

<p>1 Monday, 12 November 2012 2 (Proceedings delayed) 3 (10.08 am) 4 MR MEIRION JONES (called) 5 MR POLLARD: Meirion, welcome, first, from me. As you may 6 know, Alan will be doing most of the questioning, with 7 a few additional questions from me. There is a little 8 bit of sort of housekeeping and procedural stuff to come 9 from Richard to start with. So, Richard, please start. 10 Housekeeping 11 MR SPAFFORD: Thank you, Meirion, for coming in. Just to 12 let you know who is here, we have Richard Blakeley on 13 the end there, who is a barrister, Alan Maclean QC, who 14 will be leading the questioning, Nick you know, and me 15 you know, and Julia Fagelman, who will be assisting me 16 with documents. 17 A couple of points about timing, the transcript 18 writers sitting here, and their fingers get tired, for 19 obvious reasons, so we will go until 11.30. There will 20 then be a short break. 21 We will go from there until lunch at 1 o'clock. 22 Lunch will be about 30 minutes. 23 We will then go for an afternoon session until 3, 24 a short break at 3, and then go on from there until we 25 finish or until 5 pm.</p> <p style="text-align: center;">Page 1</p>	<p>1 A. Okay, this is a new document to me. 2 Q. Right. Okay. This is a diary, Mr Rippon's diary, for 3 31 October 2011, and it would appear that there was 4 a meeting, at 11 or 11.30, involving Peter, you, Liz, 5 which may be Liz Gibbons, but you can tell me if that is 6 wrong, and Shaminder Nahal. Do you remember that 7 meeting? 8 A. These are scheduled about once every couple of weeks. 9 They almost never happen. 10 Q. Was there a meeting on 31 October? 11 A. I very much doubt it. 12 Q. Go to page 102, the same bundle. 13 A. I mean, I did meet with Peter on that day. 14 Q. Right. 15 A. But I don't think there was an investigations meeting. 16 Q. When did you meet with Peter on that day? 17 A. After the -- essentially the way that Newsnight is 18 structured, you have a 10.30 meeting, which is 19 a programme meeting for that day's programme, which runs 20 from 10.30 to 11. 21 Q. So that is the NN morning meeting? 22 A. Sorry, let me just go to that page. 23 Q. 96. 24 A. Yes. So at 10.30 there is the Newsnight morning 25 meeting. That runs until 11 o'clock. At that point</p> <p style="text-align: center;">Page 3</p>
<p>1 Thank you very much for the two agreements that you 2 have given me. I will make sure that Nick signs those 3 and we send copies back to you. 4 A reminder about confidentiality, you have agreed 5 that while what you say to Nick can be used by Nick for 6 the purposes of the review, information you receive from 7 the review, both today and in terms of documentation 8 obviously is and remains confidential. 9 As you said, you will have a chance to have a look 10 at the transcript -- we will require another 11 confidentiality undertaking in relation to that -- and 12 to look at that and to check for typographical errors. 13 Is that all understood, Meirion? 14 A. Yes -- or, you know, wrong names, those sorts of things. 15 MR SPAFFORD: That sort of thing is fine, of course. Thank 16 you very much. 17 Questions by MR MACLEAN 18 MR MACLEAN: Could you have a look at bundle A1 -- if you 19 could just be shown that -- and go to page -- it is 20 A1/96. 21 A. Are these documents I have already seen, or new 22 documents? 23 Q. I anticipate that most of these documents you will have 24 already seen in a slightly different version. What we 25 have done --</p> <p style="text-align: center;">Page 2</p>	<p>1 those working on that day's programme leave the meeting 2 and go to work on that day's programme. 3 At 11 o'clock the editor and the two deputy editors, 4 maybe one or two other people, have a half-hour meeting 5 where they are looking maybe a little bit are further 6 ahead talking about other issues that are coming up 7 et cetera. That meeting runs until about 11.30. 8 Effectively there is no point talking to your editor 9 before 11.30 in the morning, because, obviously, there 10 are concerns about that day's programme. 11 Q. So "Investigations Routine", how often would an 12 investigations routine meeting take place? 13 A. I think they are scheduled every two weeks. We have 14 maybe about two or three a year. 15 Q. Would they always be with you? I mean, obviously we 16 have the editor and the two deputy editors and you -- 17 A. Yes. 18 Q. -- would you always be at those meetings or would there 19 be somebody else -- 20 A. No. 21 Q. -- in your position at those meetings sometimes? 22 A. No, it would be me. But, I mean, the thing is, they -- 23 although they are always -- they always come up on my 24 diary. Very rarely do they actually happen. So I doubt 25 there was one on that day.</p> <p style="text-align: center;">Page 4</p>

1 Q. Let's look at what you were doing that morning.
 2 A. Yes.
 3 Q. If you go to page 102, you sent an email to Mr Giles,
 4 who was the editor of Panorama at 11.59. I'm going to
 5 ask you about that in a moment, but just, as it were,
 6 keep a finger there --
 7 A. Yes.
 8 Q. -- and then go to page 107. This is another email from
 9 you, 34 minutes later, to Peter Rippon and Liz MacKean.
 10 Now, we can see -- and you've seen these emails, they're
 11 your emails -- that they're both concerned with the
 12 notion of a Jimmy Savile film. You say in the first one
 13 at 102.
 14 "Some of the girls are now prepared to talk about
 15 this, which might make a core to a film about what
 16 Jimmy Savile really got up to and -- of course he's dead
 17 so he can't sue. Actually, the more I think about it,
 18 the more it is a doc not a Panorama."
 19 Can you just unpack that for me a little bit. If it
 20 is not for Panorama, it's a doc, what would that mean?
 21 A. Essentially, I think you will have seen in my statement
 22 that around about July 2011 I'm in a position where for
 23 the first time I think I've got evidence which might
 24 lead to be able to say that he is a paedophile. Up to
 25 that point it's suspicion, et cetera. I start to get

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1 that stuff really with [REDACTED] account, plus things on
 2 Friends Reunited; things in other places, I'm starting
 3 to think about that. Probably because of libel we still
 4 can't do it, because obviously the victims are -- they
 5 are in an approved school, by definition they are
 6 criminals, they are liars, et cetera.
 7 But we are thinking about it. I'm already talking
 8 about it with Mark Williams-Thomas and Liz MacKean as
 9 a Newsnight from July. But it's not in a situation
 10 where it is worth going to the editor at that point and
 11 saying anything.
 12 Then what happens is he dies unexpectedly, or at
 13 least unexpectedly to me, on 29 October. I immediately
 14 think, I think we may well be able to get into
 15 a position where we can do this film.
 16 Q. Right.
 17 A. But I don't know how -- I don't know how serious it's
 18 going to be.
 19 Q. But my question was quite a focused one --
 20 A. Yes.
 21 Q. -- why is it more a doc and not a Panorama? What does
 22 that mean?
 23 A. Okay, there are really three possibilities here.
 24 Q. Right.
 25 A. One is doing a 10-minute Newsnight, which can be done

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1 quite quickly, relatively quickly. One is doing a sort
 2 of half-hour Panorama. The other would be going for
 3 a softer angle, with a lot of Duncroft and the
 4 celebrities and all this stuff going on, which could
 5 make an hour-long doc.
 6 Q. And that would go out --
 7 A. So I'm looking at all three options in my head at that
 8 point.
 9 Q. So what would be the vehicle be for the doc, the third
 10 option? You have Newsnight, Panorama and the third
 11 option --
 12 A. Or you could put it out as a BBC2 doc, or you could do
 13 a BBC3/4 BBC2 doc. There were various options.
 14 MR POLLARD: Can I just ask what you mean by "softer" in
 15 that respect?
 16 A. I mean soft in that if we couldn't get to a position --
 17 if we got to a position that went further than anyone
 18 had gone before, but not far enough for us to say the
 19 position we got to, which was that we believed he was
 20 a predatory paedophile who preyed on huge numbers of
 21 kids in different institutions, we might have got to
 22 a situation where we were -- it was very suspicious,
 23 there were various stories coming through, but you
 24 wanted more of the -- Duncroft was a really strange
 25 place, wasn't it? More of a -- almost somebody asking

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1 the questions rather than -- you know, more -- you know,
 2 you might have -- you know, maybe not Louis Theroux, but
 3 somebody like that, who walks you through it, saying
 4 "Well, you know, we had our suspicions, but there's this
 5 now, there's that now", more colourful but less hard.
 6 I'm thinking about all those three things at that time.
 7 MR MACLEAN: I'm coming to this here to email. We have seen
 8 that you sent an email to Mr Rippon and Liz MacKean
 9 a little later. Did Mr Tom Giles respond to this email?
 10 A. No, he didn't.
 11 Q. You didn't in fact chat about it?
 12 A. No. He -- essentially he'd come up to me the week
 13 before in the foyer, the coffee bar, and said, you know,
 14 "Why don't we have a chat about you coming and working
 15 for us", and because that's in my head, I'm thinking,
 16 you know, maybe I shall send him a note as well saying
 17 there might be a Panorama in this. But I'm actually
 18 talking to Liz from earlier than this that morning, from
 19 10 o'clock when I get in --
 20 Q. Right. You had obviously spoken to Peter Rippon before
 21 you sent the email at 12.33 as well, I think, because if
 22 you look at page 107 --
 23 A. Yes, I might have done.
 24 Q. It doesn't read as if this is the first that the
 25 recipients of this email have heard about this --

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1 A. No, I have talked with him before this.
 2 Q. So you've talked with him --
 3 A. I have talked before that, definitely.
 4 Q. I infer from the first line of your email that you had
 5 discussed with Rippon and MacKean the fact that there
 6 was this web memoir?
 7 A. Yes.
 8 Q. So in layman's terms -- I am sure I have the journalism
 9 lingo wrong -- this looks like, as it were, your pitch
 10 to Peter Rippon to do this story.
 11 A. Yes, exactly.
 12 Q. Is that fair?
 13 A. Yes, that is absolutely fair. I had a con -- I mean,
 14 I'm guessing that I've had a conversation with him
 15 around about the time that I've sent that email to Tom,
 16 either just before or just after. More likely just
 17 after. He may have been busy for half an hour. I
 18 couldn't get in to see him at 11.30. I sent this to
 19 cover my back, almost, to say "Look, here's an option",
 20 in case Peter says "I don't -- I don't fancy this".
 21 I then have a chat with Peter. Peter is
 22 enthusiastic, but rightly says "Can you send me the
 23 autobiography", and, of course, that's what I then do
 24 and it's the right thing for Peter to do at that time.
 25 He wants to get -- have something in front of him to
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1 have a look at.
 2 Q. This was taken from, as we now know, [redacted] post
 3 on the internet, the web memoir?
 4 A. Yes, I think calling it a post on the internet makes --
 5 sort of demeans it slightly. I think, you know,
 6 although it is a sort of self-published autobiography --
 7 Q. It's an account.
 8 A. -- it is actually quite a good piece of work. I don't
 9 know if you've read it.
 10 Q. Yes, I have read it.
 11 A. I actually think it reads very well, it's very
 12 interesting, and essentially it's a sort of site where
 13 people, who have not been authors, are trying to write
 14 something and get other people to come in and say, you
 15 know, "you're using too many adjectives, you know, if
 16 you did it as "I" rather than "it" happened, it would be
 17 better", it's that sort of thing. It's actually quite
 18 an impressive piece of work, I think.
 19 Q. All right. Now, one of the points that it made in this
 20 extract, you had cut and pasted wholesale this extract
 21 from the memoir, had you --
 22 A. Yes.
 23 Q. -- or was this your reportage of it?
 24 A. No, no, no, no, this is -- no much better to have
 25 exactly what she wrote.
 Page 10

1 Q. So one of the points that is made, we can see from
 2 page 108, in the penultimate paragraph, one of points
 3 that is there right at the beginning from the web memoir
 4 is that [redacted] had -- although [redacted] hadn't touched the author of
 5 the memoir, whom you don't identify by her own name
 6 here --
 7 A. Yes.
 8 Q. -- that's just an observation, it's not a criticism at
 9 all:
 10 "... although I watched in a detached fashion as he
 11 had full sex with one of the other girls in the dressing
 12 room into which we were all crammed."
 13 A. Yes.
 14 Q. So sex by [redacted] in the BBC premises is there from the
 15 outset?
 16 A. Yes, absolutely. First -- the very first thing I send
 17 says that.
 18 Q. And [redacted] is referred to here as?
 19 A. [redacted] or [redacted] She's not referred to in this.
 20 Q. I don't think she is referred to at all. And [redacted] and
 21 [redacted] those are both pseudonyms, are they?
 22 A. I don't think they are. I don't know. We never found
 23 [redacted] [redacted] we found, I think, [redacted] we didn't. But
 24 I don't think [redacted] wanted to talk.
 25 Q. It is also fair to say that one of the points that was
 Page 11

