

<p>1 Thursday, 29 November 2012 2 (2.00 pm) 3 JAN YOUNGHUSBAND (called) 4 MR POLLARD: Jan, thank you for coming, good afternoon, and 5 James too. 6 You know what we're pursuing here. We thought it 7 would be useful just to ask you a few questions. We 8 have seen the note that you sent which is very useful. 9 Mr Maclean will ask most of the questions and I will 10 ask anything that seems appropriate as well. 11 Mr Spafford just has a couple of procedural points 12 to make first. 13 MR SPAFFORD: Thank you for coming, to both of you. Just 14 a couple of procedural points. Obviously, you can tell 15 this is being transcribed. 16 A. Yes. 17 MR SPAFFORD: Obviously if you want to -- it is quite 18 difficult to speak and watch the screen, I have to 19 say -- there is a real time summary of what is being 20 said there. 21 A. Yes. 22 MR SPAFFORD: We will deliver the transcript to you, 23 tonight, probably to you, James, if you want it, for 24 typographical errors, if you can get that back to us as 25 soon as you can.</p> <p style="text-align: center;">Page 1</p>	<p>1 A. I was at the BBC between 1993 and 1996. I was 2 a freelancer doing single projects. 3 Q. In what part of the -- 4 A. In music and arts. 5 Q. Right. Then you went to Channel 4? 6 A. I lived in California for a short time and came back to 7 be commissioning editor of music at Channel 4 in 1999, 8 and I became head of arts at Channel 4 in 2004. 9 Q. So you take up the post of Commissioning Editor, Music 10 and Events, in 2009? 11 A. Um-hm. 12 Q. Who did you take over from? 13 A. It was a new position but I'm -- I'm not exactly sure 14 who I took over from, because it was being managed 15 differently before. It was a new position, um, created 16 when they changed the structure of commissioning. 17 Q. So if we fast forward, Jimmy Savile died on 29 October 18 last year, we have seen some emails from you, which I'm 19 going to show you in bundle 1 in a moment, on the 30th. 20 Why was Jimmy Savile's death, as it were, a matter for 21 you? 22 A. Well, I'm Commissioning Editor for Music and Events, and 23 events includes obituaries. 24 Q. How would that -- let me show you the first email at 25 page 85 -- you have probably seen this -- well, you have</p> <p style="text-align: center;">Page 3</p>
<p>1 The second point is obviously confidentiality. You 2 have signed the confidentiality agreement, so you 3 understand it. 4 A. Yes. 5 MR SPAFFORD: It is very important to understand that what 6 that means is that what is discussed here is 7 confidential but of course Nick is free to use what is 8 said for the purposes of the report -- 9 A. Yes. 10 MR SPAFFORD: -- and also is free to use your timeline and 11 summary in the same way. 12 A. Yes. 13 MR SPAFFORD: Great, thank you. 14 Questions by MR MACLEAN 15 MR MACLEAN: Can I ask you when you took up the post of 16 Commissioning Editor of Music and Events at the BBC? 17 A. In September 2009. 18 Q. Where had you been before? Was that your first BBC 19 appointment or not? 20 A. I had worked at the BBC 15 years ago as a producer in 21 music and arts and I came from Channel 4 where I was 22 commissioning editor for arts. 23 Q. So you had been at the BBC for -- 24 A. Yes. 25 Q. -- how long a period, before you left?</p> <p style="text-align: center;">Page 2</p>	<p>1 seen it, you refer to it in your timeline. This is the 2 Sunday, the day after Jimmy Savile died. 3 You email Mr Dolling. Now as I understand it, 4 Mr Dolling had been, in effect, filling in for 5 Nick Vaughan-Barratt who had been ill over the summer, 6 is that right? 7 A. Nick Vaughan-Barratt had been -- had done the Royal 8 Wedding and had been -- which was a huge job, and had 9 been ill after that, and he was also leading up to 10 retiring from the BBC and Phil Dolling was acting, 11 taking over from him as Acting Head of Events. 12 Q. So there was a bit of a transition going on between 13 Dolling and Vaughan-Barratt? 14 A. Yes. Yes. 15 Q. In this first email you say: 16 "Should we obit Jimmy Savile, is that in hand? Not 17 sure if Nick is still across this kind of thing. I will 18 email him." 19 That is a reference to Nick Vaughan-Barratt? 20 A. Yes. 21 Q. So you were asking this question because, if there was 22 to be an obit of Jimmy Savile, that might be something 23 for you to be involved with? 24 A. Yes, because I commission the obituaries. Obituaries 25 are the programmes which are made in advance of death,</p> <p style="text-align: center;">Page 4</p>

1 and sometimes we do them in quick turn around, if
 2 someone dies unexpectedly. Phil Dolling was a producer
 3 in the department. This email refers to the teaching
 4 awards, which were being filmed live that afternoon,
 5 which I attended as the commissioner of that department,
 6 and so I asked him if we should be doing an obit, did he
 7 know, but I also emailed Nick Vaughan-Barratt at the
 8 same time.
 9 Q. Yes, so obviously Jimmy Savile's death the day before
 10 had been covered on the News.
 11 A. Yes.
 12 Q. Was it that that prompted this email?
 13 A. Yes, as I said in my timeline, I woke in the morning
 14 thinking -- actually I didn't know because I was out and
 15 about on Saturday. I woke on Sunday morning to the news
 16 and one's immediate response would be, should we do
 17 something and if so what, because obviously he's a very
 18 high profile person and the first question would be: is
 19 there an obituary ready or not, or should we do
 20 something.
 21 Q. What was your knowledge on Sunday, 30 October about what
 22 the BBC had on the stocks, if anything, about
 23 Jimmy Savile?
 24 A. I didn't know whether we had anything on the stocks,
 25 which is why I asked the question. Sometimes there are

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1 films that have been made years before which are waiting
 2 to be updated, but, um, I didn't know what we had, which
 3 is why I asked, and the reply came that there wasn't
 4 anything.
 5 Q. Apart from -- well, let me ask it differently. What
 6 knowledge did you have of Jimmy Savile, apart from the
 7 fact that he was dead, on 30 October 2011? What did you
 8 know about him?
 9 A. I didn't know a lot because I have had never worked with
 10 him. I knew -- what I -- what I knew was only from sort
 11 of the general sort of almost rumour, if you like, that
 12 he wasn't -- that he was a slightly strange man.
 13 I mean, you only have to look at him to see that, but
 14 I knew two things really. I had worked in charity
 15 before, so -- and there had been rumours there that his
 16 work around charity and money wasn't exactly
 17 straightforward, and then also that I had heard rumours
 18 about his -- just his general behaviour but not, you
 19 know that he -- that there was a sort of dark side to
 20 his general behaviour but I didn't know anything
 21 specific about him.
 22 Q. We will come to dark side in a minute. What rumours
 23 about general behaviour had you heard and from where?
 24 A. Well, outside the BBC not inside the BBC, but generally
 25 speaking I think people -- because of the Louis Theroux

