "Did we withhold evidence from the police? No. We
 12 are confident..."
 13 This is the one that Liz MacKean took particular
 14 exception to:
 15 "... That all the women that we spoke to had
 16 contacted the police independently already. We also had
 17 no new evidence against any other person that would have
 18 helped the police."
 19 Both of those sentences were completely wrong.
 20 **A. But he clearly believed them.**
 21 Q. "Did my bosses order me to do anything? No. I did
 22 discuss it with my bosses in News in the same way I do
 23 any contentious story we are working on".
 24 **A. Yes.**
 25 Q. You see what he says?

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1 **A. Yes.**
 2 Q. That blog had been run past you and others, hadn't it --
 3 **A. Yes.**
 4 Q. -- before that stage?
 5 **A. Yes.**
 6 Q. What was the purpose of that? Why run it past you and
 7 Stephen Mitchell and various others?
 8 For example if we go to 265, for example, there is
 9 Mr Rippon's proposed blog, do you see at 14.22?
 10 **A. Um-hm.**
 11 Q. To Steve Mitchell, you, Paddy Feeney -- and he's
 12 a BBC News comms person.
 13 **A. He is the person who replaced James Hardy of the**
 14 **unfortunate email.**
 15 Q. And also Paul Mylrea?
 16 **A. Yes, and Paul Mylrea is Paddy Feeney's big boss. So you**
 17 **have both corporate and news involved in this.**
 18 Q. And Helen Deller?
 19 **A. Helen Deller is the press officer who deals with**
 20 **Newsnight.**
 21 Q. So she's in News?
 22 **A. Yes.**
 23 Q. She's below Paddy Feeney?
 24 **A. She works to Paddy.**
 25 Q. So you have Deller and Feeney in News?

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1 **A. Yes.**
 2 Q. And then Mylrea, he's the top of this comms tree?
 3 **A. He's the top bod.**
 4 Q. He's the top bod for comms across all of the BBC?
 5 Then you see at the top of the page Feeney makes
 6 a teeny tweak, whatever that was, Mr Rippon says
 7 something else, Paul Mylrea makes some tweaks, do you
 8 see at 263 and 264?
 9 **A. Yes.**
 10 Q. And then he says something else at 262:
 11 "Suggested change from Andrew."
 12 I can never remember who Andrew is.
 13 MR POLLARD: Scadding, I think, is it?
 14 MR MACLEAN: Scadding?
 15 **A. Andrew Scadding, corporate affairs, I don't know why it**
 16 **would have gone to him.**
 17 Q. Do you see Mylrea's email is copied to Rippon, Feeney,
 18 Mitchell, you and Jessica Cecil, and that's --
 19 **A. George Entwistle's office.**
 20 Q. That is the Director General's office.
 21 Then you see Steve Mitchell, "I'm fine with this.
 22 Spoken with Peter R, who is also content, and will
 23 arrange for it to be posted."
 24 What is conspicuous by its absence from this process
 25 is going to anybody, other than Peter Rippon, who knows

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1 anything independently about the facts?
 2 **A. But you trust your editor. It would not have occurred**
 3 **to any of us to think your editor is going to get it**
 4 **wrong.**
 5 Q. It is a big ask, isn't it, to turn a recollection of
 6 events from a year before into the font of all wisdom
 7 from the BBC's corporate perspective?
 8 **A. Well, it may be a big ask, but that's what we do with**
 9 **our editors. He clearly could have come back and said,**
 10 **"Give me more time, I need to check". He could have**
 11 **also said --**
 12 Q. Could he though?
 13 **A. Of course he could have done. He's the editor of**
 14 **Newsnight.**
 15 Q. But there is huge pressure to get this out --
 16 **A. Yes, there is.**
 17 Q. -- because of ITV.
 18 **A. Of course that is always difficult. But any editor --**
 19 **I mean Peter refused to go on air and rang Steve, who**
 20 **rang me, and I told Paul Mylrea to back off because**
 21 **I could feel [REDACTED]**
 22 Q. But the --
 23 **A. So Peter -- if he had said to me or Steve, "I need more**
 24 **time, I need to check with my team", that would not have**
 25 **been a problem. I can -- I can control Paul.**

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1 Q. And I think ITV had --
 2 Bundle A6, page 234. If you look at the bottom of
 3 the page, first of all, on 7 September at 17.03,
 4 Karen Rosine sends around some questions. These
 5 questions have been raised by ITV -- I think it was
 6 7 September that ITV approached the BBC --
 7 **A. Yes.**
 8 Q. -- about its impending documentary. And we see at 234
 9 Peter Rippon's response which is copied to you and Steve
 10 Mitchell.
 11 **A. I'm actually on holiday for the next three weeks, so**
 12 **I never saw that.**
 13 Q. Right. You see what he is suggesting. Now, ITV had put
 14 this on the BBC's radar on about the 7 September and
 15 Peter Rippon is not asked to set out a briefing note
 16 with his recollection until 1 October. So how do we
 17 account for the time difference, the gap?
 18 **A. I don't know, I was not in the country. I was not doing**
 19 **my job, I was on holiday.**
 20 **And I can't in all honesty claim I would have asked**
 21 **him to do that. With the benefit of hindsight it was**
 22 **clearly something to get out much quicker.**
 23 Q. I'm not going to go through with you the details about
 24 the allegations about the problems with the blog. We
 25 will deal with that with others. Can you take bundle 8?

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1 You had an email exchange with Mr Paxman --
 2 **A. Yes.**
 3 Q. -- in early October.
 4 **A. Yes.**
 5 Q. Do you remember?
 6 **A. I do.**
 7 Q. Quite a sparky exchange.
 8 **A. We often have those kinds of exchanges.**
 9 Q. Page 42, I think. He -- Jeremy Paxman -- had an email
 10 exchange with Mr Rippon as well but ended up getting, as
 11 they put it, "Flipped on to you", at some stage, do you
 12 remember?
 13 **A. Yes.**
 14 Q. I want to ask you to look at the email that starts at 42
 15 at the bottom, from Mr Paxman at 19.25:
 16 "Just for the record I think it is very unfair,
 17 sadly not at all untypical, that the BBC has dumped all
 18 this on one individual."
 19 That is the day the blog has been published, which
 20 is 2 October.
 21 **A. Um-hm.**
 22 Q. Mr Rippon says:
 23 "The leaking and briefing is what actually bothers
 24 me more. It is only the older lags who do it. I have
 25 never worked anywhere where it is so pervasive."