1 made in the web memoir was that the author of it was
 2 "perfectly certain" that the BBC had no idea what was
 3 going on.
 4 A. Yes, yes.
 5 Q. Now, if you go to 140 in the same bundle --
 6 A. Do you want me to examine that thought or not?
 7 Q. Not at the moment, but we will come back to it.
 8 A. Yes.
 9 Q. If at the end there are some thoughts that you have not
 10 downloaded to us, then by all means do. If you go to
 11 page 140, same bundle, on 2 November -- so a couple of
 12 days later -- you send this to Hannah Livingston?
 13 A. Yes.
 14 Q. You are just forwarding the same email.
 15 A. I think so, yeah. Yes, I am.
 16 Q. Now, Livingston did a great deal of work, quite a lot of
 17 research work, on this story.
 18 A. Yes.
 19 Q. How would you describe her role?
 20 A. Okay, essentially what you need to know is I was working
 21 flat out on an investigation into vulture funds at the
 22 time. I had just come back from Bosnia, I had to start
 23 a whole lot of translation of documents from Bosnia, I'm
 24 about to go to an edit in America.
 25 I get this one going. I talk to [redacted] get her to
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1 agree to an on-camera interview. I then essentially
 2 leave it in the hands of Liz MacKean, who is extremely
 3 experienced, with Hannah as a researcher working with
 4 her. So Hannah is working for Liz MacKean effectively
 5 over that period, and I'm pretty much out of the loop of
 6 that from about the 4th or 5 November.
 7 Q. Right. So one of the main people that was spoken to was
 8 somebody called [REDACTED]
 9 A. Yes.
 10 Q. So if you go to 257. [REDACTED] spoke with
 11 Hannah Livingston.
 12 A. And with Liz, yeah.
 13 Q. I'm taking it in stages. She spoke with
 14 Hannah Livingston; yes?
 15 A. Yes.
 16 Q. Did you ever talk to [REDACTED]
 17 A. Only at a much later stage.
 18 Q. So at this stage --
 19 A. At this stage, no.
 20 Q. -- [REDACTED] has spoken to Hannah Livingston --
 21 A. Yeah.
 22 Q. -- and we can see from 257 that it looks as if the name
 23 of [REDACTED] has been suggested. Do you see that?
 24 A. I don't have that.
 25 Q. 257, do you see in the middle of the page:

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1 "Going to ring [REDACTED] again ..."
 2 A. Ah, yes. Sorry, yeah.
 3 Q. Do you see?
 4 A. Yeah.
 5 Q. "... and tried to get in touch with a woman called
 6 [REDACTED]"
 7 She, as it turned out, was the second woman that was
 8 interviewed on camera.
 9 A. Yes.
 10 Q. And for what it's worth, which may be not much,
 11 Hannah Livingston says at the end of this email that
 12 [REDACTED] was:
 13 "... the most 'sorted' sounding of all the women
 14 I've spoken to."
 15 A. Yes.
 16 Q. Now, [REDACTED] was one of the ones who had been in contact
 17 with the police --
 18 A. Yes.
 19 Q. -- in the past.
 20 A. Yes.
 21 Q. And [REDACTED] was not.
 22 A. Exactly.
 23 Q. And one of the things that it seems, from reading these
 24 bundles, one of the things that happened was that there
 25 developed, for some reason which we can explore, some

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1 confusion in some minds as to who had gone to the police
 2 and who hadn't; is that right?
 3 A. I don't know about that. You will have to tell me about
 4 that.
 5 Q. We will see, for example when we get to the blog and
 6 some of the references to key witness from
 7 Mr Peter Rippon --
 8 A. Oh, you mean in terms of Peter, well --
 9 Q. -- there was some confusion as to?
 10 A. Oh, well, I mean, you can call it confusion, you can
 11 call it what you like, but, yes, I mean, he's not saying
 12 what happened here.
 13 Q. We will come to that. We will come to that.
 14 Now, Mark Williams-Thomas was somebody with whom you
 15 had already worked at this stage; yes?
 16 A. Yes. Yeah, yeah. I had worked with him over probably
 17 ten years. Although, not so much recently.
 18 Q. So if you go to 208, the same bundle, a couple of days
 19 later, 4 November, he emails you --
 20 A. Yes.
 21 Q. -- and he's keen to be involved.
 22 A. We might already have had a phone conversation. I mean,
 23 certainly obviously he would have been aware. We'd
 24 discussed this in depth in July when we were at
 25 Interpol.

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1 Q. So the idea for his role at this stage in the production
 2 of this story was what?
 3 A. Er, he was -- we put £500 in the budget for him to look
 4 at all the evidence and come to an assessment for us.
 5 I mean, we're not experts on child abuse. I mean,
 6 obviously, I've done a lot of stories about paedophiles
 7 in the early 2000s, but you want somebody who is a child
 8 protection professional, as he is, and who is, you know,
 9 a police background and who has dealt with these sorts
 10 of abusers as well, like Jonathan King, to go through
 11 that stuff and give you an assessment. Also to, um, as
 12 he's ex-Surrey Police, he might be able to help us if
 13 there is a police -- there really was a police
 14 investigation or not.
 15 Q. Let's just look at that point. If you go over the page
 16 to 209 --
 17 A. Yes.
 18 Q. -- 20 minutes or so -- 15 or 20 minutes later, you email
 19 him. He had suggested he might be the reporter, but you
 20 had a reporter, and we know that is Liz MacKean.
 21 A. Yes.
 22 Q. "In confidence we now know that Surrey Police
 23 investigated Savile and interviewed many of the girls
 24 around 2009/2010 but they told them he was too old so
 25 they weren't going to press charges."

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1 What was the basis of that?
 2 A. Well, I mean, first of all, you need to remember these
 3 are emails firing back and forth. These are not
 4 carefully thought out legal documents or whatever. So
 5 "know" is very loosely used there. "Believe" would have
 6 been better.
 7 Q. Right.
 8 A. We're being told by the girls -- women as they now
 9 are --
 10 Q. How many?
 11 A. Hm?
 12 Q. How many.
 13 A. By that stage I'd say -- I wouldn't know how many by
 14 that stage, ultimately I think -- let me have a look.
 15 Ultimately, I think, something like seven -- six or
 16 seven of the women.
 17 Q. We'll come to that. Ultimately you approached 60, you
 18 got 10 responses and they said basically --
 19 A. At this stage --
 20 Q. We'll come to that, but at this stage --
 21 A. Well, okay. At this stage I'm not dealing with that bit
 22 of it, but I would say probably about three or four
 23 women had probably told us that by that stage, by the
 24 4th.
 25 Q. And you had obtained that information from
 Page 17

1 Hannah Livingston or from Liz MacKean?
 2 A. Liz. Well, I got it from Liz, but Liz -- Liz and Hannah
 3 were working on that.
 4 Q. So your belief on 4 November was that three or four
 5 women had told Hannah Livingston and/or Liz MacKean --
 6 A. Yes.
 7 Q. -- that --
 8 A. There was a police investigation.
 9 Q. -- surrey Police had investigated --
 10 A. Yes.
 11 Q. -- but Savile was too old so nothing was going to come
 12 of it?
 13 A. Yeah.
 14 Q. And the purpose of sending that to Williams-Thomas was,
 15 as you said a minute ago, that because of his connection
 16 with Surrey Police he might be well placed to --
 17 A. That's part of it.
 18 Q. -- dig into that --
 19 A. The main part -- the main part though was to assess the
 20 evidence that we sent and that's what it says in the
 21 budget it, for instance.
 22 Q. But this aspect of not pressing charges because Savile
 23 was too old --
 24 A. Yes.
 25 Q. -- was an important part of the story, wasn't it?
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1 A. It wasn't an important part of the story, it was
 2 an element that comes up very early in the story and
 3 stays through throughout.
 4 Q. So it was an unimportant element of the story, was it?
 5 A. No, it wasn't unimportant or important. It was
 6 a element. At this point --
 7 Q. Why was it there if it was unimportant?
 8 A. Because at this point in the story you're chasing every
 9 angle you can. That's how you do it. You shotgun at
 10 the start of an investigation. You go for every
 11 possible line you can and see what's going to come up.
 12 So that's one of the lines we're looking at.
 13 Q. All right. Now, Liz Gibbons didn't fancy this story,
 14 did she?
 15 A. No.
 16 Q. What about Peter Rippon at this stage?
 17 A. He was very favourable to it at this stage.
 18 Q. How did he communicate that to you?
 19 A. Well, you know, we were talking. I was in the office
 20 until probably about the 4th or 5th -- probably the 5th.
 21 Q. Right?
 22 A. So we were having conversations, saying "Look, we're
 23 starting to get there. They are talking to us. We are
 24 starting to get stuff", and so on. But there is no
 25 serious scrutiny at that stage of the investigation.
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1 It's still at a very early stage. It hasn't been
 2 commissioned. We're looking. We're trying.
 3 Q. Why was Liz Gibbons unenthusiastic about it?
 4 A. Well, the emails on 9 November she says -- Liz writes an
 5 email where -- Liz MacKean writes an email where she
 6 says that Liz Gibbons doesn't like the taste idea.
 7 Q. Did Liz Gibbons have a discussion with you or is your
 8 knowledge of Gibbon's attitude simply from the MacKean
 9 email?
 10 A. I have -- I have a sort of vague feeling of Liz really
 11 not wanting to have anything to do with the story.
 12 Q. And her reason -- that vague feeling, why did you think
 13 she didn't want anything to do with it?
 14 A. Why did I think that?
 15 Q. Did you form any view as to why she was keeping this at
 16 arm's length?
 17 A. I mean, it's specu -- well, okay, there are two
 18 possibilities. One is that it is taste and that
 19 genuinely she didn't think you should expose
 20 a paedophile, you know, just after he died, and there
 21 are people who think that. You'll see there's an
 22 email --
 23 Q. It might be said to be rather a good time to expose him?
 24 A. Well, the -- there are is an email, you'll see, from
 25 Roger Mahony and EdPol in the documents I was given on
 Page 20

1 Friday where he talks about a conversation he had with
 2 me around about this time where again he says, "You
 3 know, we've got to be careful, he's just died". And he
 4 has some of those thoughts as well. So it wasn't
 5 completely left field. I mean, to me it seemed very odd
 6 but it's not completely left field.
 7 The other possibility, going on to it, is that she
 8 could see that it was going to be a difficult story for
 9 the BBC. But that would be the other one, but that
 10 would be speculation.
 11 Q. It would be difficult or sensitive for the BBC?
 12 A. Difficult, I think.
 13 Q. Why would it be difficult?
 14 A. Well, he's a huge BBC saint. He has been built up as
 15 this huge hero. When he died we had almost state
 16 funeral coverage, it was -- you know, of his funeral,
 17 and so on. It's very -- it's going to be very, very
 18 difficult to run a story that says this person who the
 19 BBC spent 30 years telling you was a saint was actually
 20 a paedophile. That's quite a difficult story.
 21 Q. Now, you mentioned earlier, a moment ago, the email from
 22 Liz MacKean that you have obviously seen. If you go to
 23 267, I think that's the email you referred to.
 24 A. Yeah, okay. Yes, that one.
 25 Q. She had had a meeting with Liz, that is presumably
 Page 21

1 Liz Gibbons, and Peter, that is obviously Peter Rippon.
 2 A. Yes.
 3 Q. You weren't a participant in that because at this stage
 4 you were --
 5 A. I'm in an edit in Brooklyn.
 6 Q. -- as we can see from a little bit further down the
 7 page, you were 3,000 miles away.
 8 A. Yes.
 9 Q. So she'd had a meeting, MacKean, Gibbons and Rippon:
 10 "She thinks, that's Liz Gibbons, we shouldn't do Js
 11 story on grounds of taste. I persuaded her otherwise,
 12 especially given the police line."
 13 So that was a reference to the Surrey Police --
 14 A. Investigation.
 15 Q. -- aspect that we just looked at.
 16 A. There was a Surrey Police investigation. You are trying
 17 to -- no, may be not trying to, there is a danger of
 18 confusing two things here. I always thought the fact
 19 that the police investigated this and took it seriously,
 20 if we could get that, that would be a huge corroborative
 21 thing to what these girls were saying, and that was
 22 massively corroborative of all their allegations. It
 23 didn't necessarily mean it had happened, but it meant
 24 you should take them a lot more seriously.
 25 So that is the police line that we were after.
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1 There is also a line about whether or not them being too
 2 old -- him being too old to prosecute was an angle, but
 3 it's really not a serious angle, I mean not compared to
 4 exposing Jimmy Savile as a paedophile.
 5 Q. Well, it looks from this email, doesn't it, as though
 6 the police line was an important aspect. Obviously
 7 we'll ask --
 8 A. Yes -- no, no --
 9 Q. Obviously we'll ask Ms MacKean about this.
 10 A. But I say you are confusing two police lines, here,
 11 aren't you? The police line is that if we could show
 12 there was an investigation by Surrey Police of Savile at
 13 Duncroft, that would be a huge element in our story.
 14 Q. Not if it ran into the sand, though?
 15 A. Yes, it would.
 16 Q. Why?
 17 A. Look, if he had been prosecuted by CPS it wouldn't be
 18 a story because we would all know about it, plainly.
 19 Q. Right.
 20 A. There are two possibilities here. One -- well, there
 21 are three. One that there was no police investigation,
 22 that these girls had made it up, in which case we should
 23 be extremely sceptical of everything else they say and
 24 we probably wouldn't run the story, because they have
 25 told us there was a police investigation.
 Page 23

1 Two, there was a police investigation which didn't
 2 go very far and like a lot of police investigations like
 3 this, they didn't hand a file to the CPS. That would be
 4 more questionable, and we would have to think about that
 5 one.
 6 If they handed a file to the CPS -- and this is from
 7 talking to Mark Williams-Thomas, an ex-Surrey Police
 8 officer -- that means the police had taken it very
 9 seriously. There might not be enough evidence to
 10 prosecute but it meant the police had taken it very
 11 seriously. So if we got something like that, we would
 12 be in a terrific position.
 13 Q. So at this stage of the investigation, then, it was
 14 important to find out precisely what the Surrey Police
 15 had done --
 16 A. Yes.
 17 Q. -- what the investigation was, and what had become of
 18 it?
 19 A. Yes, although we were never going to get very far into
 20 that. I mean, you are exposing for the first time ever
 21 that there has been a police investigation into
 22 Jimmy Savile. That is really the story there, rather
 23 than the minutiae of that -- of that.
 24 Q. So let's look at page 276. We're still on 9 November.
 25 There is some irrelevant chat between you and
 Page 24

1 Liz MacKean about, I think, a vacancy at Newsnight at
 2 that stage that we needn't --
 3 **A. Yes, the political editor's post.**
 4 Q. -- dwell on. Look towards the top of the page,
 5 Liz MacKean to you at 4.56:
 6 "Just spoken to Hannah.
 7 "She will send me down briefing notes."
 8 Now, those are the notes of conversations she'd had
 9 with various of these women, yes?
 10 **A. Yes.**
 11 Q. "Shall I contact Surrey Police or wait?"
 12 Now, the natural thing to do would have been to
 13 contact Surrey Police, wouldn't it?
 14 **A. If there were no other factors, yes.**
 15 Q. You say:
 16 "Wait on Surrey Police. Remember [they're] [REDACTED]
 [REDACTED]"
 18 **A. Yes.**
 19 Q. Why do you say that?
 20 **A. Because --**
 21 Q. Why do you say wait, [REDACTED] we'll come
 22 to that, on Surrey Police?
 23 **A. Because I'm in America, I want to be back over this**
 24 **investigation before we start doing things like that.**
 25 Q. Because?