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1 film as well, there was a lot of speculation about
 2 whether, you know, he was -- what his -- you know,
 3 whether his sexual life was not quite right.
 4 I think, to be honest, I thought maybe he was into
 5 boys, I don't know, but it is the entertainment industry
 6 where there is a lot of rumour and gossip.
 7 Q. This is while he was still alive?
 8 A. Yes, while he was still alive, in the sort of last year
 9 of his life, really, partly prompted by the
 10 Louis Theroux film, I think people were saying "Well,
 11 what is really going on?"
 12 Q. The Louis Theroux film was some years before.
 13 A. Yes, but I think we all -- there was a sort of general
 14 view that things weren't all what they might be, but
 15 nobody really knew what.
 16 Q. It strikes me -- or perhaps it might strike somebody as
 17 slightly odd that Jimmy Savile was much of a topic of
 18 conversation in the last few years? He had fallen off
 19 the radar, hadn't he, more or less, in terms of being on
 20 television?
 21 A. Yes, but he obviously is a famous figure in television.
 22 He is a major figure in television as a television
 23 presenter and as a public figure and, you know, actually
 24 until recently much loved by the public.
 25 Q. So, as you mentioned a moment ago and in your timeline,

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1 you didn't just email Mr Dolling, you sent, a minute
 2 later -- if you go over the page -- an email to
 3 Nick Vaughan-Barratt asking what the obit position was?
 4 A. Yes.
 5 Q. He gives a reply over the page --
 6 A. Yes.
 7 Q. -- within about 25 minutes or so:
 8 "Some years ago we decided not to make one in
 9 advance and that decision has been agreed by successive
 10 controllers."
 11 What, if anything, did you know about that, apart
 12 from what's in that email?
 13 A. That was just a point of fact really.
 14 Q. That was news to you, was it?
 15 A. Yes, it was news to me. I just wanted to know: is there
 16 an existing film and, you know -- and it was just a pure
 17 point of information, do we have a film or not, and we
 18 didn't.
 19 Q. So it looks as if you then reply saying "Okay, thanks
 20 for letting me know". Then you sent -- well, we can see
 21 if we go over the page that Mr --
 22 A. Yes.
 23 Q. -- Vaughan-Barratt then sent you another email. If he
 24 hadn't sent you the email at 9.17 on page 88 and matters
 25 had rested with your email at 9.15, what would have

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1 happened? Would that have been it? You would have
 2 said: "What's the obit position?" he said, "We haven't
 3 got one", you would say "Thanks for letting me know".
 4 Would that have been the end of it, from your point of
 5 view?
 6 A. No, as a commissioner my responsibility is to the
 7 channel controllers, so my job is to then say -- ask the
 8 channel and the Head of Vision "Do you want a film about
 9 Jimmy Savile? There isn't one". I was sort of
 10 anticipating that they would ask me if we had one, and
 11 so I wrote saying "We haven't got one. What would you
 12 like to do about this?"
 13 Q. Before you did that, you got this further email, didn't
 14 you, from Mr Vaughan-Barratt at page 88?
 15 A. This one, yes.
 16 Q. So he has told you at 9.13 that there isn't one:
 17 "... decided not to make one in advance and that has
 18 been agreed by successive controllers", he says."
 19 You say:
 20 "Okay, thanks for letting me know."
 21 He then has a further thought, as it were, and says:
 22 "We decided that the dark side to Jim, I worked with
 23 him for 10 years, would make it impossible to make
 24 an honest film that could be shown close to death. But
 25 maybe one could be made for later."

1 entertainer or somebody, you know, in the --
 2 an entertainer or a famous star of some kind,
 3 Whitney Houston, say, there is already so much material
 4 about that person that you can quickly gather that in
 5 and make a film overnight if you needed to. So there
 6 was not always a need to make the film in advance.
 7 Q. As we understand it, there are relatively few obituaries
 8 which are in the can, on the shelf, for people who
 9 haven't died yet, is that right?
 10 A. Yes, that is right. Really the general rule is that,
 11 um, we only need to prepare films in advance when --
 12 when that person dies you have to change the schedule
 13 and put that film out immediately. So you can imagine
 14 the kind of people that would apply to.
 15 Q. We interrupt this programme to --
 16 A. Yes, "We interrupt this programme because this has
 17 happened and here is a film".
 18 Q. Or we're not showing Casualty tonight --
 19 A. Yes, we're not showing Casualty because that -- but that
 20 is somebody very, very important.
 21 Q. Did Jimmy Savile fall into the "We must pull Casualty"
 22 category?
 23 A. He wouldn't have done, because: (a) he -- you know, in
 24 his case there would have been -- it would have been
 25 considered fine for there to be news coverage and, in

1 A. Um-hm.
 2 Q. You email back saying that you completely understand:
 3 "I completely understand."
 4 What was your complete understanding, precisely?
 5 A. Well, um, you can't -- there was an area of his life
 6 which people felt through rumour was not what -- you
 7 know, we didn't understand or know about and you
 8 can't -- you can't make a film about somebody unless you
 9 know about their life, and when you make an obituary, it
 10 is a film about somebody's life. It's not a film about
 11 their work. It is their whole life and so what I took
 12 from Nick's point was he -- him also saying there was
 13 a dark side that we don't know about meant that we
 14 couldn't have made a film about him because we couldn't
 15 have dealt with his private life.
 16 Q. So there is a distinction to be drawn, is there, between
 17 an obituary which deals with somebody's life --
 18 A. Yes.
 19 Q. -- and a tribute which deals with their work?
 20 A. Yes.
 21 Q. Is that the distinction?
 22 A. Yes, that is right. Obituaries are made in advance.
 23 Then -- we don't make obituaries of every famous person,
 24 just a few where making it in advance is necessary for
 25 reasons of getting interviews prepared. But with a big

1 fact, what happens now is that the News covers
 2 everything. Say, when Whitney Houston died, she was all
 3 over the papers, all over every broadcaster. So in that
 4 case we would say "There is plenty of footage of this
 5 person and we can make a film very quickly as a tribute
 6 to her at a later date".
 7 Q. That --
 8 A. But that's a decision of my superiors of how quickly the
 9 film should go out.
 10 Q. But such a film to be broadcast at a later date that can
 11 be put together quite quickly, that is not the same as
 12 a obituary, is it, or is it?
 13 A. No, that's a tribute.
 14 Q. That's a tribute. So you had -- when you sent this
 15 email back to Mr Vaughan-Barratt on the Sunday morning,
 16 you appear to have been proceeding on the basis that you
 17 and he had a complete understanding of what he meant by
 18 "the dark side to Jim".
 19 A. Yes.
 20 Q. So just help me to understand precisely what that dark
 21 side comprised of.
 22 A. Well, it, um -- from all I knew -- all I knew about the
 23 dark side was, as I said before, that I knew from my
 24 charity work that there was speculation about his -- the
 25 financial side of his life, and, um, there had also --

1 there was speculation about his sexual life because he
 2 lived with his mother and he seemed like a pretty weird
 3 guy. I didn't know any more but there was a general
 4 view around, I think with people, that he was a strange
 5 guy.
 6 Q. Did you know that Mr Vaughan-Barratt had any
 7 understanding about the charity side of things?
 8 A. No.
 9 Q. The money --
 10 A. He just -- it is purely an email. We didn't discuss it
 11 at that point.
 12 Q. I'm just trying to work out whether you really did have
 13 a complete understanding, you see.
 14 A. I see.
 15 Q. It may be that --
 16 A. I didn't have -- when he said -- I think if you say
 17 someone has a dark side and you have heard rumours about
 18 someone, you assume, okay, yes, he did. In fact, um --
 19 I didn't -- we didn't compare notes on what we meant by
 20 "dark side" at that point.
 21 Q. So is this a fair summary, I'm just trying to understand
 22 what we can get out of these emails --
 23 A. Yes.
 24 Q. -- there were two aspects to it, so far as you were
 25 concerned. You had some direct knowledge, I think, of