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1 And Jeremy Paxman agrees that it is corrosive:
 2 "It is disgusting the way the BBC is hanging you
 3 out, since it must have been a corporate decision.
 4 Whatever your blog says ... "
 5 So he's proceeding on the basis that the blog might
 6 not be entirely accurate. But then this, Peter Rippon:
 7 "It wasn't corporate, honestly. I guess I may have
 8 been guilty of self-censorship, in the end I just felt
 9 what we had, 40 year-old contestable things about a dead
 10 guy, was not a Newsnight story and not worth the fuss."
 11 Do you have any observation about Peter Rippon's
 12 observation about self-censorship?
 13 **A. I don't really. I mean that's not -- that's not the**
 14 **narrative I have understood on all of this and I'm not**
 15 **quite sure what he means about it. I mean we've had**
 16 **Peter blaming the bosses and now blaming himself. I'm**
 17 **slightly confused.**
 18 Q. Well, whether he did blame the bosses --
 19 **A. We have seen the --**
 20 Q. Seen Liz MacKean saying so.
 21 **A. Yes, Liz MacKean saying so. That's perfectly fair.**
 22 **I actually feel really sorry for Peter when I see this,**
 23 **I feel desperately sorry for him.**
 24 Q. Mr Rippon --
 25 MR POLLARD: Sorry, can I just say, you say you feel sorry

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1 for him. Did you feel at this time that Peter was
 2 actually getting enough support from you, from
 3 Stephen Mitchell and from the BBC?
 4 A. I thought he was generally getting fantastically good
 5 support from me and Steve Mitchell. I did not think he
 6 was getting support from the BBC. I had a very
 7 difficult conversation with George immediately after the
 8 ITV programme when George asked me to go to his office
 9 and Jessica and Paul Mylrea were there and George -- and
 10 this is not unreasonable for George to have decided
 11 this -- he said:
 12 "I'm going to do a public statement and I have
 13 decided that I need to protect the BBC and BBC News
 14 within it, and I'm going to do a statement that makes it
 15 impossible for Peter not to resign."
 16 And I said, um, I think that would be wrong
 17 ethically, but I also think it won't work because [REDACTED]
 18 [REDACTED]
 19 [REDACTED] And then, you know, George is
 20 a decent man and he sort of pulled back from it. And we
 21 had a conversation about, um, what we could do in terms
 22 of managing the situation, and, um, [REDACTED]
 23 [REDACTED] as I have
 24 explained to you, and there were, you know, clearly we
 25 needed to be careful. I did make clear that if you

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1 punish editors for bad editorial judgments, you terrify
 2 them forever more from making any kind of judgment.
 3 And, um, the conversation ended because Paul went out to
 4 take a call from the Daily Mail, I think, inviting
 5 George to lunch.
 6 So, um, the idea of the statement was dropped.
 7 MR MACLEAN: Can I just pick you up on something you said in
 8 that answer? You said you made it clear if you punish,
 9 I think, said editors for bad editorial judgments you
 10 terrify them forever.
 11 The working assumption was, was it, that Mr Rippon
 12 had made a bad editorial judgment?
 13 A. By George it was. That's why he said he would do
 14 a statement that made it impossible for Peter not to
 15 resign.
 16 Q. Where had that -- what was the basis of that assessment
 17 do you think?
 18 A. I think it was -- I do understand it. If you watch the
 19 Exposure programme, which I thought was a really good
 20 programme, because they had five different women, in
 21 five different circumstances, they didn't start with the
 22 Duncroft girls, they started with other sorts of
 23 girls --
 24 Q. Not all of those girls had been available to Newsnight?
 25 A. No, but, um -- and they built up a pattern of behaviour

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1 that wasn't in just one corner, which is what we were
 2 trying to do, was extensive. I think -- I think people
 3 reacted incredibly emotionally in the BBC to this.
 4 I mean I know George was profoundly shocked by it. Sort
 5 of morally and emotionally upset by it --
 6 Q. Shocked in what way?
 7 A. He was shocked by the revelations and in a way that is
 8 human simply thought Newsnight should have done that.
 9 Now the fact that [REDACTED] was not in the Exposure
 10 programme, who as I understood it was the only person
 11 that Peter had on tape, seemed to me to be quite
 12 important. I did not start from the presumption that
 13 Peter had made a bad editorial judgment, but within the
 14 context of people being very upset by the Exposure
 15 programme I'm not going to blame people for running
 16 those things together.
 17 MR POLLARD: Do you think it was a bad editorial judgment?
 18 A. I genuinely don't know. Because if you look at -- I've
 19 only seen the evidence in paper form. I only saw the
 20 [REDACTED] interview within the context of having seen
 21 the Exposure programme and the rest of the Panorama. To
 22 step back and say, [REDACTED] is the only person we have on
 23 tape and the rest are anonymous statements", I think
 24 would have been quite a big ask four or five weeks after
 25 Jimmy Savile died. I genuinely do. It is impossible to