Page 25

1 **A. Because I'm worried about the relationship between**
 2 **Surrey Police and [REDACTED]**
 3 **[REDACTED] let's put it that way.**
 4 Q. We know later from the bundles -- and we will come to
 5 this if necessary -- that a [REDACTED] had
 6 contacted some of these women.
 7 **A. Yes.**
 8 Q. And you say -- you may be right about this -- there is
 9 a correlation between the people who are contacted and
 10 the people the police had spoken to?
 11 **A. I mean, let me -- let me say here and now, I don't**
 12 **evidentially know that. These are emails you are**
 13 **sending between yourself at that time, you have**
 14 **suspicious and you say -- you know, so I'm making no**
 15 **judgment on whether [REDACTED] did or didn't do**
 16 **anything. If you see what I'm saying --**
 17 Q. Right.
 18 **A. -- in terms of any [REDACTED] or anything**
 19 **like that.**
 20 Q. Were you worried at this stage that others were on to
 21 the same story, so there was a bit of a race going on
 22 here?
 23 **A. No, the prime -- yeah, well, primary -- yes, partly, but**
 24 **primary concern there is I think -- you will see from my**
 25 **submission that by about 4 November we were starting to**

Page 26

1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 [REDACTED]
 8 [REDACTED] so there is an
 9 **element to that.**
 10 Q. Somebody else would get the story?
 11 **A. Yeah. Yeah. That is an element, definitely.**
 12 Q. Right. If you go to 278, we can see that if you go to
 13 the start of -- if you go to 279, Hannah Livingston to
 14 you:
 15 "Know you must be rammed."
 16 You say talk to Liz MacKean, "told her to contact
 17 you", and so on.
 18 If you work your way up, at 278 she sends to
 19 Liz MacKean, and copies to you, notes of the
 20 conversation she'd had, which included, again, [REDACTED] and
 21 the various others we can see at the top.
 22 **A. Yes.**
 23 Q. Yes. At this stage, if you then look -- if you just
 24 look through 280, 282, there through to 286.
 25 **A. Yes.**

Page 27

1 Q. -- 286 is not very illuminating -- to 285, those are the
 2 notes that she sent you.
 3 **A. Yes.**
 4 Q. You yourself at this stage had spoken to any of these
 5 people or none of them?
 6 **A. No, [REDACTED]**
 7 Q. Just [REDACTED]?
 8 **A. You have to remember I'm in America working sort of --**
 9 Q. I'm not criticising you, I'm just asking questions.
 10 **A. No, but I'm just trying to explain. I'm in America**
 11 **working right round the clock on this. It is a horrible**
 12 **edit, everything goes wrong. I then fly back to London**
 13 **but I have to go to The Guardian to an edit suite there,**
 14 **because it's a joint co-production. I'm not reading**
 15 **this stuff at this time.**
 16 Q. I'm not being critical, I'm merely the hired help asking
 17 questions.
 18 **A. No, no, I'm sorry, I apologise. What I'm trying to say**
 19 **is that over that period, except for the 14th, I'm not**
 20 **really back on this until the 17th. So Liz is pretty**
 21 **much running this at this time.**
 22 Q. Right. Okay. Now, at this stage there was only one
 23 woman who was willing to go on the record, wasn't there?
 24 **A. Yes, [REDACTED]**
 25 Q. And we see that from 289. Another email from

Page 28

7 (Pages 25 to 28)

1 Hannah Livingston to you and Liz MacKean. You see she
 2 makes that point about a third of the way down the page.
 3 Do you see "So far the only woman", and she names her
 4 [REDACTED]
 5 **A. Yes.**
 6 Q. Hannah makes some other observation:
 7 "What we know for certain ... Jimmy Savile used to
 8 visit Duncroft."
 9 Well, you've known that for decades. A photo of him
 10 with girls at the school, and you knew that he used to
 11 visit.
 12 "Duncroft was an approved school."
 13 Well, again, you'd known that for years.
 14 Then she says what definitely needs confirming was
 15 the presence of a police investigation, and you were in
 16 touch with the reporter chap that is obviously --
 17 **A. Mark.**
 18 Q. -- mark Williams-Thomas. And then a few of the girls
 19 have referenced a letter they received from the police
 20 saying there would be no further action taken against
 21 Mr Savile because of his age.
 22 So she splits the aspect of the police into the two
 23 points that you made earlier, namely whether there was
 24 an investigation at all, and then if there was one --
 25 **A. Yes.**

Page 29

1 Q. -- whether it was not proceeded with because of his age,
 2 and whether there was a letter, and that assumes some
 3 importance, doesn't it, later in the story?
 4 **A. Well, maybe. We will see.**
 5 Q. Well, it does, doesn't it? We can see from the -- it
 6 does assume, rightly or wrongly, some importance --
 7 **A. Well, I -- I would say it doesn't assume any importance**
 8 **in the story. It does assume an importance in reasons**
 9 **given for dropping it. But it doesn't assume any**
 10 **importance in the story.**
 11 Q. So --
 12 **A. It's not an important element.**
 13 Q. It's not an important element --
 14 **A. No.**
 15 Q. -- in the story --
 16 **A. No.**
 17 Q. -- that the investigation was or might have been dropped
 18 because Savile was older and infirm?
 19 **A. It is there, and we've got it in script and so on in**
 20 **case we find that's true. But plainly, without that**
 21 **line it would still become the biggest story of the**
 22 **year.**
 23 Q. Why is it in the script if it's not an important
 24 element?
 25 **A. Because it is there as something we would have hoped to**

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1 **get, we might get. In all probability -- if you want to**
 2 **jump to that script, we can talk about that line. The**
 3 **way it would have been scripted, I think in the end,**
 4 **would have been: the girls say the prosecution was**
 5 **dropped -- the girls say they were told the prosecution**
 6 **was dropped because he was old and infirm, but the Crown**
 7 **Prosecution Service say it was because there wasn't**
 8 **enough evidence. And they completely reject that.**
 9 Q. We will come to the script.
 10 **A. Yes, I know.**
 11 Q. Some of the Friends Reunited material --
 12 **A. Yeah.**
 13 Q. -- which she mentions at the bottom of the page, you had
 14 looked at that, you had been following that for some
 15 time.
 16 **A. Yes, no, absolutely.**
 17 Q. It's true, isn't it, that some of that material
 18 definitely did suggest that the polices had said that
 19 Savile was too old to prosecute; yes?
 20 **A. Yes, absolutely.**
 21 Q. We can see that, for example, if you go a little bit
 22 later in the bundle and pick it up at 299. This is the
 23 Friends Reunited material, isn't it?
 24 **A. Yes.**
 25 Q. Yes?

Page 31

1 **A. Yes.**
 2 Q. So we see there is one from [REDACTED] there. I'm not
 3 going to go through all of these --
 4 **A. No, no.**
 5 Q. -- but if you go to 303, [REDACTED] -- and that is the same
 6 [REDACTED] I think, that Hannah Livingston has been speaking
 7 to, isn't it?
 8 **A. I will check. Let me check.**
 9 Q. Do you see the one --
 10 **A. Yes, I am sure it's --**
 11 Q. "I was interviewed by the police was anyone else? He
 12 was a perv and he is too old, they said, to prosecute."
 13 **A. Yes.**
 14 Q. "I will join any campaign to name and shame because the
 15 police won't do it."
 16 So one infers that the "they" is the police?
 17 **A. Yeah, no, absolutely.**
 18 Q. Now, you can put bundle 1 away, please, and take
 19 bundle 2. You said earlier when you came back from
 20 America.
 21 **A. Yes.**
 22 Q. I can't remember when you did -- but you say you didn't
 23 really get your hands on this until the 14th again,
 24 which was the interview with [REDACTED]
 25 **A. Yes. Essentially from October 31 I'm putting maybe**

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1 a quarter of my time into this. Three-quarters into
 2 vulture funds. That lasts two or three days. I have
 3 then set up the interview with [REDACTED] I know we're
 4 making progress the rest. I then essentially do nothing
 5 on this until the 14th. And because she has agreed to
 6 do an interview on the 14th, that is obviously
 7 overwhelmingly important, I take a day out completely
 8 from vulture funds, and on the 14th I concentrate on
 9 that. And the film then goes out on the 16th, so 15th
 10 and 16th come back on vulture funds. 17th is when I'm
 11 back on this.

12 Q. Now, just before we dive back into the chronology of all
 13 this, just take a step, as it were, back. You mentioned
 14 earlier this story not having been commissioned at
 15 a certain stage.

16 A. Yes.

17 Q. Three questions. When was it commissioned? By whom was
 18 it commissioned? And what is the importance of suddenly
 19 it being commissioned?

20 A. Definitely I would say it was commissioned on
 21 25 November. Up until that point, working away on
 22 something, it might go nowhere. I should say, even if
 23 it's commissioned there is still only a 90/95 per cent
 24 chance it is going to come to -- it is still possible it
 25 won't be made. You know, one in twenty may be don't at

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1 that point. But at that point you are told you have
 2 a budget, you have a transmission date. There is a big
 3 board on the wall of the Newsnight office with all the
 4 films that are going to be coming up over the next
 5 month. It is signed up there for 7 December. Editing
 6 is booked by Liz Gibbons. You know, all that stuff
 7 starts to happen, and it's a real thing there. It's not
 8 just a hope -- hoped for thing, it's a real thing which
 9 you are then -- you are pulling the sync at the
 10 interview, you are pulling together your script, you are
 11 pulling everything together now.

12 Q. Right, okay. By whom is it commissioned?

13 A. By Peter, clearly. He says "Prepare for transmission.
 14 Excellent, prepare for transmission".

15 Q. That is not a certainty of broadcast, but that's the
 16 greenlight? That's the critical greenlight?

17 A. That's the greenlight, yes.

18 Q. We will come to that, because we're not quite there --

19 A. But there are still -- obviously there are still hoops
 20 we have to jump through and so on. You know, things
 21 could go wrong, we might have legal problems, there are
 22 all sorts of things that can go wrong.

23 Q. Yes. Let's just go back to the chronology then,
 24 bundle A2, at page 8. These are emails between
 25 Hannah Livingston and Liz MacKean. We can obviously

Page 34

1 take them up with them. So we might not spend a long
 2 time with you.

3 A. Yes.

4 Q. But on 10 November from Liz MacKean to
 5 Hannah Livingston:

6 "One detail we really need is the police force that
 7 handled the investigation. Your source suggests it
 8 wasn't Surrey."

9 A. Yes. Yes.

10 Q. What had happened then, because so far it looked as if
 11 it was Surrey and now suddenly it might not be?

12 A. There is confusion that turns out ultimately to be
 13 caused by the fact that there was also a complaint to
 14 Sussex Police. So somebody is saying it is Sussex. So
 15 we think, well, it must be Sussex rather than Surrey,
 16 then. We were wondering about this.

17 Q. That was Williams-Thomas saying that?

18 A. No, I'll get there in a second. But amongst the various
 19 sources we are getting, we are getting somebody who is
 20 staying it's Sussex.

21 Q. One of the girls?

22 A. Either -- yeah, one of the girls is saying it's Sussex,
 23 or one -- may be not one of the girls even contacted but
 24 somebody who is posting on a completely different place
 25 is saying "I was, you know, attacked by him."

Page 35

1 I complained to Sussex Police".

2 Q. Right.

3 A. It turns out --

4 Q. So A victim from somewhere?

5 A. Yeah. It turns out there was, and she did go to the
 6 police, and, you know, it's in the police log. But it
 7 caused us confusion, I think. Could they have got
 8 Sussex/Surrey confused? Mark meanwhile has gone to
 9 Surrey Police and said, "Did you investigate him?" And
 10 they are saying "No". So we have got a possibility of
 11 Sussex. At the moment the people he's talking to in
 12 Surrey are saying "No, he didn't".

13 Q. "Nothing to do with me gov".

14 A. "Nothing to do with me". He's gone -- you know, he's
 15 not the right person at that time. So we're worrying
 16 about which force -- you know, which force has done
 17 this.

18 Q. Right. So if you go to 26, it looks as if Livingston
 19 has been back to [REDACTED] and [REDACTED] is sticking to her
 20 story that it was Surrey, and she's able to say that it
 21 was at Staines Police Station.

22 A. Yes.

23 Q. She has not managed to track down the letter yet --

24 A. Yes.

25 Q. -- but is having another look "and will email me if she

Page 36

1 finds it"?

2 **A. Yes.**

3 Q. She said that she'd been interviewed under caution.

4 That's a curious claim to make, why would they be

5 interviewing [REDACTED] under caution, that seems a bit odd,

6 doesn't it?

7 **A. Yeah, it does. It does. Remember, I'm not seeing any**

8 **of this stuff, at this stage. Although it is being sent**

9 **to me, I'm not actually reading this stuff.**

10 Q. Well, it's copied to you but you're not reading it?

11 **A. No.**

12 Q. Because you're busy on something else?

13 **A. Yes, absolutely, right round the clock on the other**

14 **thing.**

15 Q. Now, in fact a letter eventually turned up, didn't it,

16 from [REDACTED]?