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1 these rumours of hand in the till type allegations
 2 concerned with his charity work, on the one hand --
 3 A. Yes, um-hm.
 4 Q. -- and some other perhaps rather vague view that he was
 5 a bit of a weirdo, is that fair --
 6 A. Yes.
 7 Q. -- and those were the two aspects?
 8 A. Um-hm.
 9 Q. But you don't -- you don't know --
 10 A. I didn't know he was a paedophile.
 11 Q. I'm not asking you that. You don't know whether, for
 12 example, that first aspect, the charity side, was
 13 something that Mr Vaughan-Barratt knew anything about?
 14 A. No, no.
 15 Q. So --
 16 A. I mean, I -- this email was purely, you know, in
 17 response to me asking "Do we have an obit?" and, given
 18 that he's such a huge figure, we didn't have one and
 19 Nick replying, explaining why not. It was a pure
 20 exchange of facts at this point that we didn't have
 21 an obit because of this.
 22 Q. You then say:
 23 "I have asked George what he wants to do."
 24 "George" was Mr Entwistle?
 25 A. Yes, George was then Head of Vision and my direct boss.

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1 Q. Yes. If you go to page 90, just before you sent the
 2 email we just looked at, you sent one to
 3 George Entwistle and Danny Cohen, who we know is the
 4 Controller of BBC1, and Phil Dolling and Emma Swain.
 5 Just help me, who is Emma Swain?
 6 A. Emma Swain is Head of Knowledge. Yes, I'm a Knowledge
 7 Commissioner, which is a group of commissioners and she
 8 looks after what we call Knowledge Commissioning at the
 9 BBC.
 10 Q. She's a commissioner?
 11 A. She's in charge of Knowledge Commissioning and she's
 12 also my boss.
 13 Q. So she would report --
 14 A. She reports to the Head of Vision.
 15 Q. To George Entwistle?
 16 A. George Entwistle.
 17 Q. "Dear George and Danny, just to say, we don't have
 18 an obit of Jimmy standing, by as I gather the BBC has
 19 decided not to prepare one in advance, so please let me
 20 know if you would like us to commission one now."
 21 So that appears to be a reference to an obituary
 22 rather than a tribute?
 23 A. Yes. Because I commission obits, I don't commission
 24 tributes. So at this point I was asking if they -- if
 25 they wanted us to do a fast turn around film about him.

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1 Q. We will see the emails, but the ultimate answer to that
 2 question was no, was it?
 3 A. No, because we had an exchange about the dark side on
 4 email. We didn't put the details of that in the email
 5 because it -- we tend not to put a lot of personal
 6 detail in email. But we didn't put the detail of that,
 7 but we did have a conversation about it on the Monday
 8 morning.
 9 Q. Who is "we" there?
 10 A. Nick Vaughan-Barratt and me, on the telephone on Monday
 11 morning.
 12 Q. Right.
 13 A. We spoke to each other --
 14 Q. We will come to that. Let's just deal with this?
 15 A. Yes.
 16 Q. So you get a reply not from Mr Entwistle or Mr Cohen but
 17 instead from Phil Dolling at page 91, who I think you
 18 were going to meet that day, is that right?
 19 A. Um-hm.
 20 Q. He says:
 21 "It prompts me to think we should go through who we
 22 have on the list both Royal and celeb. Finally we are
 23 at the Palace Theatre. Come around 1500."
 24 You say you would see them then.
 25 A. Yes.

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1 Q. Then you do get a reply from Mr Entwistle, don't you, on
 2 the Sunday evening?
 3 A. Yes.
 4 Q. "My instinct is that we probably wouldn't want to
 5 commission an obit as such but would have commemorate
 6 Sir JS by repeating some of the programmes we already
 7 have and I suspect I may not be the right place for
 8 that, but I look forward to catching up with everyone's
 9 thinking in the week ahead."
 10 A. Yes.
 11 Q. We will come to your decision in a minute on the 31st.
 12 But did you ever catch up with George Entwistle yourself
 13 about this on a face to face basis?
 14 A. **Not face to face but in email I told him about the dark
 15 side in the email.**
 16 Q. Right.
 17 A. **But I didn't see him face to face.**
 18 Q. Did you have any discussions with Mr Cohen about
 19 Jimmy Savile tributes or obituaries?
 20 A. **Only in email.**
 21 Q. Only in email.
 22 A. **That is usual.**
 23 Q. So the discussion that you had, other than electronic
 24 communication through email: you had a discussion with
 25 Nick Vaughan-Barratt --

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1 A. **On the telephone.**
 2 Q. -- on the Monday morning.
 3 A. **Um-hm.**
 4 Q. Tell us about that.
 5 A. **I phoned Nick on Monday morning to pick up the -- the
 6 conversation. Um, because obviously there's a question
 7 of "Are we making a film or not?" and if we are, should
 8 we start? The decision had been made not to make one
 9 and I phoned Nick to say we're not going to make a film,
 10 to stand everybody down, because otherwise they would
 11 have had to have got to it, and in that conversation he
 12 repeated really what he had said in his email, which was
 13 that it was impossible to tell the true story of his
 14 private life because we just don't know.**
 15 Q. So, because we just don't know.
 16 A. **Um-hm, we don't know enough to do a story about his --
 17 his life.**
 18 Q. Wasn't it rather that Mr Vaughan-Barratt knew more than
 19 enough about Jimmy Savile's life to know that he
 20 couldn't make a film about him?
 21 A. **Well, I don't know what Mr Vaughan-Barratt knew about
 22 his life, because he didn't tell me. He just said he
 23 had a dark side and we didn't compare notes on the phone
 24 about that dark side.**
 25 Q. So did you mention to him what you had heard or knew, if

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1 you like, about the alleged financial improprieties to
 2 do with the charity work?
 3 A. **I said to him that I had heard about the charity stuff.
 4 But to be clear, that Nick Vaughan-Barratt, who is --
 5 was responsible at the time for all our Royal events and
 6 many confidential matters, probably would not give me
 7 information over the telephone about anything. I mean
 8 he would not. It is sort of standard practice at the
 9 BBC that you don't go into details on the phone or in
 10 email, and I think I -- we just knew that the film
 11 itself wasn't required. So it was a practical fact that
 12 we weren't going to make the film really. It wasn't --
 13 we didn't go into the detail of why not.**
 14 Q. But did Mr Vaughan-Barratt leave you with the impression
 15 that he had a clear view that Jimmy Savile's sexual
 16 practices were unusual or unacceptable?
 17 A. **No, he didn't mention that. He just said because of his
 18 dark side and we don't know the truth about his life.**
 19 Q. You mentioned earlier, I think, that you said you
 20 assumed that Jimmy Savile, as you put it, was into boys,
 21 or might have been into boys?
 22 A. **Well, that was just rumour and speculation and gossip.
 23 You know, people gossiped about him because he was such
 24 a strange man. It was not based on fact but it was
 25 gossip.**