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1 make the judgment.
 2 What I do think was foolish, was not to say there is
 3 more to be got at. I also -- I mean, you know, I have
 4 had conversations with Peter and I have read this stuff.
 5 Some of the methodology of this investigation frankly
 6 distressed me. I think, you know --
 7 MR POLLARD: Which parts?
 8 A. I think it was very inappropriate to have a junior
 9 researcher, however good -- and she was good -- doing
 10 calls on the telephone about indecent assault. I just
 11 think it's not a respectful way to treat people.
 12 I suspect that the subtleties of interviewing
 13 someone talking about a traumatic event and working out
 14 what is memory, what is hearsay, what they might have
 15 picked up on the internet, requires enormous skill.
 16 I was distressed to see that [REDACTED] said she had
 17 actually felt [REDACTED]
 18 [REDACTED]
 19 MR MACLEAN: [REDACTED]
 20 A. Those things are pretty shaming for BBC journalism.
 21 Sorry, I don't mean to be pious, but that is not good
 22 enough from us.
 23 Q. [REDACTED]
 24 [REDACTED]
 25 A. I feel extremely bad about it, and I feel that whatever

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1 the missed story, the way we engaged with it was poor,
 2 very poor. I think telling the women that we weren't
 3 doing the film by text simply reinforced the original
 4 sin of doing the interviews on the phone.
 5 Q. Can I just ask --
 6 MR POLLARD: Please.
 7 MR MACLEAN: Did you have a discussion with Peter Rippon and
 8 form the view that he, Mr Rippon, actually had rather
 9 strong and well-developed views about how this type of
 10 subject matter should be prepared for a broadcast?
 11 A. Only afterwards. When I got a sense that he was, um --
 12 he was trying to de-emotionalise it. And I did wonder
 13 if that was because he was getting -- or had been
 14 getting -- too much heavy emotion from the producer and
 15 reporter. You can feel, as an editor, slightly battered
 16 by a team saying, "The victims, the victims", and
 17 actually you want to step back and it did occur to me
 18 that one of the -- I mean I do find it baffling that he
 19 didn't watch the films, but I can -- if I sort of try to
 20 think of it from his point of view, if you have got very
 21 heavy moral and emotional pressure from you, from
 22 a reporter and a producer, I can see why you might want
 23 to pull back.
 24 MR POLLARD: Do you think that, bearing in mind the
 25 disagreement to start with, and then as we've heard it

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1 referred to "vitriol", as it became, that Steve Mitchell
 2 should have got more involved in this story at
 3 an crucial time of decision-making?
 4 A. I find that genuinely difficult to answer. Because
 5 Steve is such a safe pair of hands. His record is
 6 immaculate in getting involved at the right moment. And
 7 because I genuinely don't know the conversations he was
 8 having with Peter, um, you know, before the decision to
 9 drop, I can't -- it's really hard for me to judge.
 10 What I do feel we both failed to do was to, um --
 11 when the leaking started, we were so focused on the --
 12 it's a cover up, when we both knew it wasn't, that we
 13 didn't ask the next question which is, "Why are they
 14 doing this? Do we need to have the conversation?"
 15 MR POLLARD: Why do you think the story was dropped so
 16 abruptly? I don't mean the editorial decision was made
 17 not to proceed with it, but it has been widely suggested
 18 that it should have been continued, even after a pause
 19 for breath. Why do you think it wasn't?
 20 A. Well, I now know -- at the time I didn't really think
 21 about it, I just thought they had run out of road.
 22 I now think that the collapse of trust between Peter and
 23 that team, um, was absolutely fundamental. I mean,
 24 I think -- you know, I will go to my grave saying
 25 whatever mistakes Peter made, I don't think they were

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1 dishonest or dishonourable mistakes, but others may
 2 disagree with me.
 3 Um, and -- but I think he should have flagged to
 4 Steve that, actually -- I mean, you look at Meirion's
 5 list, the red flag list, and you cannot but feel that,
 6 you know that should have been conveyed at least a bit
 7 to -- even if he had just said, "Meirion was really
 8 unhappy about this", that sends something off.
 9 If you are putting -- if you stopping an
 10 investigation, you do need, I think, the -- it's not
 11 quite consent but you do need people to feel it's a fair
 12 decision you are making as an editor. Otherwise there
 13 is -- it's unfinished business and will ricochet round.
 14 MR POLLARD: I think it is fair to say that there is still
 15 a puzzling part of the story about -- about why Peter
 16 appeared to change his mind about the strength of the
 17 story, between November 29 and the 30th. You have seen
 18 the emails today. And I was struck, when you were
 19 talking about the Esther Rantzen view of the women's
 20 credibility, which was almost word for word how Peter
 21 had described those women's credibility in his email on
 22 29 November to Steve. And then there was clearly
 23 a change of view by the following day.
 24 So, just come back to this question about whether
 25 now you think that Steve rolled up his sleeves enough

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1 and got involved with this enough -- in the story?
 2 A. I don't think Steve saw it as a handbrake turn in the
 3 way that the Panorama narrative described it, because
 4 I didn't until the Panorama came out. This is just
 5 a fairly experienced editor saying, "I have changed my
 6 mind and I am more comfortable with this nose."
 7 That narrative of the handbrake turn literally
 8 emerged for me in the Panorama and the questions they
 9 sent me, so I can't imagine it is different for Steve.
 10 MR MACLEAN: But Stephen Mitchell was the recipient of the
 11 29 November email --
 12 A. Yes, that's true.
 13 MR MACLEAN: : -- where everything is heading in one
 14 direction on the face of it, and then the following
 15 morning it is about turn.
 16 A. You will have to ask Steve why he saw that.
 17 Q. Can I just take you back to the points you were making
 18 about the problems with the way in which the story had
 19 been put together, the role of telephone interviews and
 20 so on? Can I just read you a bit from what Mr Rippon
 21 has told us in writing? He says:
 22 "I was also concerned with the way we had collected
 23 the additional evidence from other victims and
 24 witnesses. The women were to remain anonymous, the
 25 interviews had all been done on the telephone, some of

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1 them were done by a junior researcher who was with us on
 2 work experience who I had never worked with. I was also
 3 concerned that the evidence could potentially be
 4 undermined because some of the women had already
 5 discussed the claims amongst themselves via a social
 6 networking site. In my experience the strongest
 7 testimony from victims of alleged child sexual abuse has
 8 to be collected individually, face to face, on neutral
 9 territory, with trained interviewers, used to not asking
 10 leading questions. This was a long way from what we had
 11 done."