17 **A. Not during our investigation.**

18 Q. No, no, but eventually it did --

19 **A. Yes.**

20 Q. -- and I think it ended up in the hands of The Daily

21 Mail and it turned out to be a fabrication.

22 **A. Yeah, exactly.**

23 Q. Which was something, to say the least, did not reflect

24 very well on [REDACTED]'s credibility?

25 **A. I think that is absolutely true.**

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1 Q. Notwithstanding the fact that she appeared to be the

2 most sorted, according to Hannah Livingston, on her

3 view?

4 **A. At that point of the people talked to. Remember, Hannah**

5 **had not talked to our key witness, who was [REDACTED] I was**

6 **the only person who had talked to [REDACTED] So out of the**

7 **others, she appears sorted, she is organised, et cetera.**

8 **But I think -- I came to the view of [REDACTED] that she was**

9 **quite manipulative and I actually -- you know, I didn't**

10 **want to go any further pressing her for a letter because**

11 **I was starting to get suspicion about her.**

12 MR POLLARD: That was some time in the future?

13 **A. No -- well, before the investigation is pulled.**

14 MR POLLARD: Right.

15 **A. So in -- in late November, early December, by the time**

16 **I'm back on this again, in effect, and starting to look**

17 **at these different women, I am starting to think --**

18 **I don't doubt that she has been abused, but I do doubt**

19 **her full story. Nobody else that we're talking to --**

20 **when you keep going back to them and really pushing them**

21 **for details, nobody else is saying they have a letter at**

22 **the moment which says he was too old.**

23 MR MACLEAN: Let's have a look at what happened --

24 **A. Yes.**

25 Q. -- because I think what you just said will perhaps

Page 38

1 become a little clearer when we just follow the next few

2 days.

3 If you go to 35, this is the next day,

4 11 November --

5 **A. This isn't right -- there, sorry, yes.**

6 Q. Yes. Some of them have been forwarded on more recently

7 to the BBC and then sent to us. You see 11 November:

8 "Hi [REDACTED]"

9 "Good to talk to you just now. You mentioned you

10 had emails from two others.

11 "I will speak to you soon and in the meantime, if

12 you have luck with the police letter, I'll be fascinated

13 to see it."

14 **A. Yes.**

15 Q. So MacKean is following up this notion of the letter.

16 **A. Yes.**

17 Q. And then if you go to 45.

18 **A. Yes.**

19 Q. Now, there's a visit to [REDACTED] is in the offing here,

20 and that was to interview [REDACTED]?

21 **A. Yes. Which I thought was crucial.**

22 Q. Right. That takes place on the 14th. We will get to

23 that.

24 **A. Yes.**

25 Q. But look at the email at the top of the page, from

Page 39

1 MacKean to Livingston copied to you:

2 "(Mei - I'll meet you at Birmingham ..."

3 Do you see?

4 **A. Yes.**

5 Q. And then I think that should be -- the hole punch is

6 through it but obviously it is:

7 "Long chat with [REDACTED] probably all the same stuff

8 she told you [you being Livingston not you]. She has

9 agreed to do an anonymous interview."

10 **A. Yes.**

11 Q. Is that what happened? Did she do an anonymous -- does

12 that mean a piece on camera? What does that mean?

13 **A. In this case -- I mean, there are various types of**

14 **anonymous interviews, but without going through them, in**

15 **this case what we were getting from these women was they**

16 **were so scared, they said, of being revealed in any way.**

17 **They were not even prepared for us to come and be in the**

18 **same room as them. They didn't trust the media.**

19 **Therefore, all they -- what they were prepared to do was**

20 **to be interviewed on the phone, to agree that we could**

21 **use what they said. In some cases we went back to them**

22 **saying "We plan using this, are you happy with what**

23 **we're going to use?" And I assume we did that with**

24 [REDACTED]

25 Q. Right. Look at page 57, please. I don't know if you

Page 40

1 A. Yes, much later on.
 2 Q. Much later on.
 3 A. Yes.
 4 Q. These are the Duncroft photos and Friends Reunited and
 5 so on, and then you quote again from the self-published
 6 account which [redacted] wrote.
 7 A. Yes.
 8 Q. And there's a long quotation from it.
 9 If you go to page 310 in the middle of the page, do
 10 you see "I knew about it because ..."?
 11 A. Yes.
 12 Q. "... Duncroft's head Maggie Jones was my aunt [and
 13 so on]."
 14 And you explain you kept an eye out for Duncroft
 15 content:
 16 "We've messaged a large number of Duncroft girls and
 17 have talked to a dozen -- half of whom give detailed and
 18 convincing accounts of abuse by Savile and his friends
 19 who give names of others who they say were abused."
 20 And then you say at the end:
 21 "It goes without saying that most of these girls are
 22 intelligent and emotionally damaged, but with a criminal
 23 background and suspicious and extremely manipulative
 24 which makes them particularly difficult to deal with or
 25 get them to trust us."

Page 45

1 A. Yes.
 2 Q. So the question I put to you a moment ago, came from
 3 your own email.
 4 A. Yes, no, but I --
 5 Q. But you disavowed it.
 6 A. Yeah, but if you look at that there's a long -- there's
 7 a long list there of different things. So most of these
 8 girls are intelligent, some of them aren't, emotionally
 9 damaged, criminal background, suspicious, extremely
 10 manipulative. This is a list of some of the features
 11 these girls -- I would not -- or women.
 12 I would not individually, if you picked that out,
 13 say "most of them were extremely manipulative". Do you
 14 understand the distinction I'm making? This is a list
 15 of things which between them are there.
 16 Again, this is not a legal document that I have
 17 written. This is just a very quick note that I've
 18 slammed out to Mark Williams-Thomas, and at the end of
 19 it I'm saying, you know, it goes without saying these
 20 girls are intelligent, emotionally disturbed, damaged,
 21 you know, criminal background, some of them didn't have
 22 a criminal -- you know, suspicious, extremely
 23 manipulative. I'm just giving a list of the sort of
 24 problems that we're having with them.
 25 Q. But these factors of emotional damage and criminal

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1 background and --
 2 A. Yes, yes.
 3 Q. -- manipulative nature, if correct, would be all the
 4 more reason why the editor of one of the BBC's major
 5 news programmes should be most anxious to ensure that
 6 there was corroboration.
 7 A. Oh yeah, totally agree. Totally agree with you.
 8 Absolutely agree. Yeah, 100 per cent. But what I'm
 9 trying to say is that if you are asking me is my
 10 judgment that most of the women we talked to are
 11 extremely manipulative? No, they weren't. Some of them
 12 were.
 13 If you are asking, you know, were they intelligent,
 14 probably half of them were intelligent? You know, more
 15 intelligent than average.
 16 Emotionally damaged? Almost all of them were.
 17 Criminal background? Perhaps half of them were.
 18 Do you see what I mean, I'm saying these -- they are
 19 all -- I'm not making the same judgment about all these
 20 factors.
 21 Q. We know that Hannah's view, anyway, was that [redacted] --
 22 I know she didn't speak to [redacted] that's an
 23 important aspect, you've made that point --
 24 A. She's the key witness, we always have to remember this
 25 throughout this.

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1 Q. I understand, but so far as Hannah was concerned, [redacted]
 2 was the most sorted and, in your judgment, she wasn't as
 3 it were --
 4 A. Later on, much later on.
 5 Q. -- wasn't very sort?
 6 A. Much later on. No, I mean, she's saying sorted because
 7 [redacted] is giving her detail and all sorts. Most of these
 8 women are being very "I don't really want to talk
 9 about it. I don't remember. It's a long time ago".
 10 [redacted] is sorted in that she is saying "I do remember
 11 this". She gave us loads of names. She has loads of
 12 contacts. She's the most sorted. However, as time went
 13 on, I came to feel that she was also the most
 14 manipulative.
 15 Q. Okay. Let's just jump back a little, please, to page 83
 16 of the same bundle. There a there is an email from
 17 somebody called Anna Adams to you on 15 November.
 18 A. Yes.
 19 Q. Who is Anna Adams?
 20 A. She's a very good investigative reporter who was with us
 21 on attachment for a bit.
 22 Q. So she's working for the BBC at --
 23 A. On attachment for Newsnight.
 24 Q. -- that stage?
 25 A. I did the story about Azerbaijan with her and buying the

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1 gold medals at the London Olympics.
 2 Q. Now, she sends you an email which is headed "Peg!!!"
 3 with three exclamation marks.
 4 A. Yes.
 5 Q. That, I assume, is a peg for the story, is it?
 6 A. I think she's saying a peg in terms of -- is this for
 7 [REDACTED]
 8 [REDACTED]
 9 MR POLLARD: It's Christmas schedules.
 10 A. Oh, it's Christmas schedules, sorry, yes.
 11 MR MACLEAN: It's the Richie Jim'll Fix it.
 12 A. Yeah.
 13 Q. It's the Shane'll Fix it.
 14 A. Yeah.
 15 Q. So peg is a peg for your story.
 16 A. Yes, yeah.
 17 Q. And you emailed back -- we don't need to look at it --
 18 but you'll remember you emailed back to say "Yes, you're
 19 not the first to spot that", on the next page?
 20 A. Yes.
 21 Q. Your story and what she's getting at, and you are
 22 agreeing with her, I suggest, is that it would be
 23 a particularly potent story if Newsnight's developing
 24 story ran ahead of what became the Shane'll Fix It at
 25 Christmas?

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1 A. No, she's saying that. I'm saying "Yes, you're not the
 2 first to spot that". I'm aware by the morning of the
 3 15th -- in fact, I'm aware on the evening of the 14th
 4 that Jim'll Fix It is going to be revived at Christmas.
 5 And I think in my statement you'll see that I say that
 6 we discussed that in the car. Having interviewed [REDACTED]
 7 we then here -- I cannot remember whether it is a text
 8 to somebody in the car or whether it is on the PM
 9 programme, we hear that there's going to be a tribute
 10 and we say, "Well, if we get the confirmation from the
 11 police they are going to have to pull the tribute".
 12 Q. Yes, that's what you said at paragraph 6.7.
 13 A. So I'm not -- you know, she is saying "peg", she's using
 14 that loosely, isn't she, there? And she sent that
 15 email. I reply to that "Yes, you are not the first to
 16 stop that". I'm not thinking that's great, I'm thinking
 17 quite the opposite, actually, that's awful, that's going
 18 to have to be scrapped if we get the police
 19 confirmation.
 20 Q. But she's saying "peg" with some emphasis?
 21 A. Yes, and I say "Yes, you're not the first to spot that",
 22 in terms of the link that she sent me, which is the
 23 Jim'll Fix It we already knew, we knew the night before.
 24 Q. Wouldn't it be fair to say that there was some kind of
 25 added, as it were, excitement at the idea --

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1 A. No.
 2 Q. -- that you were working on this story --
 3 A. No, absolutely not.
 4 Q. -- and meanwhile, at the same time, in the other part of
 5 the BBC this tribute was going to be produced.
 6 A. No, it's awful. It's awful. It's not excitement at
 7 all. It's "Oh, God".
 8 Q. Now, if we go to page 85, you see there's a email from
 9 Liz MacKean to Hannah Livingston. And we can, I think,
 10 detect from what Liz MacKean says that the chats with
 11 [REDACTED] are not getting easier, shall we say.
 12 A. Yes.
 13 Q. But she says:
 14 "There's more enthusiasm for the story in the
 15 office, which is good -- any letter progress yourself?"
 16 A. Yes.
 17 Q. Do you agree there was more enthusiasm by that stage?
 18 A. Yes, yes, absolutely.
 19 Q. Why?
 20 A. Because we did the interview with [REDACTED] on the 14th, and
 21 we have come back from that. We now think we have
 22 a good witness, you know, all of the problems that
 23 somebody like that would have, obviously, but with four
 24 of us in the room with her, you know, for two hours. We
 25 have come back going, you know, we are really impressed

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1 by what she said. We believe her. We've now got that
 2 first of the two key elements is now in the can. And
 3 we'd had that conversation with Peter or whatever, and,
 4 you know --
 5 Q. So the first --
 6 A. -- he was -- he was upbeat now.
 7 Q. The first key element being an interview with
 8 a convincing witness?
 9 A. Interview on camera with a convincing witness who had
 10 a good -- you know, a lot to say. And she had -- you
 11 know, she gave us the BBC, she gave us Savile in the
 12 car, she gave us all sorts of different elements.
 13 Q. And the second element is the corroboration from the
 14 police.
 15 A. Yes, that -- that they had investigated seriously.
 16 Q. So what was needed then to make this story stand up,
 17 let's assume you have [REDACTED] as it were, in the
 18 can --
 19 A. Yes.
 20 Q. -- what was needed then to make this stand up was to get
 21 the details of the police investigation of a few years
 22 before?
 23 A. Not the details, no.
 24 Q. That was critical, wasn't it?
 25 A. Well, it depends what you mean by details. What we