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1 Q. Was there any discussion about Jimmy Savile's sexual
 2 proclivities between you and Nick Vaughan-Barratt?
 3 A. **No.**
 4 MR POLLARD: "Dark side" is obviously shorthand he was
 5 using. You didn't say to him "What do you mean by that,
 6 exactly?"
 7 A. **I didn't question him on it, because I think we both --
 8 neither of us really knew. I mean, I didn't know, when
 9 he said "dark side", I suppose I thought he meant that,
 10 you know, he was shady in his charity work. I wasn't
 11 thinking about his sexual side at all at that point, so
 12 I didn't think to ask him that.**
 13 MR MACLEAN: You say that neither of us really knew. You
 14 had never worked with Jimmy Savile, had you?
 15 A. **Sorry?**
 16 Q. You had never worked with Jimmy Savile?
 17 A. **No, I never met or worked with him.**
 18 Q. But Nick Vaughan-Barratt had told you in the email on
 19 the Sunday morning that he, Vaughan-Barratt, had worked
 20 with Savile for ten years?
 21 A. **Um-hm.**
 22 Q. So didn't you think, well, Nick Vaughan-Barratt --
 23 I might not know, you might not know much about
 24 Jimmy Savile, but Nick Vaughan-Barratt told you he had
 25 worked with him for ten years, so he was well placed to

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<p>1 know what the story was, wasn't he?</p> <p>2 A. Yes, I think I didn't ask him. I didn't go into the</p> <p>3 detail of it, because it's not the sort of conversation</p> <p>4 we would have had on the phone and I didn't ask him.</p> <p>5 I -- I didn't ask him.</p> <p>6 Q. So, just taking half a step back to page 94 of the</p> <p>7 bundle, on the Sunday evening. We saw</p> <p>8 George Entwistle's email earlier, the one which is now</p> <p>9 in the middle of the page. We looked at that a moment</p> <p>10 ago. Then Danny Cohen says:</p> <p>11 "I think I agree with George re BBC1."</p> <p>12 Is not the right place. Why would BBC1 not be the</p> <p>13 right place: because he wasn't a big enough star or</p> <p>14 what?</p> <p>15 A. I -- I don't know, actually, why. It's -- how -- why it</p> <p>16 wouldn't have been placed on BBC1. I mean, when we make</p> <p>17 obituaries they are often on BBC2. Sometimes it's to do</p> <p>18 with space -- where can we put the programme -- because</p> <p>19 when you do things at short notice these channels are</p> <p>20 very fully committed and unless, you know, a major Royal</p> <p>21 figure died -- in which case the whole schedule would be</p> <p>22 changed -- they would look across the channels to see</p> <p>23 where is best to place any -- any repeat films.</p> <p>24 Q. If you look at page 97, at the very bottom of 97 is your</p> <p>25 email from the Sunday morning to Mr Entwistle and</p> <p style="text-align: center;">Page 21</p>	<p>1 This is the scheduler talking about what's in the</p> <p>2 schedule.</p> <p>3 Q. Yes, I understand.</p> <p>4 A. I can't comment on that, really, because I don't know</p> <p>5 what happened to Only Fools and Horses.</p> <p>6 Q. Then you see the reference to the When Louis Met Jimmy</p> <p>7 at the top.</p> <p>8 A. Um-hm.</p> <p>9 Q. As a possibility. Now, that discussion between Cohen</p> <p>10 and McGolpin is going on without reference to you,</p> <p>11 because that is not really your department, is that</p> <p>12 right?</p> <p>13 A. Well, no. The channel controller decides what is shown</p> <p>14 on the channel and, as a commissioner, you supply the</p> <p>15 programme to the channel --</p> <p>16 Q. So when you say --</p> <p>17 A. -- if required.</p> <p>18 Q. So when you say "well, no", are you agreeing with me or</p> <p>19 disagreeing with me?</p> <p>20 A. Oh, sorry. I agree with you.</p> <p>21 Q. So, then who is Imogen Barham? Page 99, top of the</p> <p>22 page: Imogen Barham?</p> <p>23 A. I don't know.</p> <p>24 Q. You don't know, okay.</p> <p>25 If you go to page 101, Danny Cohen has had this</p> <p style="text-align: center;">Page 23</p>
<p>1 Mr Cohen -- do you see --</p> <p>2 A. Yes.</p> <p>3 Q. -- which goes over the page --</p> <p>4 A. Yes.</p> <p>5 Q. -- which we looked at earlier. You see there is</p> <p>6 an email picking that up from Danny Cohen to</p> <p>7 Dan McGolpin. Who is Dan McGolpin?</p> <p>8 A. Dan McGolpin is the Scheduler of BBC1.</p> <p>9 Q. So Cohen says to McGolpin on the Sunday morning:</p> <p>10 "What is your view on this? Big enough iconic name</p> <p>11 to do a 30-minute tribute programme on 1?"</p> <p>12 Then McGolpin says:</p> <p>13 "Hard one. Big name, had big channel presence, had</p> <p>14 an obit we could play quickly would be fine. Playing</p> <p>15 down the line, though, loses topicality and needs to</p> <p>16 have more content. I'm struggling slightly with what</p> <p>17 this programme is, what we show, who is in it. He</p> <p>18 doesn't have loads of hilarious clips like someone who</p> <p>19 was in a sitcom or wrote one. I was wondering about</p> <p>20 Christmas, especially having lost the Only Fools,</p> <p>21 et cetera, and I can't think if I would give that</p> <p>22 a truly BBC1 treatment".</p> <p>23 So what had happened to Only Fools and Horses, do</p> <p>24 you know?</p> <p>25 A. I don't know, unless it had been cancelled or something.</p> <p style="text-align: center;">Page 22</p>	<p>1 exchange with McGolpin on the Sunday, that we have just</p> <p>2 looked at, yes?</p> <p>3 A. Um-hm.</p> <p>4 Q. Then he sends George Entwistle an email on the Monday</p> <p>5 morning:</p> <p>6 "Hi George, one thought I have had this morning is</p> <p>7 to do a Fix It special at Christmas with a loved BBC</p> <p>8 personality taking Sir Jimmy Savile's role. It would be</p> <p>9 a homage to him and would, I think, feel like a real</p> <p>10 Christmas treat. Mark is going to talk to in-house</p> <p>11 entertainment ..."</p> <p>12 I presume they are -- in-house entertainment, sorry:</p> <p>13 "... about the rights issue and who the BBC</p> <p>14 personality might be."</p> <p>15 Is who the person might be to front the show.</p> <p>16 "This would leave the way for BBC2 to do archive</p> <p>17 biography or the Louis Theroux special."</p> <p>18 You were copied into that. What did you think of</p> <p>19 that as an idea?</p> <p>20 A. I didn't comment on the idea because the -- my role in</p> <p>21 the discussion of what we should do had finished. Um,</p> <p>22 there was no need for an obituary so there was -- as</p> <p>23 a commissioner my -- my role had finished.</p> <p>24 Q. Yes, but I asked you what was -- I'm not suggesting you</p> <p>25 did or should have --</p> <p style="text-align: center;">Page 24</p>

6 (Pages 21 to 24)