12 **A. The problem there is that he's the editor. If this is**
 13 **an investigation that you are running as an editor,**
 14 **clearly if these interviews are being done on the**
 15 **telephone you have every right to say, "I'm really**
 16 **sorry, can we just go round and see if these women will**
 17 **talk to us face to face, because if we talk to them face**
 18 **to face we might build up a relationship of trust."**

19 To be utterly fair to Peter, he was right to, in my
 20 view, be deeply concerned about those things. What
 21 I don't quite understand is why he didn't then say,
 22 "Okay, guys, we just need to sort of go and do the
 23 interviews again, or see if they will see us."

24 I mean, I have interviewed victims of sexual abuse.
 25 You don't do it on the phone. I'm sorry, you just

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1 don't. And you also do need to be, um -- you do need to
 2 have some education about how you do the interviews,
 3 because memory is very, very complex. 30-year -- you
 4 know, memories are very complex, so you need to work out
 5 as far as you can -- and you know, again, the policeman
 6 they had would have probably have helped with this
 7 because they are trained -- and I have actually said
 8 this to Peter since -- did she remember it? How do you
 9 know she remembered it? It is often -- the reason
 10 I believed [redacted] on the Exposure programme was the level
 11 of physicality that she described.

12 I once did a programme about interviewing children
 13 who claimed to be sexually abused, and I remember
 14 talking to a woman from the NSPCC who taught in --
 15 about -- people will see or children will see or hear
 16 things and believe it is their own experience. So it is
 17 actually the taste, the smell, the touch elements that
 18 make the difference. But you can only get that, I think
 19 are if you go and do it face to face. And frankly if
 20 your interviewee does not feel she has been [redacted]
 21 [redacted]

22 MR POLLARD: I have a couple more questions, but I think
 23 they are probably more appropriate at the end.

24 MR MACLEAN: Can I just ask you to look at A9, just picking
 25 up on one of the points that Nick has raised with you.

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1 At page 66, on 5 October, if you look at the bottom
 2 of that page, first of all, at 15.28, Peter Rippon
 3 emails you and Steve Mitchell and he has been getting
 4 texts from senior people, all suggesting that he's been
 5 hung out to dry.

6 **A. He had a horrible time. But he's also been getting more**
 7 **than texts telling him he's been hung out to dry. There**
 8 **is a whole mood against him.**

9 Q. The reply from Stephen Mitchell at the top:
 10 "The point we have been making is that you made this
 11 decision, irrespective of what the rest of the BBC
 12 thought, with mine and Helen's support. As Helen
 13 explained that is different from saying that the rest of
 14 the BBC is happy with that decision because by
 15 definition they were not party to it, they are not
 16 equipped, even now, to judge what they thought about it.
 17 Have a look at the draft of my message."
 18 The message is over the page.

19 A. Yes.

20 Q. This is a message that Stephen Mitchell is going to send
 21 to all the people in News?
 22 A. Yes, to his department. No, just to people in his
 23 department.

24 Q. Which is programmes, News programmes?
 25 A. No, it is just called the programmes department. If you

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1 look at that list it is long list of pretentious
 2 journalism.

3 Q. Annex 1. About ten lines from the bottom of his note
 4 there is a sentence beginning, "As to the merits". Do
 5 you see?
 6 A. Yes.

7 Q. Just read that sentence to yourself.
 8 A. Yes.

9 Q. Then at the top of the page, Mr Rippon makes
 10 a suggestion, it is fair to say not copied to you, he is
 11 suggesting changing "happy with" to "supported", which
 12 is not a change that Mr Mitchell made in the end.
 13 Do you think "supported" was accurate? Peter Rippon
 14 is looking for a bit of -- he's looking for some allies
 15 here, isn't he?
 16 A. I think Steve, in this message, supported Peter more
 17 eloquently than anyone else in the BBC about that point.
 18 That was a very important thing that he put out there.

19 Q. Let me just look and see if I can show you this.
 20 I think on the same day, page 175, Peter Rippon sent
 21 a note to his own staff at Newsnight, didn't he?
 22 A. I think he did. And he was going to do a staff meeting.

23 Q. And you sent him what might be thought to be an
 24 encouraging --
 25 A. I was writing a lot of encouraging notes that week.

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1 Q. -- email at 10 to that night.
 2 Can you help us -- maybe you can't -- with what
 3 happened between the MacKean and Jones emails to the
 4 Director General, saying the blog is not right; why it
 5 took to the 22nd October to correct the blog?
 6 **A. No, only from what I've read in the notes in George's**
 7 **notebook.**
 8 Q. Which --George's handwritten --
 9 **A. The handwritten notes, which is quite hard to read.**
 10 Q. It is hard to read, I have tried to.
 11 **A. Let me tell you what I thought it said, which was, in**
 12 **the end the only way to resolve it was to actually do**
 13 **a deep dive into the email traffic, which they did in**
 14 **anticipation of this enquiry.**
 15 Q. And until they had done that, they weren't going to do
 16 anything --
 17 **A. Yes.**
 18 Q. -- because they didn't want to be correcting it more
 19 times than was necessary?
 20 **A. Yes, as I understand it from those notes.**
 21 Q. But that wasn't -- that really wasn't your department,
 22 at this stage?
 23 **A. Well, at that point it was -- I think actually George**
 24 **makes that clear in those notes it was very much, um,**
 25 **the corporate centre and the Director General's office.**