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1 wanted to know was had the police investigated and taken
 2 it seriously.
 3 Q. What was necessary to run the story was that you got the
 4 details about the police investigation, wasn't it?
 5 A. No. No. You keep using this -- tell me if you have
 6 a problem this phrase, that what was necessary to me was
 7 that the police had investigated and had taken it
 8 seriously.
 9 Q. Look at page 100 --
 10 A. I mean, do you have a problem -- if there's a problem
 11 with that, then, you know, try another formulation of
 12 words on me and I will either agree or disagree.
 13 Q. Well, let's try the formulation at page 112.
 14 A. Right.
 15 Q. This, I think -- if myself understood it correctly --
 16 it's a little difficult to work it out because the email
 17 from Liz MacKean to you above it has been redacted?
 18 A. Why?
 19 Q. Well, that's a very good question, but it's not
 20 a question for you, Mr Jones, but we will take that up
 21 with others. There have been some very peculiar
 22 redactions. But I can only read the words I have been
 23 given, I am afraid.
 24 A. Hang on, I can -- I tell you what, I can --
 25 Q. Well, can we deal with it in the break?
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1 A. Okay, I was going to say I can find it for you, if you
 2 want.
 3 Q. That would be very helpful. As I understand it, the bit
 4 at the bottom that we have been allowed to see is a post
 5 put by Liz MacKean on Friends Reunited.
 6 MR POLLARD: Over the page, do you mean?
 7 MR MACLEAN: In all events, whatever it is, the bit I want
 8 to show you is the last paragraph on 112, where Liz,
 9 presumably Liz MacKean, says:
 10 "Now, however, they feel it's time to set the record
 11 straight, and what he did was wrong. For us to run this
 12 story, respecting confidentiality when people have asked
 13 for it, we need to get the details about the police
 14 investigation a few years' ago."
 15 That's the line which I used to you a moment ago --
 16 A. Okay.
 17 Q. -- that you balked at?
 18 A. Yeah, well, this is Liz's email not mine.
 19 Q. No, I appreciate that:
 20 "They contacted a number of former pupils who
 21 eventually got a letter saying the inquiry would be
 22 dropped because of JS's age. If you can help us with
 23 any gaps that would be fantastic and much appreciated."
 24 A. Yes.
 25 Q. So for Liz MacKean at least it would appear that what
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1 was critical to standing up the story with [redacted] in
 2 the can was getting the details of the police
 3 investigation.
 4 A. Actually, yes -- well, actually what she's really after
 5 here is the letter. If you look at what she's really
 6 after, she is after the letter.
 7 Q. Exactly, because the letter is the letter which was
 8 going to say, so it is hoped, that the reason the police
 9 didn't take it further, or the CPS, or whoever it is in
 10 the prosecuting authorities, was that Savile was old and
 11 infirm?
 12 A. No, that's -- it's much more basic than that. At the
 13 moment we can't confirm that there has been a police
 14 investigation. If we can get the letter, it doesn't
 15 matter actually what it says about old or infirm. If we
 16 get the letter, we get a case number and we get an
 17 officer, and we can immediately get confirmation from
 18 the police that they investigated and took it seriously.
 19 That's what we're after there. It's much more
 20 fundamental. It's about getting the letter.
 21 Sure she mentions the stuff that's on the website
 22 there and so on, but it's the letter. What's stopping
 23 us on 16 November from broadcasting is that we do not
 24 have confirmation of the police investigation.
 25 Mark Williams-Thomas has approached Surrey Police, they
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1 are saying -- they are not helping. We need -- we need
 2 a case number or an officer.
 3 Where at the same time someone has said that the
 4 police officer was called Angie. We're ringing everyone
 5 called Angie who was a police officer at Staines police
 6 station. We're trying to find any way of getting to
 7 that police investigation.
 8 Q. Right. Let's look, then, I think you would say making
 9 that point good, at 117. There is a reference to --
 10 there's an email to somebody called [redacted] who had been
 11 in contact with Liz MacKean.
 12 A. Okay, I don't know who [redacted] is, I am afraid.
 13 Q. It doesn't matter, I don't think. But you can see, if
 14 you go to 116, that we can see what [redacted] -- [redacted] was
 15 somebody who had been at Duncroft, okay, do you see from
 16 116?
 17 A. Yes.
 18 Q. "I was at the school from", et cetera.
 19 A. Yes, not useful.
 20 Q. The details don't matter. The bit I want to show you is
 21 117, second paragraph from Liz MacKean to [redacted]
 22 "We really need to track down one of these
 23 letters -- no luck so far. At the very least we need
 24 the name of the investigating officer so we can approach
 25 the force involved."
 Page 56

1 So she's chasing the letter. So that's the point
 2 you've just made, is it --
 3 **A. Yes, we desperately --**
 4 **Q. -- it's the letter?**
 5 **A. You know, you would think that the police would just**
 6 **confirm that there has been an investigation. Obviously**
 7 **they don't want to do that, for whatever reason, so**
 8 **we're desperate to find a way in. And we've still got**
 9 **this problem about Sussex, we don't understand why**
 10 **Sussex keeps coming up.**
 11 **Q. Meanwhile, Hannah Livingston is still researching away**
 12 **in the background, isn't she?**
 13 **A. I assume so. This is the day my vulture film goes out.**
 14 **Q. Okay. She gets to the point, doesn't she, where she**
 15 **thinks she has identified the girl, as she then was,**
 16 **that [REDACTED] was having sex with, so it is**
 17 **alleged --**
 18 **A. Is this the [REDACTED] thing?**
 19 **Q. -- in the BBC?**
 20 **A. I think this is [REDACTED] isn't it?**
 21 **Q. Yes.**
 22 **A. Where is this?**
 23 **Q. Well, is that right?**
 24 **A. Yes, I mean I haven't got the email in front of me but**
 25 **I think -- I think at one point there is a suggestion**
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1 from somewhere that it is [REDACTED] I don't know
 2 where it is from, I would have to look at a email or
 3 something to -- it -- it turns out to be probably wrong.
 4 But obviously if we could have found the girl who was
 5 having sex with [REDACTED] that would again have been
 6 a great -- a great line to have gone with.
 7 **Q. So if you look at 124, first of all, that's the same**
 8 **email we have just looked at; yes?**
 9 **A. Yes.**
 10 **Q. So we can follow that back to 123, working up the chain.**
 11 **A. Yes.**
 12 **Q. Then we get to 122, and it's too dark for us to make out**
 13 **but there is a photograph there of [REDACTED] and**
 14 **[REDACTED] together with somebody else?**
 15 **A. Yes.**
 16 **Q. Hannah Livingston is going to go through 52 episodes of**
 17 **Jim'll Fix It to see if she can find when [REDACTED]**
 18 **visited, and so on. As we know, in the end it turns out**
 19 **to be a Clunk Click which she looks at and she does in**
 20 **fact track down which particular one it was with**
 21 **[REDACTED] and one of the other girls?**
 22 **A. Which turns out to be another really useful bit of**
 23 **corroboration for us.**
 24 **Q. Look at 121. This is Livingston to MacKean:**
 25 **"It's good they're getting back to us and especially**
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1 so quickly. Well done for mailing all 40+ of them!"
 2 And she has identified three girls in the photo, one
 3 being [REDACTED] another being [REDACTED]
 4 "Tracking down [REDACTED] would now be ideal as [REDACTED]
 5 thinks she's the girl she saw [REDACTED] having sex with."
 6 **A. She must have phoned [REDACTED] or something, I assume.**
 7 **Q. And MacKean says:**
 8 **"... brilliant you registered that ... I was**
 9 **thinking we could do with corroboration about that**
 10 **incident."**
 11 **A. Yes.**
 12 **Q. So at that stage it looks as if there is -- well,**
 13 **Hannah Livingston appears to think that she may at least**
 14 **have identified the person that [REDACTED] remembered with**
 15 **[REDACTED]**
 16 **A. Yes.**
 17 **Q. So what happened to that little tributary of the story?**
 18 **A. Um, [REDACTED] became unsure about it, and then pretty**
 19 **confident that it wasn't [REDACTED]**
 20 **Q. To whom did she communicate that?**
 21 **A. I think to me. I think to me.**
 22 **Q. When was that?**
 23 **A. Later on in this.**
 24 **Q. Later on? Later on when?**
 25 **A. Probably in the week probably -- I don't know, probably**
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1 somewhere in the 20s, I don't know, of November. You
 2 know, when you are doing an investigation you get things
 3 like this where you think you've made a break through
 4 and then it turns out -- when you go back through it and
 5 check it through it turns out not to stand up so you
 6 don't go with it.
 7 **Q. And the woman herself was never tracked down or**
 8 **contacted?**
 9 **A. No, we couldn't find her.**
 10 **Q. Now, meanwhile Liz MacKean is drawing a blank with the**
 11 **police, isn't she, if you go to, for example, 137?**
 12 **She has been talking to more of the girls, as they**
 13 **were.**
 14 **A. Yes.**
 15 **Q. "None can help us with cops unfortunately ..."**
 16 **But she then mentions [REDACTED] who we saw**
 17 **mentioned earlier --**
 18 **A. Yes.**
 19 **Q. -- who will do an on-camera interview.**
 20 **A. Yeah.**
 21 **Q. And she does, but not with Liz MacKean but with you.**
 22 **A. Yes. Yes.**
 23 **Q. And that's the one that wasn't in the can --**
 24 **A. On the 30th script, yes, because it's done on the 1st.**
 25 **Q. When the script is getting developed, which we'll come**
 Page 60

1 to.
 2 A. Yes.
 3 Q. If you go to 138, please. This is a rather puzzling
 4 page. It seems to have come from you, top right-hand
 5 corner, MJ2/021.
 6 A. Yes.
 7 Q. Has that been blanked out that page?
 8 A. No.
 9 Q. Is that all there is?
 10 A. Yes. **What happens is that the Outlook system generates**
 11 **emails which say "Can you do an investigations meeting**
 12 **on this day".**
 13 Q. I see.
 14 A. **You then have to say -- you hit the button accepted, and**
 15 **then that's what you get, accepted. It doesn't usually**
 16 **mean the meetings happened, it means I want the meeting**
 17 **to happen, but it usually doesn't happen.**
 18 Q. So that would be like one of those one we saw in the
 19 very first ones I showed you?
 20 A. Yes.
 21 Q. And it's the same characters Peter, you, Liz --
 22 A. **Exactly the same, yes. Yeah.**
 23 MR POLLARD: That, I think, was actually the meeting that is
 24 scheduled for about the 21st, is it?
 25 A. I don't know.

1 MR MACLEAN: I think that is probably right. We will come
 2 to that.
 3 MR POLLARD: On the Monday.
 4 MR MACLEAN: Helen Weaver is concerned with a part of the
 5 BBC called Impact, isn't she?
 6 A. Yes.
 7 Q. Impact across the BBC of stories that are broadcast?
 8 A. **Essentially what used to happen was that various bits of**
 9 **the BBC would come up with a good story and it wouldn't**
 10 **get picked up by the rest of the BBC. So they brought**
 11 **in an impact team to make sure that if somebody had**
 12 **a scoop there was a team there to make sure there were**
 13 **enough hands to get it out for the 6 o'clock news,**
 14 **10 o'clock news, all across radio, on the web,**
 15 **everywhere.**
 16 Q. To make the best of a good story.
 17 A. **Because otherwise you are so focused on your story you**
 18 **haven't got the time yourself to do all that, yeah.**
 19 Q. So if you go to 194, by this time Impact is on to the
 20 case of this developing story?
 21 A. **Yeah, I was surprised at that when I saw that going**
 22 **back. Quite surprised. I think that must have just**
 23 **been a casual conversation something that led to that.**
 24 **They haven't been formally notified at that point.**
 25 Q. What she says --

1 A. Yes.
 2 Q. -- if I just read this to you:
 3 "My involvement in the initial Newsnight story was
 4 in the capacity of impact producer."
 5 A. Yes.
 6 Q. "My role was in theory to liaise between Newsnight and
 7 other areas of BBC News who would want the story too."
 8 Is that fair?
 9 A. **Yes, absolutely.**
 10 Q. "Towards the end of November, I received a phone call
 11 from you giving a brief outline of the story. I was to
 12 told it was about Jimmy Savile abusing girls in a care
 13 home and the fact that Surrey Police had investigated
 14 and decided not to proceed with the prosecution."
 15 A. Right.
 16 Q. Is that right?
 17 A. **Yes. She says "at the end of November". You see,**
 18 **I think --**
 19 Q. Don't worry about the date for the moment, because we
 20 can see from the 18th she's obviously aware of it by
 21 this stage --
 22 A. **She is, but.**
 23 Q. -- but whether it is later or earlier --
 24 A. **No, but she is, but what I was going to say is they are**
 25 **properly made aware of it on something like the 28th and**

1 **29th. That is when they are properly shown stuff,**
 2 **they're shown the script and things like that.**
 3 **There must have been -- either I or Liz must have**
 4 **had had quick conversation where we've said we've got --**
 5 **you know we've got a interview with a Savile victim in**
 6 **the can, or something like that, because that would**
 7 **work, that would be the 14th. But, you know, there is**
 8 **no official approach at this stage. So she's right when**
 9 **she says end of November because that's when -- that's**
 10 **when, you know, they would have had more detail. All**
 11 **she knows here is we're looking at Savile, I think.**
 12 Q. Well, she says that you told her that it was --
 13 A. **In late November.**
 14 Q. Well, towards the end of November, is what she says --
 15 A. Yes.
 16 Q. -- she got a phone call from you with a brief outline of
 17 the story --
 18 A. Yes.
 19 Q. -- and she says that you told her that it was:
 20 "... about Jimmy Savile abusing girls in a care home
 21 and the fact that Surrey Police had investigated and
 22 decided not to proceed with the prosecution."
 23 A. **I'm thinking this is a earlier thing where we just**
 24 **bumped into each other in the corridor or something and**
 25 **I said "We have got an interview with Jimmy Savile's**

1 victim in the can. We're working on it". That's at an
 2 earlier stage.
 3 Late November there is proper contact between us and
 4 the Impact team.
 5 Q. But the story was that he had abused girls in the care
 6 home and that Surrey Police had investigated and decided
 7 not to proceed with the investigation.
 8 A. Yes.
 9 Q. That was the story.
 10 A. Yes.
 11 Q. Not just he had abused girls in a care home and
 12 Surrey Police had investigated.
 13 A. No, and that they hadn't gone ahead, that's clear.
 14 Q. Right.
 15 A. Because otherwise he would have been prosecuted and that
 16 would have been a story in 2007/2008.
 17 Q. The fact that they had investigated, it would then go to
 18 the CPS and it would be the CPS's decision --
 19 A. So in fact that is factually wrong, then. They had
 20 proceeded; they had given the file to the CPS.
 21 Q. It would be for the CPS to decide what to do about it.
 22 A. Yeah.
 23 Q. She says -- you wouldn't you know about this but she
 24 says she discussed the stories with her colleagues,
 25 Joe Mathys, if I've pronounced that correctly --