1 A. What do I think of this?
 2 Q. -- necessarily entered into the fray, but what did you
 3 think of this as an idea, a homage to Jimmy Savile?
 4 A. Well, at the time Jimmy Savile's life -- he was being,
 5 you know, feted throughout the press and even by the
 6 Royal family at this time, and had I known he was
 7 a paedophile I would have had a totally different view
 8 of it, obviously, but I didn't know at the time.
 9 Q. Had you had your conversation with Mr Vaughan-Barratt by
 10 the time you got Mr Cohen's email? I don't know when
 11 you saw that email, it was sent at 10.19.
 12 A. No, I didn't see it. I hadn't seen it at that point.
 13 Q. You must have had your conversation with
 14 Mr Vaughan-Barratt on the morning of the 31st because of
 15 the terms in which you emailed Mr Entwistle at 12 noon,
 16 is that right?
 17 A. Yes.
 18 Q. So if you go to 103, it may be -- I don't know, you tell
 19 me if you can help me -- that by the time you sent this
 20 email at 12.01, you had not digested the one from
 21 Danny Cohen that we have just seen, I don't know.
 22 A. I don't know, I can't remember. The one at the top of
 23 the page is following on from the conversation with
 24 Nick Vaughan-Barratt --
 25 Q. Yes.

1 Q. You see, it might be said that the only way in which
 2 that sentence isn't opaque is if you and Mr Entwistle
 3 already know what you are talking about, in which case
 4 it is not opaque because you -- as I say, you know what
 5 is going on -- you know what you are referring to.
 6 Did you, as it were, know what Mr Entwistle knew or
 7 did you assume what he must have known about the dark
 8 side of Jimmy Savile.
 9 A. I didn't -- I don't know. I don't know what -- what
 10 George Entwistle knew about Jimmy Savile. I don't know.
 11 Q. So --
 12 A. I only know what I -- I gave him a statement of fact,
 13 a reason why the film wasn't viable to make.
 14 MR POLLARD: Because if you were a recipient of that
 15 email --
 16 A. Yes.
 17 MR POLLARD: -- and you didn't know that there was a darker
 18 side, it would have -- I would have thought, receiving
 19 it -- had a pretty dramatic effect. You would be
 20 thinking "What shall we do about Jimmy Savile?" If
 21 someone says, "We didn't prepare the obit because of the
 22 darker side of story", you think "Did he have bodies
 23 buried under his house or" -- you know --
 24 A. As Nick Vaughan-Barratt said in his first email, that --
 25 the BBC had already decided some time before, before my

1 A. -- and then me reporting that to George and to Danny and
 2 Emma and Phil.
 3 So I don't -- I don't know -- I can't remember the
 4 time of phone call with Nick Vaughan-Barratt.
 5 Q. I don't think Mr Entwistle replied to that email, did
 6 he?
 7 A. No.
 8 MR POLLARD: Is it that meant to mean the life story or did
 9 you mean "live"?
 10 A. Life story, yes, it's a typo.
 11 MR POLLARD: Okay.
 12 A. Sorry.
 13 MR MACLEAN: That is all right. It's not a spelling test.
 14 It might be said that it's -- the first sentence of
 15 that email -- I appreciate people bash things off in
 16 emails all the time, I'm not being critical, I'm simply
 17 observing that it might be thought that that first
 18 sentence is a little opaque and rather cries out to be
 19 fleshed out, if I can put it like that.
 20 A. Um, yes. But I think the -- it was a sort of direct
 21 exchange. I mean, at the time we -- nobody knew
 22 anything about Jimmy Savile at all.
 23 Q. That makes it slightly curious --
 24 A. Apart from that he might have had a dark side. There
 25 was no information about Jimmy Savile at that point.

1 time there, that they weren't going to make a film about
 2 him. So when you are given an instruction by your boss,
 3 you know, "We're not making a film", that's it really.
 4 I had nothing more -- there is nothing more I could say.
 5 MR MACLEAN: But that's not quite right, though, is it?
 6 You had been told that successive channel
 7 controllers had taken the view that it was not
 8 sensible -- they weren't going to do an obituary, but
 9 you then asked George and Danny whether you would like
 10 them to commission an obituary --
 11 A. Um-hm.
 12 Q. -- and then he had -- Entwistle had replied saying
 13 "probably not an obituary as such, but they would repeat
 14 some of the programme we already had", and then
 15 Danny Cohen had suggested this Fix It special.
 16 So having got to that stage of the story, there
 17 wasn't going to be a formal obituary appears to have
 18 been more or less decided, what was the purpose of you
 19 sending this email at 12.01, if it was not to, as it
 20 were, send a warning message to George Entwistle that
 21 even the tribute programme idea wasn't a wise one? Is
 22 that what you were trying to do?
 23 A. Yes, it was reporting the follow-up conversation with
 24 Nick Vaughan-Barratt and letting George and, um, Emma
 25 and Danny know that -- that that was why the obituary --

1 the detail of why the obituary hadn't been made.
 2 Q. So what --
 3 A. I couldn't go into detail about the dark side because
 4 I didn't know exactly what it was.
 5 Q. So what further involvement over these few days --
 6 I appreciate in your timeline you explain that you came
 7 to learn, by the end of November, that there was
 8 something else on the stocks -- what other involvement
 9 did you have around this time with Jimmy Savile?
 10 A. None at all. None at all. It was just agreed that
 11 there was -- as a commissioner I didn't need to
 12 commission a film and I didn't have any further
 13 involvement or discussion about it.
 14 Q. If you go to page 108 and then keep going one page, you
 15 should come to 108.001.
 16 A. Yes.
 17 Q. Do you see there that is Mr Entwistle's response to
 18 Danny Cohen's email at 10.19, which is the one he copied
 19 you into, which we looked at at 101?
 20 A. Yes.
 21 Q. He responds to that saying "Great idea, Danny, keep me
 22 posted", but there didn't appear to be any response to
 23 your email which is sent in between the Cohen one at
 24 10.19 and George Entwistle's email to Danny Cohen at
 25 12.46.

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1 So your email to George Entwistle is sent without
 2 a -- without there being any reply, is that your
 3 understanding?
 4 A. Yes.
 5 Q. Is this right: there was no reply to your email that we
 6 looked at, at 103, from Mr Dolling or Emma Swain or
 7 Danny Cohen or whatever?
 8 A. No. No.
 9 Q. So, with the exception of the discussion you had had
 10 before you sent that email at 103 with
 11 Nick Vaughan-Barratt about the dark side, your passing
 12 that message on to George Entwistle and copying it to
 13 Cohen, Swain and Dolling rested at that stage, did it?
 14 A. Yes, it rested then.
 15 Q. Just looking at your timeline, you say that at 15.44
 16 that day you emailed Phil Dolling to say that -- this is
 17 116 of the bundle.
 18 A. Um-hm.
 19 Q. "They don't want an obit of Jimmy and would like to do
 20 an entertainment show. So Ents will manage it. Nothing
 21 for us to do then. Good to see you yesterday."
 22 A. Yes.
 23 Q. So that was that, as far as you were concerned?
 24 A. Yes, and it -- and Mark Linsey is the commissioner, he's
 25 the Head of Entertainment so the job of the