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1 Q. Yes. Just let me check --
 2 Yes, just I think this might be the last thing
 3 I want to show you. Bundle 11, please, page 393. Back
 4 to Mr Paxman and your exchange directly with him.
 5 **A. I do.**
 6 Q. We saw earlier the exchange with Rippon and Paxman that
 7 got sent to you, but this is you and Paxman?
 8 **A. He stunned me.**
 9 Q. You had a -- he sent you a long email that starts at
 10 393, "Dear Helen ... "
 11 Making the point that the editor had been hung out
 12 to dry. Making clear that he disagreed with Peter's
 13 original decision before he mishandled the crisis, but
 14 that was neither here nor there. Paxman's point was
 15 that:
 16 "No one deserves to be abandoned by the institution
 17 for which they work."
 18 He says at 394.
 19 **A. Yes.**
 20 Q. And then he makes some other points. And your reply,
 21 which I want to ask you about, starts at 392.
 22 **A. Yes.**
 23 Q. You took issue with Mr Paxman's email. Then you say:
 24 "It is no exaggeration to say that I put my job on
 25 the line last week to defend Peter's right to make his

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1 own decisions as an editor and will continue to do so if
 2 necessary."
 3 And then you explain from your perspective --
 4 **A. Yes.**
 5 Q. -- the support you have been giving him. What is that
 6 about?
 7 **A. That was when -- the same conversation that ended with**
 8 **the invitation from The Daily Mail's editor to go to**
 9 **lunch with George. George was explaining to me his**
 10 **thinking about preserving the institution and preserving**
 11 **News and I said -- and it was not an empty gesture --**
 12 **I said, um -- because I had been thinking about it**
 13 **ever since the programme, "If you need me to be the**
 14 **person who takes responsibility for this, I will**
 15 **resign." And it was not an empty platitude, it was**
 16 **absolutely meant, because in the end, as far as I'm**
 17 **concerned, that's why I get paid the danger money.**
 18 Q. But the "this" that you were contemplating taking
 19 responsibility for -- under those circumstances, the
 20 "this" was the --
 21 **A. The editor's right to --**
 22 Q. -- poor editorial decision.
 23 **A. Well, George had said --**
 24 Q. The wrong decision?
 25 **A. It depends if you think it is the wrong decision.**

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1 Q. That is why I am pressing you about it.
 2 **A. I think editors are allowed to make the wrong decision**
 3 **as long as they make it honestly and honourably. If**
 4 **they make it through laziness or greed or viciousness,**
 5 **that is not acceptable. But I don't think you can run**
 6 **a journalistic culture where editors are not allowed to**
 7 **make mistakes. I also think it is dishonest -- if you**
 8 **think somebody has made a catastrophic and negligent**
 9 **mistake you need to put them on a disciplinary and sack**
 10 **them. I don't approve of statements that make it**
 11 **impossible for them not to resign.**
 12 Q. That's what I'm just pressing you on. I can understand
 13 why you might have taken the view -- perhaps you did
 14 take the view -- that to make a statement that made it
 15 impossible for Mr Rippon to resign --
 16 **A. Not to resign.**
 17 Q. -- not to resign, sorry, would be an outrageous thing
 18 for the BBC to do to Peter Rippon. I can understand why
 19 as Director of News you might say "If you do that, I'm
 20 going to resign in protest. I'm going to make it clear
 21 that I think this is an outrageous thing to do."
 22 **A. That's not what I said -- sorry.**
 23 Q. I know it is not what you said. I'm just suggesting to
 24 you that would have been, as it were, one point of view,
 25 perhaps a perfectly sensible point of view to protect