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1 A. That's right.
 2 Q. -- and David Gibson.
 3 A. That would be later. That won't be the 18th.
 4 Q. And they agreed it was a very good story.
 5 A. Yes.
 6 Q. I'm taking this out of order, because it is convenient
 7 to deal with this now --
 8 A. Sure.
 9 Q. -- a few days later, if you can't be sure of the date,
 10 she was told that the story had been dropped. Then she
 11 said this:
 12 "I bumped into [you] in the corridor at TVC [that's
 13 obviously Television Centre] and asked why it has been
 14 shelved. He [that's you] replied that Peter Rippon had
 15 been 'lent on from high'. I asked how high and he
 16 replied very high."
 17 Do you --
 18 A. This is a new email to me.
 19 Q. It's not an email.
 20 A. It's new information that I've not been given before.
 21 Q. No.
 22 A. It sounds extremely likely that I might have said that.
 23 Q. Did she ask you --
 24 A. You know, I don't remember this conversation, but it
 25 doesn't sound, you know, unlikely that I would have said

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1 that.
 2 Q. Because that was a view that you came to?
 3 A. That was my belief at that time, yes.
 4 Q. That he had been lent on from on high?
 5 A. Yes.
 6 Q. That was your belief, you say, at that time. Is that
 7 still your belief?
 8 A. Yes, but it would be quite complicated to explain it
 9 all, but I think he was lent on. I think -- I think
 10 Helen raised the bar, according to what George said in
 11 the Select Committee, and I think he took that as a --
 12 an indication about what he should or shouldn't do. So,
 13 yes, I do think he was lent on, but I can't say it as
 14 a matter of fact, I wasn't there. I don't know what
 15 happened. But that was the impression I got.
 16 Q. The information that was given to Parliament recently
 17 can't have been -- can't have had an impact in your mind
 18 then --
 19 A. No.
 20 Q. -- for you to form the view that he had been lent on
 21 from very high up?
 22 A. No. I mean, my view has been formed by two things.
 23 One, 180-degree turn on a story, and, two, the
 24 indications he gives me and Liz MacKean that this is
 25 stuff coming from above.

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1 Q. Right. We will come to that.
 2 So at all --
 3 A. And, three, the putting up an arbitrary barrier to it
 4 being broadcast. That's the three things really, that's
 5 (inaudible).
 6 Q. That's what we will come to when we get to the
 7 transmission date being fixed and then the story -- the
 8 editing being pulled?
 9 A. Yes.
 10 Q. So as the lawyers say, is this right, at all material
 11 times the impact team formed a view, which was your
 12 view, that this was a very good story, it was going to
 13 have a big impact?
 14 A. Yes. I mean, if you go to 29 November, Jo Mathys's
 15 email, that's probably the best demonstration for what
 16 they think.
 17 Q. They wanted Liz MacKean all over the place when the
 18 story was broadcast?
 19 A. Yes.
 20 Q. Yes?
 21 A. Yes.
 22 Q. If you go to page 210, the same bundle, this is an email
 23 from Mark Williams-Thomas to you about something else.
 24 It is not completely unrelated, you might think --
 25 A. No, it's a different story.

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1 Q. -- it's a slightly different story, isn't it?
 2 **A. Yes, it's a different story.**
 3 Q. This is 18 November. If you go back a page, we've got
 4 your reply. So the first sentence is to do with this
 5 other story, "Good idea" et cetera. Then you say:
 6 "By the way we are still trying to get one of the
 7 Duncroft girls to find their letters. Some of them seem
 8 to think it was Surrey Police and at least one thinks it
 9 is Sussex."
 10 Then you mentioned this earlier:
 11 "We only have first names of interviewing
 12 officers -- Becky and Angela ... not much use."
 13 Then speculation about what rank Angela was and
 14 so on:
 15 "They all say they were contacted by an officer who
 16 asked them whether they knew anything about any visitors
 17 to Duncroft approved school in Staines. The officers
 18 were careful not to mention any name. Then they all say
 19 they said 'you're talking about Jimmy Savile' and told
 20 what happened to them and were told that he was being
 21 investigated about sexual assaults on minors."
 22 Then you say:
 23 "Most of them think they were interviewed in about
 24 2009, although one thinks it was earlier and that about
 25 a year after they were interviewed they received

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1 a letter not naming Savile saying the individual had
 2 been interviewed but that CPS ..."
 3 I think that's the first time we have seen reference
 4 to them:
 5 "... had decided not to pursue the case because he
 6 was old and infirm. One of them [and we know this is
 7 ██████████ we saw this earlier] thinks that she was
 8 'interviewed under caution' and so was slightly
 9 intimidated."
 10 But that doesn't sound quite right because why so
 11 earth she would be interview under caution, that would
 12 be bizarre.
 13 **A. Yes.**
 14 Q. Then you mention one of the Duncroft girls going to see
 15 Savile doing his TV show. Remembered it was
 16 Clunk Click. You thought she was wrong about that, but
 17 in fact she was right, and this is ██████████
 18 **A. Yes.**
 19 Q. And then you mention the ██████████ episode there, and
 20 a similar trip with somebody else at the bottom. Then
 21 you say at the bottom:
 22 "We're still hoping to get one of the police CPS
 23 letters which would make this all a lot easier."
 24 **A. Yes.**
 25 Q. So we now see that the CPS is involved.

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1 **A. Yes.**
 2 Q. You have made reference to the CPS.
 3 **A. Yes.**
 4 Q. Who had, as it were, worked out that it was the CPS and
 5 not the police that had kyboshed the investigation?
 6 **A. We didn't know which one it was.**
 7 Q. You are proceeding here on the basis it was the CPS?
 8 **A. No, it says "police/CPS". The problem was in those
 9 circumstances apparently -- this seems odd to me -- but
 10 you can either end up with a letter from the police or
 11 the CPS.**
 12 Q. Yes, but --
 13 **A. We didn't know which one it was, that's is why it says
 14 "police/CPS".**
 15 Q. No, I can see the oblique at the bottom of the page, but
 16 in the third paragraph --
 17 **A. Yes.**
 18 Q. -- the second main paragraph, you say:
 19 "Most of them think ..."
 20 Third line:
 21 "... saying the individual had been interviewed but
 22 that CPS had decided not to pursue the case."
 23 **A. Yes.**
 24 Q. So you appear to have the belief, which turns out to
 25 be --

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1 **A. No, no, they have that belief. I don't have that
 2 belief. They have that belief. It says here "most of
 3 them think, et cetera, but that CPS have decided because
 4 he was old and infirm", I don't know, which is why
 5 I have police-CPS.**
 6 Q. So previously, as we've seen, it's being pursued on the
 7 basis that the police had decided not to pursue.
 8 **A. Yes.**
 9 Q. My question is, what if anything has changed in the
 10 information that's is obtained which is leading to
 11 reference for the first time, I think, to CPS?
 12 **A. I don't know if it's the first time or not, but I take
 13 that to trust.**
 14 Q. I don't think it matters, but let's assume that it is?
 15 **A. But the -- I fear that that is coming from ██████████**
 16 Q. Right.
 17 **A. That would be my fear, there.**
 18 Q. Right.
 19 **A. None of the others when pushed ever say that they have
 20 a letter saying that --**
 21 Q. From anybody?
 22 **A. No.**
 23 Q. Police or CPS?
 24 **A. I suspect the truth of it was the police officers may
 25 have said, you know, "Angie", whoever it was who was**

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1 dealing with this person, "rather than just dropping the
 2 letter on them and saying we don't think your evidence
 3 is worth anything", that they may have tried to soften
 4 it when they were talking to them and so on.
 5 Q. To sweeten the pill somehow?
 6 A. To sweeten the pill, and that has then become lodged in
 7 their minds and that's why they post that on the
 8 website. You know, the police didn't prosecute because
 9 he was old and infirm.
 10 Q. Tell me if this is fair: were you coming to the
 11 conclusion that this business of the letter was
 12 a Will-o'-the-wisp?
 13 A. No, I thought they probably had had letters, but
 14 I didn't think -- I was increasingly thinking that the
 15 old and infirm line was probably something that was
 16 verbal rather than -- you know, part of a sweetening of
 17 a pill from a police officer rather than in a letter.
 18 Because I also couldn't see why you would put that in
 19 your letter. Frankly it just didn't seem very likely to
 20 me. It's just asking for trouble.
 21 Q. Right. Let's go to page 324, the same bundle. Now,
 22 23 November?
 23 A. Yes. So by now Impact are starting to be told, yes.
 24 Q. So Mathys to Gibbons, 23 November in the afternoon.
 25 I think that is "Any big Newsnight films coming up?"
 Page 73

1 A. Yes.
 2 Q. "I've had a chat [she says with you] about
 3 Jimmy Savile"?
 4 A. Yes.
 5 Q. So did you -- was it just one chat with Joe Mathys or --
 6 A. No, this is -- this would be a preliminary chat.
 7 There's a proper chat on the -- I think it's the 29th,
 8 where she actually comes down properly. I show her the
 9 script. She reads the script. That's before she sends
 10 the email saying "Okay, there's going to be huge
 11 interest". So she reads the script at that point. Goes
 12 back up, talks to David Gibson, presumably Helen Weaver
 13 et cetera. That's the point at which it becomes
 14 serious.
 15 Q. Right.
 16 A. We try to keep them in touch because, you know, even
 17 a couple of weeks ahead you are trying to say to them,
 18 you might have to book off -- you may have to book some
 19 time here. So that's what this would be.
 20 By the 29th we're saying "This is what we've got,
 21 what do you think?" and they are saying "Oh, that is
 22 going to be huge".
 23 Q. Right. Now just back up one day --
 24 A. Yes.
 25 Q. -- to 288. There is an email from you to
 Page 74

1 Mr Williams-Thomas --
 2 A. Yes.
 3 Q. -- on the 22nd; do you see? You say, end of the first
 4 line:
 5 "Just to say, three of the girls now tell us they
 6 were interviewed by someone from Staines Police Station.
 7 At least one thinks it was somebody called Angela"?
 8 A. Yes.
 9 Q. Who is doing this talking to the girls at this stage?
 10 A. It wasn't me. It would be Liz or Hannah.
 11 Q. Liz or Hannah.
 12 A. Liz or Hannah.
 13 Q. So the ones -- just to be completely clear about this --
 14 that you had direct contact with were [REDACTED] whom you
 15 and not Liz MacKean interviewed --
 16 A. Yes.
 17 Q. -- and [REDACTED] you were present at the 14th --
 18 A. At some point late on in this I had a conversation with
 19 [REDACTED]
 20 Q. Right.
 21 A. I actually thought there was an advantage in me not
 22 doing that, in that people coming fresh to the story
 23 talking to these people -- I didn't see any way of
 24 avoiding that with [REDACTED] because I had to get her on
 25 camera, but for the others there was an advantage in
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1 people who didn't have my -- all those years of
 2 suspicion coming to the story and making fresh
 3 judgments.
 4 Q. So you were concerned that you might be too close to it?
 5 A. Yes, yes.
 6 Q. Because you had been harbouring these suspicions for
 7 a long time?
 8 A. Yes, yes.
 9 MR POLLARD: It is 11.30. May I just ask a couple of more
 10 general questions just before we wrap up briefly?
 11 A. Yes.
 12 MR POLLARD: I just want to go back to the issue of your
 13 view of the importance of the police investigation and
 14 so on. I think you made it quite clear, but I just
 15 wanted to just sort of take that a bit further forward.
 16 A. Yes.
 17 MR POLLARD: I think you're saying that certainly at the
 18 time the story was dropped and having thought about it
 19 further on, the issue of the CPS saying "We took no
 20 further action because there wasn't enough evidence ..."
 21 A. Yes.
 22 MR POLLARD: You don't think that's material to the story;
 23 is that right?
 24 A. Yes, that's right.
 25 MR POLLARD: Okay. Let me just put it in stages, if you
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1 like. As a journalistic process, it seems to me you
 2 have building blocks which take the story forward --
 3 **A. Yes.**
 4 MR POLLARD: -- and improve it.
 5 **A. Yes.**
 6 MR POLLARD: One is the allegations. Your view is pretty
 7 much, I think, that the allegations on their own, having
 8 heard ██████████ cracks the story. It's good enough
 9 from what you've got, backed up by the other girls.
 10 A second building block is that the police
 11 investigated. That strengthens the story in your view,
 12 correct?
 13 **A. Yes. Yes, very much so.**
 14 MR POLLARD: A third building block which improves it
 15 further, I think, would be that the police took it
 16 seriously enough to pass a file to the CPS?
 17 **A. Yes.**
 18 MR POLLARD: And if you like another element is that the CPS
 19 decided not to take any action?
 20 **A. Yes.**
 21 MR POLLARD: Whether that improves it or not is debatable.
 22 Isn't it the case, though, that at the point that
 23 you get a note saying the CPS decided not to pursue this
 24 because there wasn't enough evidence --
 25 **A. Yes.**

1 MR POLLARD: Do you not agree that at that stage that takes
 2 the edge off the story to some extent?
 3 **A. No, I think all our -- everything that has happened this**
 4 **year shows that's not the case. You just have to look**
 5 **at the front pages of --**
 6 MR POLLARD: But I guess that's with hindsight, isn't it?
 7 **A. I don't think it is in hindsight. I think -- I think**
 8 **the thing that perhaps we haven't emphasised enough is**
 9 **that by the time we get to the end of November,**
 10 **beginning of December, we're in a completely different**
 11 **position from where we were when we started it.**
 12 **We by then have abuse, we think, at the BBC, at**
 13 **Duncroft, at Stoke Mandeville Hospital. We now think we**
 14 **have pictures of him at Haute de la Garenne. We know**
 15 **he's involved with loads of other institutions all over**
 16 **the country where he's sleeping overnight, has access to**
 17 **people.**
 18 **We have come to the view -- with the help of**
 19 **Mark Williams-Thomas who has looked at people like this**
 20 **before -- that this is a predatory paedophile who is**
 21 **using institutions all over the country. And our**
 22 **expectation -- it's not hindsight -- our expectation is**
 23 **that when we run this story we're going to get a hundred**
 24 **victims coming forward. That's what we expect to**
 25 **happen.**