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1 commissioning of what we would do moved to Entertainment
 2 as directed by BBC1.
 3 Q. The information that, you say to Phil Dolling, they
 4 would like to do an entertainment show, that had come,
 5 had it, from Mr Entwistle's email to you at 103?
 6 A. Yes. Meaning -- by saying an "entertainment show",
 7 I mean a show from entertainment --
 8 Q. Yes.
 9 A. -- the Entertainment Department.
 10 Q. Yes. So was that it then for you direct involvement?
 11 A. That was it. Until the -- the film about Jimmy Savile
 12 appeared on the Events slate. We have a slate.
 13 I brought it for you.
 14 Q. Right. This is --
 15 MR POLLARD: That's a schedule of upcoming --
 16 A. Yes, it is called a slate and has all the programmes we
 17 make. It is highly confidential. At the bottom you
 18 will see it just says "Savile" in the yellowy bit and
 19 I -- my slate manager brought me the new slate updated
 20 with all the money and what we're making --
 21 MR MACLEAN: It says:
 22 "Transfer from channel for Jimmy Savile."
 23 A. Yes.
 24 Q. What does that mean?
 25 A. That means that the channel has acquired a film about

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1 Jimmy Savile.
 2 MR POLLARD: Was this the 11 November half hour that was
 3 going out? Was that the one we're thinking about?
 4 A. Yes.
 5 MR POLLARD: The one that was made by True North.
 6 A. True North.
 7 MR POLLARD: I see, okay.
 8 A. This is the True North film. So I asked the slate
 9 manager what it was and she said it was an acquisition.
 10 Acquisitions are -- the channels take acquisitions
 11 directly, they don't go through Commissioning.
 12 MR MACLEAN: I see. So it says here:
 13 "Duration: 30. Hours 0.5. [REDACTED]
 14 [REDACTED] True North Productions Limited. Independent
 15 production, Sir Jimmy Savile: As It Happened."
 16 A. Yes.
 17 Q. That was the one that was broadcast in November?
 18 A. Yes.
 19 Q. Right.
 20 A. And that is the email exchange about that film which
 21 I have subsequently been given, which is an exchange
 22 between the channel exec, the BBC1 channel exec and the
 23 regional BBC.
 24 Q. Yes. We have a little bit of this --
 25 A. Yes.

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1 Q. -- in bundle 14 at page 314. At 314 is
 2 George Entwistle's email to you. Then there is one from
 3 Danny Cohen --
 4 A. Um-hm.
 5 Q. -- about the Fix It Special. And then there is one more
 6 email involving you -- a couple more -- on 31 October
 7 with Ben Weston, who I think worked for you, didn't he?
 8 Reported to you, didn't he?
 9 A. Yes, he was my exec at the time. My commissioning exec
 10 for music and events.
 11 Q. And he suggested that the Louis Theroux Special was the
 12 most interesting and enlightening programme that was
 13 ever done. You say:
 14 "Okay. Well, we can get a copy up from the
 15 archives."
 16 But we know that that didn't run?
 17 A. No.
 18 Q. If you go back to the other bundle at 134, this is the
 19 day before. These emails you have just handed me, this
 20 is the day before from Craig Henderson. Where is he, is
 21 he in Leeds?
 22 A. Tony Parker is a member of BBC North.
 23 Q. Yes?
 24 A. Because I have since understood, because I wanted to
 25 find out what had happened, because Jimmy Savile had

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1 been ill since the summer, True North, who are a local
 2 company, had started to make a film about him.
 3 Q. Right.
 4 A. And what happens when somebody dies is there is an
 5 opportunity to make a film, obviously, so everyone will
 6 pitch in to make that film.
 7 Q. Um-hm.
 8 A. So what this email exchange shows is that the BBC
 9 Regions have contacted BBC1 and said "We've got a film
 10 if you want it", and that led to that film, that half
 11 hour, which had already been made for the regions being
 12 taken into the network.
 13 Q. Yes. So we can see that at 133, can't we? On
 14 1 November from Cohen to McGolpin?
 15 A. Yes.
 16 Q. "As it is True North I think I'd be happy to take this
 17 for Network."
 18 So we infer that Danny Cohen knew of and approved of
 19 True North's work:
 20 "If you are ... happy with that I'll let George E
 21 know ..."
 22 So Question of Sport gets the elbow and it gets into
 23 the network slot?
 24 A. Yes. I mean, I don't know but usually in this situation
 25 a lot of people will bid to make the film because it is

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1 business. And when someone dies lots of people pitch in
 2 to make the film and then you have to choose -- the
 3 channel controller decides, you know, which is the right
 4 film to make. But I was not involved in this exchange
 5 but the exchange is a totally normal process in
 6 commissioning.
 7 MR POLLARD: And because True North were already underway
 8 with it, they would have a flying start?
 9 A. Yes, they were already making it. They had already made
 10 it and the regional BBC were going to show it, so they
 11 offered it up. And that is actually helpful and then
 12 we -- True North are an award winning independent
 13 company, so Danny would know that they were a good
 14 company and would make a good film.
 15 MR MACLEAN: So we can see that Danny Cohen was quite
 16 comfortable with it?
 17 A. Yes.
 18 Q. Someone, maybe you, has written on these emails three
 19 names of people, all of whom have died recently: Ken
 20 Russell, Neil Armstrong and Eric Sykes.
 21 A. Yes, I wrote that actually because I -- those were also
 22 famous people for whom we hadn't made an obituary. So
 23 I just -- I wrote that as notes to myself actually to
 24 remind myself that it is -- we don't necessarily make
 25 obituaries of everybody famous and those are three

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1 people for whom we didn't have obituaries prepared in
 2 advance.
 3 MR POLLARD: But you did make, as I understand it, one about
 4 Ken Russell?
 5 A. Yes, we did a fast turn around for Ken Russell.
 6 MR POLLARD: Yes.
 7 MR MACLEAN: In this discussion or in any of discussions --
 8 MR POLLARD: Sorry, just before we move on to that,
 9 a slightly hypothetical question.
 10 Does it follow from those various emails that if the
 11 True North thing hadn't been underway, if BBC Leeds
 12 hadn't jumped in and said "Look, we could do something
 13 on this", would you have then made a half hour or not,
 14 do you think, for that quick turn around?
 15 A. I wouldn't have made it, no.
 16 MR POLLARD: But the BBC would, do you think?
 17 A. The entertainment department were discussing what they
 18 should do. But we wouldn't have made that half hour.
 19 The half hour, I imagine, was taken because it was
 20 available.
 21 MR POLLARD: I see, okay.
 22 A. And it was convenient to take it, and inexpensive.
 23 I mean, obituaries are expensive films. We -- you know,
 24 despite what one might feel, we are very, very careful
 25 about how we spend money. So if a film is already there

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1 it would be -- it's a good thing to try to take what is
 2 already there. And it wasn't expensive so I can see in
 3 commissioning terms that would be a sensible and
 4 economical thing to do.
 5 MR MACLEAN: Did Mr Vaughan-Barratt ever mention to you that
 6 he had had an exchange with George Entwistle in his
 7 previous role about 18 months before Savile died about
 8 the obituary question and Louis Theroux and what the BBC
 9 might do if and when Savile died?
 10 A. No.
 11 Q. I don't know whether you have now seen the email at the
 12 front of bundle 1, the very first page, which is an
 13 email exchange between Mr Vaughan-Barratt and
 14 Mr Entwistle in May 2010, so about 18 months before
 15 Savile died?
 16 A. Yes, I have seen that but only yesterday when I was
 17 given the paperwork. I hadn't seen it before.
 18 Q. I appreciate you wouldn't have seen the emails before,
 19 but the fact of that kind of exchange between
 20 Mr Vaughan-Barratt and Mr Entwistle, that was news to
 21 you as well, was it?
 22 A. Yes, it was, yes.
 23 MR POLLARD: Just a personal question, in a way, that
 24 perhaps calls for something you haven't thought about
 25 until now, but how did you feel after the discussions