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1 the integrity of News and the editors that work for you.
 2 But why should you be offering to walk the plank on
 3 the basis of a poor editorial decision when you actually
 4 hadn't formed any view as to whether it was -- whether
 5 it was a poor editorial decision?
 6 **A. Well, George had formed a view and George was thinking**
 7 **of a sort of behaviour that I felt I had to counter and**
 8 **actually take responsibility -- you know, if somebody**
 9 **had to take responsibility for this, it does not seem**
 10 **unreasonable that it is me.**
 11 Q. You were willing to, as it were, go along with, accept
 12 the view -- the view that had been formed that Mr Rippon
 13 had --
 14 **A. I don't -- you finish and then I will chip in.**
 15 Q. That Mr Rippon had screwed up this decision. Not the
 16 blog, not misrecollecting it months later, but the
 17 fundamental decision was so bad that he was going to be
 18 forced into a position where he had to resign.
 19 **A. I don't think that I would have framed it in those**
 20 **terms. I would have framed it as an editor has to**
 21 **write -- you know, make a decision. The decision we can**
 22 **argue about and I would have said I actually think that**
 23 **it may not have been a bad decision, but it has clearly**
 24 **left the BBC in a very vulnerable place with all sorts**
 25 **of issues being raised about its reputation and its**
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1 editorial integrity -- issues that actually kill me when
 2 I think about them because I have worked long and hard
 3 to try to protect the reputation of BBC News, clearly
 4 not alone. I think I could have made that gesture --
 5 sincerely meant gesture -- and not compromised, not
 6 given the idea that Peter had made the wrong decision,
 7 but made it clear that it did happen when I was Director
 8 of News. I don't think the two have to sit together.
 9 MR POLLARD: Why did you decide not to resign on those
 10 grounds?
 11 **A. George said he would not accept my resignation because**
 12 **to accept --**
 13 MR POLLARD: He couldn't have stopped you resigning.
 14 **A. He couldn't and I did not -- I'm not going to make**
 15 **myself a martyr in this. I offered it, I was sincere in**
 16 **my offer, and when he said no, I accepted that.**
 17 **But throughout this there has been -- once the**
 18 **Exposure programme came out it was incredibly difficult**
 19 **for people not to see Peter's decision-making as poor,**
 20 **because you know hindsight is a wonderful thing. It is**
 21 **incredibly hard to kind of think back to where he might**
 22 **have been and the material he had.**
 23 MR MACLEAN: Let me just show you a document that might help
 24 you date this conversation. If we look at A12 -- I hope
 25 we will find page 231.001 -- an email from you to
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1 Stephen Mitchell on 13 October which is a Saturday at
 2 5.10.
 3 **A. Yes. You found this. This is one we couldn't find**
 4 **because I had accidentally deleted it. Then we tried to**
 5 **get it and we realised you probably already had it.**
 6 Q. We got it yesterday.
 7 A. Yes.
 8 Q. Anyway, we have it now. This email at 510 is making
 9 some of the points you have just been discussing with
 10 Nick --
 11 A. Yes.
 12 Q. -- isn't it, covering the same sort of ground, on
 13 Saturday 13th? You said in the Paxman email -- that was
 14 the 11th -- and you said in the email to Jeremy Paxman
 15 on the 11th, which must have been the Thursday:
 16 "I put my job on the line last week."
 17 A. Yes.
 18 Q. So that would make it --
 19 **A. I think it was the -- I think it was the day after the**
 20 **Exposure programme. I think it was the Thursday**
 21 **morning.**
 22 Q. Right.
 23 **A. Because -- because it was funeral in George's office,**
 24 **and I think that was because the programme had just gone**
 25 **out.**
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1 Q. So this email, more than a week later, is still
 2 reflecting the same point of view?
 3 **A. Well, it wasn't getting any better, was it, the**
 4 **situation? I mean I actually think I was slightly hard**
 5 **on Peter, um, in this, because I still think he might**
 6 **have run it badly, but I don't think he made his**
 7 **decision necessarily badly. But clearly, you know, this**
 8 **is a -- this is slightly a cry of despair to discover**
 9 **too late what has gone on.**
 10 MR POLLARD: It paints a pretty terrible picture of what was
 11 happening in part of your empire, shall we say?
 12 **A. It does. I mean, you may -- at the end of this you may**
 13 **or may not agree with what I say in the brackets, but**
 14 **that to me was the thing that suddenly hit me.**
 15 MR MACLEAN: The brackets?
 16 **A. "It seems to me that this basically comes down to two**
 17 **boys fighting for control of a complex and complicated**
 18 **story which should have involved sensitivity as well as**
 19 **rigour, proper evidence, proper interviews, and failing**
 20 **to manage the most basic elements, what was the story**
 21 **about? Their lack of precision on almost every front**
 22 **terrifies me."**
 23 **That is an exaggeration but --**
 24 MR POLLARD: I know you are a long-time colleague and friend
 25 of Steve Mitchell, but Steve Mitchell was the direct
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1 line manager of Peter Rippon and had responsibility for
 2 Newsnight. I appreciate that the News group in total
 3 has about 8,000 people within it, and the news
 4 programmes area has about a thousand, something like.
 5 **A. Yes, nearly a thousand.**
 6 MR POLLARD: Still quite a big department. But you do
 7 describe the chaos within part of that in pretty vivid
 8 terms. With hindsight -- I accept it is with
 9 hindsight -- do you not think Steve should have got
 10 a better grip of this?
 11 **A. You mean the investigation or the team?**
 12 MR POLLARD: Well, both, and the fallout that developed
 13 through December/January/February and onwards?
 14 **A. Given that every appraisal I have ever done of Steve has**
 15 **talked about his onerous workload, um, the complexity of**
 16 **what he manages, editorially and managerially, the fact**
 17 **that the BBC puts extra responsibility on him by asking**
 18 **him to run our IR, for example, I'm honestly not going**
 19 **to judge him on this. I mean, it would be very easy to**
 20 **bounce down responsibility but in the end I am Director**
 21 **of News.**
 22 MR POLLARD: Okay.
 23 MR MACLEAN: I think finally just on the chronology, I think
 24 it is 18 October, isn't it, where the new regime is put
 25 in place?

1 If you want to see, it is in bundle 14 at 163.001,
 2 but there is an email from George Entwistle on the 18th
 3 to Peter Horrocks, putting him into the position of
 4 Acting Director of News for the purposes of Savile.
 5 **A. Yes.**
 6 Q. So he's now doing your job vis-a-vis Savile?
 7 **A. No, no. What happened there was I recused myself and**
 8 **Steve from Savile on, I think, the 8th or the 12th. So**
 9 **I sent an email to the News Group Board and put it in my**
 10 **monthly message saying because there is a question mark**
 11 **over the command and control chain --**
 12 Q. I think it is the 12th when the announcement is made
 13 that leads to this process?
 14 **A. So I do it first. We do it to ourselves because that to**
 15 **me is the only honest thing to do; you are clearly**
 16 **conflicted. Then I say to George, you need to reinforce**
 17 **this. So initially we put Fran in and then, because**
 18 **Fran hasn't done many investigations, Peter is put in to**
 19 **sort of handle the long form journalism.**
 20 Q. So your email -- sorry.
 21 **A. And then -- and then Adrian is brought in, and then**
 22 **Adrian does McAlpine and Adrian is taken away again.**
 23 Q. Adrian?
 24 **A. Van Klaveren.**
 25 Q. He does the --

1 **A. He does the Newsnight McAlpine programme.**
 2 Q. Above Liz Gibbons?
 3 **A. Above Liz Gibbons.**
 4 Q. Yes.
 5 **A. But he had actually been brought in to deal with Savile**
 6 **related things and of course it is confusing why that**
 7 **was ever Savile related but that was the decision that**
 8 **was made.**
 9 Q. There is an email from you to the News Group Board on
 10 the 18th, the Thursday, which you won't find in there.
 11 It is in another file but can I just read it to you?
 12 **A. Okay, yes, go on.**
 13 Q. "This makes clear the new clarified chain of command by
 14 having Tim [that is Davie] as acting DG on the Savile
 15 story. On Savile: Tim is George; Peter as me with
 16 special responsibilities for current affairs; Fran in
 17 charge of daily output as well as deployments,
 18 effectively Steve M plus her own job."
 19 To which Mr Mitchell replied:
 20 "Better late than never. S."
 21 **A. I know what he was referring to in that. I actually**
 22 **have the date when I sent the recusing -- if I can look**
 23 **at my calendar. The "better late than never" was who**
 24 **was doing the George Entwistle role, because actually**
 25 **that had taken a long while to establish.**