1 **This is no longer "Was he a paedophile? Wasn't he**
 2 **a paedophile? Did he maybe just interfere with a few**
 3 **girls who were just slightly a few months the wrong side**
 4 **of the ..." It's not that anymore. By this stage we're**
 5 **seeing something that looks to us like a major story,**
 6 **major predatory paedophile. Really, whether the CPS let**
 7 **him off or not is way down the list for us at that**
 8 **point.**
 9 MR POLLARD: But I guess if the CPS had come back and
 10 said -- or you had found the letter and it had said "We
 11 didn't prosecute because he is old and infirm", that
 12 would have taken it up to a higher level?
 13 **A. It would have become a Day 2 story. It would have gone**
 14 **Day 1, paedophile; Day 2, why did the CPS let this evil**
 15 **man -- you know, it would have been a good Day 2 story.**
 16 MR POLLARD: Although actually Mark Williams-Thomas'
 17 proposed piece to camera did say it was covered up, it's
 18 outrageous.
 19 **A. Because we wrote it on that way all the way through.**
 20 MR MACLEAN: We will come to that.
 21 **A. All right.**
 22 **Can I say one other thing? It's not just building**
 23 **blocks. The great thing about the police investigation**
 24 **was that if they came back and said there was no police**
 25 **investigation, that would then take out the evidence of**

1 all the girls who said there was a police investigation.
 2 So it also had a great negative check for us that we
 3 would then have said "You know what, they are all taken
 4 out of it. We now have to have huge doubts about the
 5 whole story".
 6 So it was more than just the building blocks. There
 7 was also there a great sort of negative check in there.
 8 These are checksums if you like that we could use.
 9 Whereas on the other hand if they came back and said
 10 they had talked to all those people, then that hugely
 11 improved our story and suggested that they were telling
 12 the truth.
 13 MR POLLARD: Sure. But just to pick up on the points that
 14 Alan has been making -- and I know you realise this --
 15 it is clear that on many occasions when information was
 16 exchanged about the story to whoever it is, between you
 17 or to Mark Williams-Thomas or whatever, there was
 18 a repeated emphasis, or a repeated mention of the letter
 19 that says no action because he was old and infirm?
 20 **A. Yes.**
 21 MR POLLARD: So it wasn't that it was, if you like, just
 22 a passing element; it does crop up in almost every email
 23 about "How are we getting on?"
 24 **A. No, but when we are talking to Mark Williams-Thomas, why**
 25 **are we talking to Mark Williams-Thomas? We're talking**

1 to Mark Williams-Thomas because we're giving him
 2 everything we can to try to track down a police officer.
 3 You know, we need a police officer's name, a case
 4 number, something like that, that he can get into.
 5 You know, he has two jobs in this. The main job
 6 obviously is looking at the evidence and so on, but at
 7 this stage his job is to try and get confirmation from
 8 Surrey Police that there really was an investigation and
 9 that letter will give us what we need.
 10 MR POLLARD: Sure. Right, okay.
 11 Sorry, we slightly ran over our time. Shall we take
 12 a break?
 13 MR MACLEAN: We need to give the shorthand writers a break
 14 every so often.
 15 MR SPAFFORD: Back at 10 to then.
 16 A. Lovely.
 17 Just organisationally, I was just going to say
 18 I think it might help if I had a flipchart and some pens
 19 to show you something at some point in terms of where
 20 we're going, in terms of where we are going with
 21 evidence, if that would help after the break.
 22 MR MACLEAN: Let's see if we can find a convenient moment --
 23 A. No, no, no, at a convenient moment.
 24 (11.40 am)
 25 (A short break)

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1 (11.53 am)
 2 MR MACLEAN: So we got to about 22 November of last year.
 3 A. Yes.
 4 Q. If you go to A2, if you still have A2, page 328?
 5 A. Yes.
 6 Q. The following day, the 23rd. This is Liz MacKean in
 7 contact with one of the other girls who had been at
 8 Duncroft.
 9 We can see from Liz MacKean's email:
 10 "We really want to find out more about a recent
 11 police investigation which decided not to go
 12 forward ..."
 13 A. Sorry, I must be on the wrong page. Which page is this?
 14 Q. 328.
 15 A. All right.
 16 Q. The email from Liz MacKean at 15.06. She says:
 17 "We really want find out more about a recent police
 18 investigation which decided not to go further because of
 19 JS's age at the time".
 20 So that was the critical element that Liz MacKean
 21 was following up, at this stage, wasn't it? That was
 22 the missing piece of this jigsaw?
 23 A. I'm trying to work out who "NG Walker" is. Is she
 24 another student?
 25 Q. I think so, yes, because if you look at the bottom of

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1 328:
 2 "I can vouch for the fact he was a visitor to the
 3 school as I remember being shown photographs of him
 4 posing with the headmistress."
 5 So this element about it not going further because
 6 of Savile's age was, it would appear, the critical
 7 missing piece of the jigsaw, wasn't it?
 8 A. No. I don't see how you get that from that. For
 9 a start, this is the day that my vulture fund film goes
 10 out, so I'm completely unaware of this. But secondly,
 11 what she's saying there is the stuff which is on the
 12 website, isn't she?
 13 She's hoping it's going to ring bells with [REDACTED]
 14 [REDACTED] This is an email to one of the Duncroft girls.
 15 It's not something which defines what the standards are
 16 for the investigation and so on. This is an email to
 17 one of the girls. She is giving her various things
 18 there that might remind her, might give her clues which
 19 might make her say "Yes, I do know about that".
 20 Q. But the critical element she's really after is she's
 21 still after the details of the police investigation
 22 which didn't get any further?
 23 A. It's obvious, reading that, that the purpose there is
 24 she wants to get a name for the investigating officer.
 25 It's absolutely clear from that email that's what she

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1 wants:
 2 "Do you know more about this? Apparently the police
 3 contacted a number of past ...(Reading to the words)...
 4 students and we want to get a name for the investigating
 5 officer."
 6 Q. You say you were unaware of this, because you were busy
 7 with vultures that day?
 8 A. Yes, the film went out at 11.30 that night. I was in
 9 edit from -- you know, all day long.
 10 Q. Let's look at the following day then.
 11 A. Yes.
 12 Q. If you take bundle A3, your vulture film has now been
 13 broadcast?
 14 A. Out the way.
 15 Q. So we can forget about that?
 16 A. Yes, exactly.
 17 Q. At page 3, Liz MacKean sends you an email, subject of
 18 which is "Police update". She copies you in, sent to
 19 Hannah Livingston, do you see?
 20 A. I wonder why the first bit has been taken out.
 21 Q. That's another good question to which I don't know the
 22 answer. There has been a lot of blanking out.
 23 What this emails shows is that you and Liz MacKean
 24 and Hannah Livingston are all focusing on the police
 25 aspect of this, because as I said already, that is the

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1 critical missing piece of the jigsaw, isn't it?
 2 **A. It is from my point of view, certainly.**
 3 Q. Now by this stage Hannah Livingston had tracked down
 4 [REDACTED] and [REDACTED] on Clunk Click, hadn't she?
 5 If you go to page 5?
 6 **A. Yes, I think she has.**
 7 Q. Which was on any view a pretty good piece of research?
 8 **A. Yes.**
 9 Q. And Liz MacKean congratulates her, we see at 17.24 and
 10 24, "Amazing, it is all fitting together".
 11 Now, the 25th --
 12 **A. Which page?**
 13 Q. We will come to the page in a moment.
 14 Who first discovered that Surrey Police had indeed
 15 conducted an investigation into Jimmy Savile?
 16 **A. I think I get a phone call from Mark Williams-Thomas and**
 17 **I just type what he's saying straight into an email to**
 18 **people. I think that's what happens.**
 19 Q. So we looked at the Williams-Thomas email a while back?
 20 **A. Yes.**
 21 Q. All this time, one of the things he has been doing --
 22 **A. Yes.**
 23 Q. -- is beavering away with the Surrey Police to find out
 24 what, if anything, they did?
 25 **A. Absolutely.**

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1 Q. So off the record, Surrey Police have now confirmed that
 2 they did investigate Jimmy Savile about sexual abuse of
 3 minors and that they interviewed the girls from Duncroft
 4 as part of that inquiry.
 5 I think it follows from what you just said that you
 6 got that, as it were, secondhand from Williams-Thomas --
 7 **A. Yes.**
 8 Q. -- and somebody had given him that information --
 9 **A. It looks like it's the [REDACTED]**
 10 **doesn't it?**
 11 Q. [REDACTED]
 12 **A. It looks like the [REDACTED]**
 13 **[REDACTED]**
 14 **And I have said "Hang on a second it" -- I think**
 15 **I remember actually doing this and saying, "Hang on**
 16 **a second, I'm just going to put this straight into an**
 17 **email so everyone has got this", this message, to get it**
 18 **word for word.**
 19 Q. So you were very keen to transmit this information to --
 20 **A. Yes.**
 21 Q. -- Rippon and Gibbons as soon as possible?
 22 **A. Yes, absolutely.**
 23 Q. The reason for that is you knew that Rippon had been
 24 looking for, as he put it, corroboration for some time?
 25 **A. But I had too. I felt this was crucial because, as**

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1 **I said before, if they hadn't investigated, it threw the**
 2 **whole story into doubt; if they had, it made the story**
 3 **very strong. It worked both ways.**
 4 Q. Well --
 5 **A. It was a potential story-killer, as well as a potential**
 6 **story-maker.**
 7 Q. But on its own, as Mr Pollard put to you earlier, on its
 8 own it doesn't stand the story up, does it? I can see
 9 that if there was no investigation then that doesn't
 10 assist the credibility of those who said that there was,
 11 clearly.
 12 **A. It might -- in my view, had that been the case, I would**
 13 **have had to discount all of them.**
 14 Q. And that would have been the end of the process, because
 15 you'd have been left with [REDACTED] on her own --
 16 **A. On her own.**
 17 Q. -- and however credible or incredible she might have
 18 been?
 19 **A. Yes. And I think that would not have made the test.**
 20 Q. So isn't it fair to say that the fact that there was an
 21 investigation meant that the story was still a potential
 22 runner, but it didn't on its own stand it up, did it?
 23 **A. With what we already had, it did, yes. That's why**
 24 **the -- that's why the reply is "Excellent. Prepare for**
 25 **transmission".**

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1 Q. So is this right then: what you are saying is that once
 2 you find out that there had been the police
 3 investigation --
 4 **A. Yes.**
 5 Q. -- allied to [REDACTED] --
 6 **A. Yes.**
 7 Q. -- that was enough?
 8 **A. Yes. I mean, obviously we had other corroboration, like**
 9 **the Clunk Click, the other girls. We had a whole load**
 10 **of other stuff.**
 11 Q. Why keep pursuing the business of the letter then? Once
 12 you know that there has been a police investigation --
 13 **A. Afterwards --**
 14 Q. -- why does that the matter?
 15 **A. I am not interested in the letter after that. It's not**
 16 **something of particular interest to me. It's still**
 17 **there on the list of things and so on. It's still there**
 18 **that if we got it, great, you know, that's fine. So far**
 19 **as I'm concerned, we're basically over the line now.**
 20 Q. Right. So you send this email to Peter Rippon. Over
 21 the page, 25 November, fewer than ten minutes later --
 22 **A. Yes.**
 23 Q. -- he emails back saying "Excellent. We can then pull
 24 together the TX", that is transmission, "plan"?
 25 **A. Yes.**