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1 about the dark side -- and I appreciate, you know, this
 2 didn't cover paedophilia and so on but there was clearly
 3 something unsavoury about Jimmy Savile and that was one
 4 of the reasons why there wasn't an obit prepared -- how
 5 did you feel about glowing tributes being put out on one
 6 of the channels that you worked for at Christmas?
 7 A. Well --
 8 MR POLLARD: In other words, nothing to do with the dark
 9 side but everything to do with what a great bloke he
 10 was?
 11 A. We have to be clear at that point I didn't know what
 12 that dark side was so I just thought he was a creepy
 13 guy. But I didn't -- had I known what he was, of course
 14 I would have been horrified by it.
 15 But at the time you might think yourself that
 16 something is a bit strange or that maybe he was corrupt
 17 in his charity work, but I knew nothing about his sexual
 18 life. In the entertainment industry all kinds of things
 19 happen, but if they were going to celebrate his
 20 television career at that point I knew nothing that
 21 would prevent you celebrating his television career,
 22 because I didn't know any -- I didn't have any facts
 23 about the dark side of his life.
 24 It was purely rumour and you can't make a film based
 25 on rumour. I didn't know anything. I just --

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1 MR POLLARD: You can't necessarily make a film based on --
 2 A. -- thought he was strange.
 3 MR POLLARD: I'm not holding you responsible for this.
 4 A. No, no, but I'm just saying I just felt --
 5 MR POLLARD: I'm just interested in your view.
 6 You can't make a film about the dark side but you
 7 could refrain from making an unalloyed celebratory film
 8 if there was a dark side, even if you hadn't defined it
 9 completely.
 10 A. Yes, when I realised that there was a film on the slate
 11 I was not happy about it because the film was put on to
 12 the slate and I felt uncomfortable. But I had no --
 13 I had no grounds, precise grounds, for stopping that
 14 film at the time because you can't stop a film just
 15 because there is a rumour.
 16 You know, I -- you can't stop that and I think if
 17 you -- at the time there was an absolutely overwhelming
 18 outpouring of love for Jimmy Savile everywhere,
 19 including from the Royal family. And so there were --
 20 the other side of that was if the BBC hadn't done
 21 something, would they be failing in their duty, which
 22 is, you know, the other side of it because the people --
 23 all the rest of the world who knew nothing -- I mean, at
 24 that point, um, there was nothing in the paper about the
 25 stuff we now know, although what stopped those people

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1 going straight -- you know, people who were -- I mean,
 2 I don't understand what stopped -- if I had been raped
 3 by Jimmy Savile, the moment he died I would have told
 4 someone, and I don't understand why that was not in the
 5 paper at the time. But there was an overwhelming
 6 outpouring of love for Jimmy Savile for weeks, including
 7 from the Royal family, and the BBC would -- would, I am
 8 sure, have felt under a lot of pressure to do something
 9 about him in those circumstances.
 10 MR MACLEAN: But the position appears to be that there were
 11 a lot of people in the BBC who had heard rumours about
 12 the dark side of Jimmy Savile, who, had they thought
 13 about it -- and some of them may have thought about it,
 14 and you have just told us that you thought about it --
 15 thought it was a pretty bad idea to be running these
 16 tributes to him, but don't seem to have gone to
 17 Danny Cohen or to George Entwistle or to Mark Thompson
 18 and said, "Don't do this" --
 19 A. No, I did ask why --
 20 Q. -- "this is bonkers".
 21 A. I did ask at the channel routine why they had
 22 commissioned the film, and the when the -- the channel
 23 controller is senior to me --
 24 Q. Yes.
 25 A. -- and told me that he was happy with the film and

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1 I didn't need to be involved with it.
 2 Q. This was Danny Cohen?
 3 A. Yes. So I was not party to the --
 4 MR POLLARD: When would that be roughly?
 5 A. I was not included in the discussion of whether or not
 6 the film should be commissioned.
 7 MR POLLARD: That channel routine meeting would be roughly
 8 when?
 9 A. I think in the timeline I said it was -- I have to
 10 check -- it was 9 December. I didn't know for quite
 11 a long time --
 12 MR MACLEAN: That is the BBC1 routine meeting?
 13 A. Yes.
 14 MR POLLARD: I see, yes.
 15 A. I didn't know -- until the slate manager gave me the
 16 slate, I didn't know anything about the film at all.
 17 MR MACLEAN: What you don't say in the timeline is that you
 18 raised any objections.
 19 A. I asked why it was on the slate and they said that they
 20 put it -- they parked it there, as they say, because the
 21 film comes in and they park it on a slate. It could
 22 easily have been on the Entertainment slate but they put
 23 it on my slate and said I didn't need to do anything
 24 about it, because it was an acquisition and it didn't
 25 involve me.

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1 MR MACLEAN: So your objection was that it was on your slate
 2 rather than it was being broadcast at all?
 3 A. I asked why it was on the obituary slate when it was not
 4 an obituary. Do you see what I mean? They said they
 5 just parked it there and it was not an obituary and
 6 I didn't have to have anything to do with it, that it
 7 was acquired film from the Regions.
 8 Q. You were being politely told to keep your nose out of
 9 it, were you?
 10 A. Yes, I was told not to act on it. That is standard
 11 practice. It is very clear that films are delivered --
 12 it is clear who is responsible for films and if the
 13 channel controller tells you, "You are not responsible
 14 for this film", you then don't go and deal with it.
 15 MR POLLARD: You said you were not comfortable. Do I take
 16 it to mean that you are uncomfortable not about the fact
 17 that this is parked on your bit of the slate, as it
 18 were, but you are uncomfortable about, having got your
 19 limited knowledge and shared that about the dark side,
 20 that there was a film like this going out?
 21 A. Yes, I was uncomfortable about it, because I felt
 22 uncomfortable about him. Um -- but my personal opinion
 23 or feelings don't determine what the BBC commissions.
 24 I mean, there are many people who we might make films
 25 about who have dark sides, and just because you are

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1 uncomfortable about that personally doesn't mean that
 2 that film should not be commissioned.
 3 I mean, it depends. I had no facts about his dark
 4 side. If I had known he was a paedophile, I would have
 5 gone straight to George Entwistle and said "This is
 6 an outrage, cancel this film", and George Entwistle, as
 7 you see from his response to my email, would have done
 8 the same, had he known. I don't think anyone -- no one
 9 knew, no one knew what that dark side was at that point,
 10 as far as I know. No one in my -- my world of it knew.
 11 MR MACLEAN: I'm not asking you to name names, but
 12 presumably there must be people in the entertainment
 13 world who have, for example, taken controlled drugs, for
 14 example, or had extra-marital affairs, for example.
 15 A. Yes.
 16 Q. Would that make you sufficiently uncomfortable that the
 17 BBC shouldn't put on a tribute about them?
 18 A. Um, if you -- when you know that it's an issue of drugs
 19 or where we have known that there is an issue of
 20 paedophilia --
 21 Q. Leave paedophilia out --
 22 A. When there has been an issue that we have known about,
 23 there is a strict compliance regulation about what can
 24 and cannot be broadcast. So, you know, with drugs and
 25 the music industry, of course the issue of drugs comes