1 Q. So that reference to the gap --
 2 **A. Do you want me to find this date when I recused myself?**
 3 **Would that be helpful?**
 4 MR POLLARD: Do we need it? Probably not.
 5 MR MACLEAN: If you can, I suppose.
 6 **A. It won't take long.**
 7 Q. While you are looking for it --
 8 **A. Yes, on 12 October.**
 9 Q. The 12th, okay.
 10 That, I think you will be pleased to know at quarter
 11 past 6, is all I want to ask you. I don't think Nick has
 12 anything else.
 13 MR POLLARD: I don't think so.
 14 MR MACLEAN: Have we left undone that which we ought to have
 15 done, and if so what?
 16 **A. Well, the mystery is baffling, that is all I would say.**
 17 **That core moment. Um, and it -- you know, I run a lot**
 18 **of people but I don't deny my responsibility for any**
 19 **part of my Kingdom. That's what I'm saying.**
 20 MR POLLARD: I suppose only in the most general sense we
 21 will make our own views, probably including some
 22 recommendations, in the report, but we are obviously not
 23 looking at the whole of the News group and we have not
 24 been asked to.
 25 **A. Yes.**

<p>1 MR POLLARD: What's your view about the immediate changes 2 that need to be made to prevent something like this 3 happening again? 4 A. Well, the first thing is that, um, it's very dangerous 5 to elide Newsnight's failure to broadcast a film and 6 broadcast of a film with the rest of the News group. 7 I think there are particular problems around 8 Newsnight. I mean, if you look at that chain of 9 command, the idea that we have a bloated management 10 chain is nonsense. Actually to some extent you could 11 argue that taking out supervisory roles editorially has 12 been -- and managerially has been negative. 13 So when I ran current affairs it was editor to me to 14 Tony Hall. It is still editor to Stephen Mitchell to 15 Helen Boaden, but the responsibilities of Helen Boaden 16 and Steve Mitchell are dramatically greater and I'm not 17 sure the BBC has absorbed that. Clearly you can't go in 18 and say "Let's have more managers", but those are the 19 kinds of issues. 20 I think Newsnight has been a troubled programme for 21 some time. Steve and I put Peter in there, um, to try 22 and address some of those problems. Um, you can decide 23 whether you think he was the right person or not. He 24 has real strengths, particularly around news analysis. 25 He's joined Newsnight to the News family, which is</p> <p style="text-align: center;">Page 181</p>	<p>1 television investigations? 2 It is interesting for me that Meirion went to 3 Panorama with this programme first. They do things 4 slowly, most of the time, carefully, and they have a lot 5 of resource. You know, maybe we didn't catch up fast 6 enough with the idea that as Newsnight's job and purpose 7 slightly changes, actually some of the things that it 8 has done well and proudly no longer quite work. It is 9 not necessarily as fit for purpose as it should be. 10 But the other thing is I think the BBC -- and, you 11 know, I'm on the Executive Board so this is partly my 12 responsibility -- has, um, increasingly asked editors to 13 be managers. You know, we have cut back on the back 14 office staff. We have had them doing, you know, 15 responsibilities for the editorial, responsibilities for 16 the people. More and more of that has shrunk the amount 17 of time you can spend on the editorial. It is still the 18 core of what they do but I do wonder if we need to 19 rethink that. 20 When Steve became head of the programmes department, 21 one of the first things he did was to reverse some of 22 George's cuts to Panorama, because he said: you do not 23 have enough supervisory roles in there editorially; 24 there is too much high risk journalism going out with 25 not adequate supervision, which I immediately had help.</p> <p style="text-align: center;">Page 183</p>
<p>1 important, because Newsnight is a bit like an old 2 colonial power with a lot of old colonial power 3 attitudes, refusing to accept a more modern world with 4 less resource, a digital challenge and, at times, with a 5 sort of almost contemptuous or sneery attitude to the 6 work of the rest of the News group. Peter is 7 collaborative and he has tried to address some of those 8 things. 9 For me, the most important thing is -- and it goes 10 back to my despairing email -- is that the skill it 11 takes to run investigations I don't think Newsnight 12 necessarily has. And it -- 13 MR POLLARD: Is that because the resources to do that have 14 been slowly taken away? 15 A. It is easy to say that. I think it's, um, partly that, 16 but you could -- if you talk to former Newsnight editors 17 and former Heads of News, they would say Newsnight 18 always rush their investigations. You know, it is 19 a daily programme dealing with weekly events. 20 I created the programmes department partly to bring 21 together into a single area of expertise, you know, both 22 original journalism and investigative journalism. What 23 I would anticipate needing to do now -- structuring this 24 for you to think about -- is do you actually have 25 a centre of excellence built around Panorama for all</p> <p style="text-align: center;">Page 182</p>	<p>1 That sounds like a rather boring thing to talk 2 about, but that's the way the checks and balances, the 3 difficult questions -- if you are doing current affairs 4 journalism the thing you always -- the way I was raised 5 in it was you test the weakest part of what you are 6 doing, not the strongest part. The strongest part you 7 take for granted and, um -- well, not take for granted 8 but you assume it's there. And I, um, I just wonder if 9 some of those skills of precision, cross-referencing, 10 writing everything down -- you know, did Peter have 11 a notebook where he had written everything down? That's 12 what I was trained to do as an editor, I know it is what 13 George was trained to do as an editor: had we passed 14 that skill on to him? 15 MR POLLARD: To Peter Rippon? 16 A. Yes, that's what I mean. 17 MR POLLARD: Do you think there has been too much resource 18 shifted into online journalism, digital journalism, 19 where people are not actually in a lot of ways 20 generating fresh content -- 21 A. Yes, they are reworking. 22 Q. -- they are repurposing? 23 A. Yes. Interestingly, the latest DQF round that I'm 24 doing, I'm asking precisely that question. I had not -- 25 Newsnight is not a badly resourced programme for most --</p> <p style="text-align: center;">Page 184</p>

1 in fact it is quite well resourced for most of what it
 2 does. But you could certainly raise that question in
 3 terms of some of the things we do online are very good
 4 and very imaginative, but could the world live without
 5 them if you have limited funding? You could certainly
 6 ask that.