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1 up a lot and there are regulations about when and how we
 2 can talk about drugs on television.
 3 Q. But, I mean, there are some -- we can all think of some
 4 very famous rock stars -- who have convictions for drug
 5 offences, sometimes years in the past, we can all think
 6 of who these people might be, and if they were to die
 7 tomorrow morning I imagine that those spent convictions
 8 would not stop the BBC from broadcasting tributes to
 9 them.
 10 A. I think when it -- when it's in the public domain or
 11 published in a book or when a big rock star has written
 12 a book talking about his drug problems, you know,
 13 30 years ago, that's not an issue because it's in the
 14 public domain. It is when it is not in the public
 15 domain.
 16 Q. I'm slightly puzzled about why you are uncomfortable
 17 about running these tributes, given you say that at the
 18 time you had no knowledge about paedophilia allegations
 19 against Jimmy Savile. You told us you thought you
 20 formed the view he was a bit of a weirdo.
 21 A. Yes, I was uncomfortable about the fact that he might
 22 have been embezzling charities. That made me very
 23 uncomfortable about him.
 24 Q. That came from your experience working, I think you
 25 said, in the charity sector.

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1 A. I worked with Comic Relief. When I was a freelancer,
 2 before I was at the BBC, I worked with Comic Relief for
 3 two years and there were lots of rumours about him
 4 taking backhanders from charity and Comic Relief is very
 5 strict about its money and who gets paid what and how
 6 and it was a subject of much gossip when Jimmy Savile
 7 did charity work or when he ran the London Marathon and
 8 got driven around in a car and stuff. You know, he did
 9 mad, crazy things, so there was a lot of speculation
 10 about his charity work.

11 Q. Did you know, maybe you have seen in the press, that
 12 someone called Sir Roger Jones, who worked with Children
 13 in Need -- did you know Sir Roger Jones at all?

14 A. I didn't know him, no.

15 Q. Do you know that he says that he had he made sure that
 16 Savile was kept at arm's length from Children in Need.

17 A. Um-hm.

18 Q. Did you know about that?

19 A. I only know about it now. I didn't know before.

20 Q. So where does one draw the line, then, do you think, in
 21 terms of having a tribute to somebody if
 22 an entertainment figure with a drugs past or somebody
 23 with a lot of extra-martial affairs, for example, on the
 24 one hand, and -- is it only paedophilia that stops
 25 a tribute programme?

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1 A. It depends on the context of the story you are telling.
 2 I'm not sure how to answer that question. We don't make
 3 television programmes that advocate taking drugs or, you
 4 know, cheating on your wife. But if we are making
 5 a programme about somebody who has taken drugs or --
 6 I mean, we don't -- we don't take a moral position on
 7 that unless it's inappropriate -- it's an inappropriate
 8 context. It is all in the context of the programme. So
 9 there is not a straight answer to that question,
 10 actually.

11 MR MACLEAN: Okay. I don't think I have any more questions.
 12 Thank you very much.

13 MR POLLARD: Thank you very much indeed, Jan, I appreciate
 14 your help.

15 A. Could I say one thing about George Entwistle?

16 MR POLLARD: Yes.

17 A. George Entwistle was trying to change the BBC, and the
 18 irony for all of us is that the one thing that he was
 19 trying to prevent is the one thing that has actually
 20 caused his downfall, and he was setting about to change
 21 the BBC and that didn't make him popular amongst the
 22 people at the BBC who don't want it to change, and --

23 MR MACLEAN: What was nature of the change?

24 A. He was going to change the way the BBC functioned.

25 MR MACLEAN: In what way: from what to what?

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1 A. To simplify it, and this made a lot of people frightened
 2 for their -- their jobs.

3 MR POLLARD: You said that the things that he was trying to
 4 change, it was ironic that it sort of brought about his
 5 downfall. Just explain what you mean by that.

6 A. Well, I think that the communication within the BBC is
 7 a matrix and it is a very complicated system. You
 8 report upwards. You have to go through that chain of
 9 report and that's how the BBC works because it is
 10 a massive organisation and if everybody is just going
 11 off all over the place it doesn't work but to get around
 12 that matrix, people, to get thing to happen, they try to
 13 go around it and he was trying to streamline the BBC and
 14 that made him unpopular.

15 MR MACLEAN: He was trying to encourage or discourage people
 16 from going round the matrix?

17 A. He was trying to simplify the operating system of the
 18 BBC, and he's a very moral man who, as you see from his
 19 reply to my email, had he known that Jimmy Savile was
 20 a paedophile or had he known anything bad about him,
 21 those programmes would not have been made.

22 So I think it's -- I just wanted to say that he's
 23 a great loss to the BBC because he was trying to change
 24 the BBC and exactly eradicate the very behaviour that
 25 allowed Jimmy Savile in the 1970s to do what he did, and

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1 all I can say, as a woman at the BBC now, you would --
 2 that behaviour that happened in the 1970s could not
 3 happen at the BBC now. It just could not happen, and
 4 I -- I wanted to make that point.

5 MR POLLARD: The email that you are referring to, that
 6 George Entwistle wouldn't have made the programmes if he
 7 had known Jimmy Savile was a paedophile, which email is
 8 that you are referring to.

9 A. When I wrote and said "there was a dark side, we don't
 10 know".

11 MR POLLARD: I see.

12 A. I don't know what other conversations he had, but, you
 13 know, it is extraordinary to all of us that, um, had he
 14 known, that programme would not have gone ahead, um, in
 15 normal circumstances, and I don't know why he didn't
 16 know but, er, he's a highly moral man and that kind
 17 of -- anything about that kind of behaviour is
 18 absolutely not tolerated at the BBC now and nor could
 19 have been.

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 MR MACLEAN: How was it resolved?
 8 A. We changed it and we couldn't say it.
 9 MR MACLEAN: To what?
 10 A. [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 Q. [REDACTED]
 14 A. [REDACTED]
 15 [REDACTED]
 16 MR POLLARD: This is because it would be defamatory to those
 17 guys --
 18 A. It would defamatory those people and -- yes, BBC
 19 compliance is very, very, very, very tough.
 20 MR MACLEAN: Well, it might be defamatory.
 21 A. It might be defamatory. So, in the case of the second
 22 Newsnight, it is unbelievable that that programme could
 23 have been broadcast without the knowledge of the
 24 Director General and, had he known, it would not have
 25 been broadcast.

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1 MR POLLARD: Thank you.
 2 A. Thank you.
 3 MR POLLARD: Thank you for that, very interesting. Thank
 4 you.
 5 (3.13 pm)
 6 (The Inquiry adjourned until 2.00 pm,
 7 Wednesday, 5 December 2012)
 8 I N D E X
 9 JAN YOUNGHUSBAND (called) 1
 10 Questions by MR MACLEAN 2
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