7 But it is also, Nick, around skills, around
 8 confidence, around -- so on the Primark problem, you
 9 know, that was an editor -- not Tom Giles, it was Sandy
 10 Smith. First of all, he brought in someone who was
 11 a campaigning journalist which in general I think is bad
 12 idea; but, secondly, he didn't -- there wasn't a process
 13 whereby you ask this reporter, who is secretly filming
 14 in a dangerous location, "How can we make sure we can
 15 verify you did what you said you did?"

16 Now that sounds really obvious until you discover it
 17 has not been done. So what happened there was again
 18 Steve rolled out a training programme and, you know,
 19 when freelancers come to work for us now they get a lot
 20 of -- not bureaucratic stuff but, you know, "This is
 21 what we need to know from you". So we learn from our
 22 mistakes all the time but that -- you know, it seems to
 23 me some of what went wrong here was two people who felt
 24 passionately about a story rushing at it, an editor who
 25 may or may not have felt anxious about it -- that will

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1 be for you to decide -- and not enough common ground
 2 about, what are we trying to do here? Things like "How
 3 are we going to log it? Why are you interviewing them
 4 on the phone?"

5 MR POLLARD: It has been suggested -- and we have touched on
 6 this -- that there had been at least a partial loss of
 7 faith in Peter among some parts of the team. Some
 8 people have put it subtly, some people have put it very,
 9 very unsubtly, that he wasn't up to it, that he was out
 10 of his depth, or that it had been suggested he was too
 11 steeped in radio in his previous career and had not
 12 really adapted to television. I mean, had it become
 13 a bit of a poisoned place?

14 A. Um, I would say no. And I used to bob in there quite
 15 often, partly because you do pick up on an atmosphere,
 16 but it could shift quite a lot depending on who was
 17 around.

18 So there was sort of old fortress Newsnight that
 19 really liked to see themselves as very separate, very
 20 different, trouble causing, intellectually you might
 21 argue quite arrogant on the one side, and then a more --
 22 perhaps some of the younger people or some of the newer
 23 people like Paul Mason who liked a more -- a Newsnight
 24 that was about news analysis. It wasn't -- you never
 25 got the feeling it was split in two, but you got the

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1 sense of two histories competing.

2 MR POLLARD: Had it progressed beyond the point where that
 3 tension was healthy to where it was unhealthy?

4 A. I thought it had not passed beyond that point. In fact,
 5 I didn't think it was anywhere near it.

6 MR POLLARD: Do you think this episode has proved that it
 7 had?

8 A. I think this episode demonstrates that it probably had
 9 and it was not one of the things that certainly at my
 10 level I had clocked. I had clocked the other things
 11 that we talked about but I hadn't clocked that.

12 MR POLLARD: Would you expect Steve to have clocked that?

13 A. Yes, I would have expected Steve to have clocked it and
 14 I don't know what -- we certainly talked about, um,
 15 Peter and [redacted] and Peter and [redacted] But the
 16 revelation of Meirion and Liz and their disaffection
 17 came as, I think -- you know, over the blog -- was new
 18 to him as well as to me.

19 MR POLLARD: I get the sense from a particular source, it
 20 wouldn't be too difficult to guess what it is, that
 21 [redacted] was never off the phone or email telling
 22 you that Peter was not up to it.

23 A. No, that is a grotesque exaggeration. I had probably
 24 three conversations with [redacted] about it. They were
 25 vociferous conversations and he moved from -- he moved

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1 his position quite a lot.

2 Certainly the year that we were -- last year when
 3 we, [redacted]
 4 [redacted] kept on saying,
 5 "I'm, you know, waiting for something to happen". But
 6 [redacted] believes in a world where you wave a magic wand
 7 and new jobs are created. That is not the BBC that we
 8 live in. [redacted]
 9 [redacted]
 10 [redacted]
 11 [redacted] But [redacted]
 12 [redacted] and thinks you
 13 can conjure stuff out of thin air, and curiously you
 14 can't. But it would be a lie to say I didn't know
 15 [redacted] view. I mean, I absolutely did know [redacted]
 16 view.

17 MR MACLEAN: Did Steve Mitchell know [redacted] view?

18 A. [redacted]
 19 [redacted]
 20 [redacted]
 21 [redacted]
 22 [redacted]
 23 [redacted]
 24 [redacted]

25 Q. So he would have been as much -- Steve Mitchell would

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1 have been as much in the picture about --
 2 A. [REDACTED] Oh, he knew about [REDACTED] and [REDACTED] and
 3 some of the others, but it is really important, I think,
 4 not to be, um -- not to assume that Newsnight's culture
 5 is defined through the lens of the people who have been
 6 critical of Peter. There are lots of people who are
 7 very supportive of Peter. So, you know, Liz Gibbons and
 8 Shaminder loved working with him. You know, he has had
 9 support from other members of that team, both pre and
 10 post this episode.
 11 Q. Is that because he gave them more rein than other
 12 editors?
 13 A. Yes. And, you know, it is a less sexist office than it
 14 used to be.
 15 Q. So it is not just the amount of rope they are given, it
 16 is to do with the atmosphere as well?
 17 A. It is the degree of respect, the openness to people's
 18 ideas, those kinds of things. I mean, that's what
 19 creates an environment for creativity and ideas.
 20 Q. I see.
 21 MR POLLARD: Helen, that is very kind of you to spend so
 22 much time talking to us about this. Thank you very much
 23 for everything you have told us.
 24 A. Thank you.
 25 MR MACLEAN: And thank you to the transcript writers.

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1 A. I think you are just heros.
 2 (6.30 pm)
 3 (The Inquiry adjourned until 10.00 am, Wednesday,
 4 21 November 2012)
 5
 6 MS HELEN BOADEN (called)1
 7
 8 Housekeeping1
 9
 10 Questions by MR ALAN MACLEAN2
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