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1 Q. And as we discussed earlier, this is now commissioning,
 2 is it?
 3 **A. I would say that's commissioning, given that what then**
 4 **happens is we then -- we then get a budget, as you will**
 5 **have seen; we have a TX date put up on the list.**
 6 Q. So this is not the definitive, but a critical
 7 greenlight, is that fair?
 8 **A. Yes. Excellent, yes.**
 9 Q. So if you go over the page again you reply:
 10 "We're hoping to interview a second victim on Monday
 11 afternoon."
 12 We know that is [REDACTED] don't we?
 13 **A. I think it must be [REDACTED]**
 14 Q. Who in fact wasn't a victim at all, was she?
 15 **A. As we later discover, yes.**
 16 Q. What did you know about [REDACTED] at this stage that led
 17 you to describe her as a second victim?
 18 **A. It just a shorthand there, probably. I don't know,**
 19 **because I don't even know that it is her at this stage.**
 20 Q. Because you are getting this information from
 21 Hannah Livingston and/or Liz MacKean?
 22 **A. Yes, yes. You know, at that point -- I cannot now**
 23 **remember whether that is [REDACTED] and she then pushes it**
 24 **back to Wednesday, or whether one of the other girls had**
 25 **said -- because they did keep -- we kept getting waivers**
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1 from other ones saying "I might do an on camera
 2 interview" and then it would go away again.
 3 [REDACTED] for instance, kept saying "I might do an on
 4 camera interview" and then she would go away again. So
 5 there is a remote possibility -- well, not remote.
 6 There is a possibility that is [REDACTED]
 7 Q. Let's look at page 15 and see if that helps.
 8 **A. That might help.**
 9 **Right, okay, fine. Then that's much clearer, yes.**
 10 Q. Now Liz has to talk to [REDACTED] 11.30 Monday?
 11 **A. Yes.**
 12 Q. "And if she says yes, we will know where we are and set
 13 TX?"
 14 **A. Yes.**
 15 Q. Now in fact in the end it was you who interviewed
 16 [REDACTED] on camera?
 17 **A. Liz talked to [REDACTED] It was Liz who talked to**
 18 **[REDACTED]**
 19 Q. But at this stage it appears to be that you are
 20 proceeding on the basis that [REDACTED] as it turns out
 21 to be, is a second victim?
 22 **A. Yes, it says "victim" in that other one, yes.**
 23 Q. "If she says yes", page 15 -- ie if she agrees to be
 24 interviewed -- "we will know where we are and we will
 25 set TX?"
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1 **A. Right.**
 2 Q. So it would appear that [REDACTED] being a second victim,
 3 is also a critical part of standing up the story.
 4 **A. No, she isn't. She isn't. That's why the "prepare for**
 5 **TX" comes before that. That's why Peter's email earlier**
 6 **on says "prepare for transmission". It's not a critical**
 7 **element.**
 8 Q. You appear to be proceeding on the basis that it is,
 9 aren't you?
 10 **A. No, no. Look, Hannah is asking me, as someone who is**
 11 **new to actually doing a film on Newsnight: "Is there**
 12 **a TX date in mind as yet? I'm just thinking because I'm**
 13 **meeting with our rotas lady early next week".**
 14 **This is about rotas, when she's available. The**
 15 **[REDACTED] interview may affect -- the [REDACTED] interview**
 16 **may affect the timing of transmission. If she's a good**
 17 **interviewee, and she can't do it until later, that might**
 18 **delay our transmission. Or if she can do it quickly**
 19 **that might bring it forward. She's certainly not**
 20 **critical to the story.**
 21 Q. In your submission that you supplied us with the other
 22 day --
 23 **A. Yes.**
 24 Q. -- you refer at paragraph 7.3 to the Rippon email I've
 25 just shown you, "Excellent, we can pull together on TX
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1 plan?"
 2 **A. Yes.**
 3 Q. You said:
 4 "This meant we could now set a date for
 5 broadcast" --
 6 **A. Yes.**
 7 Q. -- and you refer to your email back that we have looked
 8 at.
 9 **A. Yes.**
 10 Q. Then you say this, 7.5:
 11 "What is critical in my view about this exchange is
 12 that Peter Rippon is giving the greenlight for the film
 13 to be aired and he's doing so in circumstances where the
 14 key focus of the film was Savile's abuse."
 15 **A. Yes.**
 16 Q. You go on to say, in 7.6, this wasn't a shabby celebrity
 17 expose and so on. You say at the end of that
 18 paragraph 7.6:
 19 "Savile's abuse in itself was a story."
 20 **A. Yes.**
 21 Q. And that's right, is it?
 22 **A. Absolutely, yes.**
 23 Q. That's what the story was about: Jimmy Savile being
 24 a paedophile?
 25 **A. Yes, 100 per cent that's the story.**
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<p>1 Q. So the focus of the piece is that Jimmy Savile is 2 a paedophile? 3 A. Yes. 4 Q. Who put together the -- I think you call it Q -- for the 5 piece, the first draft of the Q? 6 A. That would probably be me. Um, it would still -- it's 7 still included the line as if the CPS had said he was 8 too old and infirm but I think I explained earlier that 9 would have changed in reality. 10 Q. Let's look at page 30. At the very bottom of the page, 11 there is the start of an email from you, do you see, if 12 you go over the page? 13 A. Yes. 14 Q. 27 November to Hannah Livingston and Liz MacKean: 15 "This is my first attempt at a draft Q." 16 So you have written this? 17 A. Yes, definitely. 18 Q. This is how you would like to present your story to the 19 world? 20 A. Yes. 21 Q. "Sir Jimmy Savile died in October. Prince Charles led 22 the tributes to a national treasure, but there was 23 a darker side to the star of Jim'll Fix It. Newsnight 24 has learned that he was investigated by police for 25 sexual assaults on minors, but the Crown Prosecution Page 93</p>	<p>1 place at the BBC"? 2 A. That's better, yes. 3 Q. So changing for "after" for "at". 4 A. Yes, it's an improvement. 5 Q. It's an improvement. It's more accurate, isn't it? 6 A. It's definitely an improvement, yes. 7 Q. So the three things -- 8 A. That's why you do a draft Q and you send it round to 9 other people. So they will improve it. Other people 10 have better ideas. 11 Q. I'm not criticising your drafting. 12 A. No. 13 Q. I'm just looking at what you wrote and seeing what we 14 get from it. 15 A. Yes. 16 Q. We get three messages, I suggest, from this paragraph. 17 One, that Savile was a paedophile; two, that he had been 18 investigated and hadn't been proceeded against for bad 19 reasons; and three, that some of this took place at the 20 BBC itself? 21 A. Yes, I -- or, I mean, yes, certainly if you keep that 22 line in. What I'm saying is that if you came out after 23 "Newsnight has learnt that he was investigated by police 24 for sexual assaults on minors. Now some of the girls 25 who say they were assaulted by him in the 1970s, when Page 95</p>
<p>1 Service decided in 2009? That he was too old and infirm 2 to face trial"? 3 A. Yes. 4 Q. So right at the beginning of this piece it is going to 5 be a piece about Jimmy Savile being a paedophile who had 6 been investigated but had not been proceeded against 7 for, it is to be inferred, bad reasons, right? 8 A. Yes, because that's -- you are going for the maximum in 9 your draft Q at that time, obviously. 10 Q. Now -- 11 A. And that would be the maximum. But actually I would 12 say, if you read that Q, forget everything that you've 13 heard over the last two months, if you heard that story 14 and take that out from it, you still think "God, what an 15 amazing story". It makes very little difference, that 16 line. 17 Q. It's true that the Q also mentions the fact that some of 18 the abuse took place after BBC recordings. 19 A. Yes. 20 Q. Yes. And Hannah Livingston, if you go over the page, 21 picks you up, you might think rightly, by saying that 22 the last sentence doesn't explain fully, and that to be 23 "nit-picking", as she puts it, she would prefer -- this 24 is page 30 -- to say: 25 "I'd put they even claim that some of the abuse took Page 94</p>	<p>1 they were 13, 14, 15 talk to Newsnight", I am saying 2 that is no weaker as a story than taking out -- than 3 putting those words in. 4 Q. It is implicit, in this, isn't it, that there was enough 5 evidence in principle to justify a trial? 6 A. No, this is a draft Q. We haven't even got, at this 7 point, confirmation from the police that he was 8 investigated and that it was handed to the CPS. We 9 don't even know that at this stage for sure. 10 Q. Well, we do know that the Surrey Police have 11 investigated, don't we? 12 A. Yes, but we don't know that it's been handed to the CPS. 13 We're still in the dark as to what exactly happened. 14 Q. All I'm suggesting to you is that that Q on its own, 15 it's implicit in that third sentence that there was in 16 fact enough evidence -- the story is going to be that 17 there was enough evidence to prosecute but that that 18 prosecution hadn't gone ahead for the very bad reason 19 that he was too old and infirm. That's the -- that's 20 the suggestion. 21 A. Yes, and what I'm saying to that is that at that stage 22 we don't even know that the file was handed to the CPS. 23 This is what we've been told by the girls. This is 24 what we've put in there. If we take that out the story 25 is no weaker. It is still going to be the front page of Page 96</p>

1 every newspaper, it's still going to be leading on the
 2 television bulletins.
 3 Q. Now, by this time Mr Rippon's attitude was what?
 4 A. The same.
 5 Q. It was still the same --
 6 A. The same as it has been.
 7 Q. At the greenlight on the 25th?
 8 A. Yes. This is Sunday now we're talking about. Sunday
 9 the 27th.
 10 Q. On the 27th you contacted Roger Law, didn't you?
 11 A. Yes, I sent him a draft script, I think. A very rough
 12 first script, I think.
 13 Q. He's a BBC lawyer?
 14 A. Yes, he is.
 15 Q. So if you look at page 36 in the same bundle, this is
 16 the same Q, I think --
 17 A. Yes, it's the same Q.
 18 Q. -- that we looked at?
 19 A. Yes.
 20 Q. "Roger, can we have a chat on Monday ..."
 21 That's the following day, I think?
 22 A. Yes.
 23 Q. "... about Jimmy Savile? We are organising our own
 24 Newsnight tribute to him before the BBC special edition
 25 of Jim'll Fix It to salute him this Christmas."
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1 A. Yes.
 2 Q. So as I suggested to you earlier, you were rather
 3 relishing the prospect of this story going out before
 4 but as well as the Jim'll Fix It?
 5 A. No, I'm making a slightly -- I'm making a slightly jokey
 6 remark there as I would in a very dry way to Roger. We
 7 have the sort of relationship where we tend to do that
 8 sort of thing. I have also misspelt Newsnight
 9 amazingly.
 10 But the -- no, I -- plainly I did not think the
 11 tribute would go out. How could the tribute go out?
 12 I couldn't believe there was any chance now of the
 13 tribute going out after the 25th.
 14 Q. You say at the end:
 15 "Obviously Savile has one great advantage over some
 16 other targets ..."
 17 That is obviously that he's dead:
 18 "... but there may be other legal issues?"
 19 A. Yes.
 20 Q. Did you have any other legal issues in mind --
 21 A. Yes.
 22 Q. -- or were you simply saying to Roger, "You will know
 23 better than me?"
 24 A. No, I did. Of course I did.
 25 Q. What were they?
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1 A. There were two issues: one was [redacted] one was
 2 [redacted] However, my belief was that [redacted]
 3 would be a 5-minute conversation, no more than that,
 4 because, you know, a [redacted] I didn't
 5 think there would be any problem with naming
 6 [redacted]
 7 [redacted] my belief was that we shouldn't name
 8 him because he didn't add much to the story and it was
 9 going to cause us libel problems at that time. We want
 10 to get the story out. So I suggested in a phone
 11 conversation with Roger at some point over the next
 12 couple of days -- a very quick conversation -- that
 13 that's how we'd approach it and he agreed with that.
 14 Q. Right. So the other --
 15 A. But we never had the final -- basically what you do --
 16 what we do with Roger is you have that general
 17 conversation so you are happy about where you are going
 18 with the story. It's not until very late in the process
 19 that you give him the script so he goes through it word
 20 for word and checks words he doesn't like.
 21 Q. Right. So the other legal --
 22 A. The other -- sorry, there's one more legal thing there
 23 which is obviously the risk of defaming the staff.
 24 Q. At the home, at Duncroft?
 25 A. At Duncroft or the BBC.
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1 Q. Right. So other legal issues then would all come under
 2 the heading of "Defamation"?
 3 A. Yes.
 4 Q. And you are not worried about Savile because he's dead,
 5 you are not worried about [redacted] because one might
 6 think his reputation disappeared a while ago, but you
 7 are worried about others?
 8 A. I'm worried about [redacted] I'm worried about accidentally
 9 putting a general libel on Duncroft or BBC staff.
 10 Q. Now the BBC have been not sharing all the legal advice
 11 that they took and obtained with us.
 12 Can I ask you whether -- I think it is implicit in
 13 what you said -- at no time was any legal barrier
 14 presented to you --
 15 A. No, no time.
 16 Q. -- to running this story?
 17 A. No, not at all.
 18 Q. So if we go to page 121, the transmission date has now
 19 been set?
 20 A. Yes.
 21 Q. It's going to be Wednesday the 7th. That's of December?
 22 A. Um-hm.
 23 Q. Who would have set that? This is an email from MacKean
 24 to Gibbons copied to you?
 25 A. It's Peter and Liz Gibbons. Peter Rippon and
 Page 100

1 Liz Gibbons would decide that.
 2 Q. Right.
 3 A. One of them will have put it on the board in Peter's
 4 office.
 5 Q. Right. So then there's going to be a day's filming.
 6 That's the Rolls Royce driving around -- there was
 7 a Rolls Royce hired, wasn't there?
 8 A. Yes. No, neither of those worked. So we've already had
 9 a day's filming on 14 November where we've interviewed
 10 [REDACTED] the victim.
 11 Q. Yes.
 12 A. Wednesday 30 November was supposed to be
 13 [REDACTED] by then.
 14 Q. Right.
 15 A. And then, on the 5th, we'd have done a piece to cameras
 16 at Duncroft first thing in the morning. Then at lunch
 17 time we would have done Mark Williams-Thomas in an edit
 18 suite.
 19 Q. Right.
 20 A. Quite often on our schedules, because we have a -- our
 21 editing day is from 11.30 to 1.30 and then 2.30 until
 22 10.30 or later, 11 o'clock at night, whatever.
 23 We will quite often, when you get close to
 24 broadcast, go and do filming first thing in the morning,
 25 8 o'clock in the morning, as soon as it is light, which
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1 is what we would have done. Then you go into your edit,
 2 then you have an hour at lunch time when you can then do
 3 your next interview and then carry on with the edit.
 4 It's just a very efficient way of doing it.
 5 Q. Right. Who is Poppy? Do you know who Poppy is?
 6 A. No.
 7 Q. It might be a Poppy --
 8 A. Hang on, this is a completely different story that she's
 9 doing.
 10 Q. I understand.
 11 A. She's a producer.
 12 Q. Who is she?
 13 A. She's a freelance producer who did a piece about
 14 Academies with Liz. I know no more than that, though.
 15 Q. Do you know her surname?
 16 A. No.
 17 Q. Poppy Sebag Montefiore?
 18 A. It could be. Why?
 19 Q. So you then developed the script, didn't you, over the
 20 current days, the succeeding days?
 21 A. Yes.
 22 Q. And you and Liz MacKean both worked on that; is that
 23 right?
 24 A. Yes.
 25 Q. Who had the first shot, as it were?
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1 A. I think it was Liz. I don't know. I think Liz did a --
 2 I think Liz did a rough script and then I would have put
 3 in sync from [REDACTED] and then it would have evolved.
 4 Probably here it probably says --
 5 Q. Let's see if we can piece it together. Page 125,
 6 Liz MacKean to you on the 28th?
 7 A. Yes.
 8 Q. That's the Monday at nearly 6 o'clock at night?
 9 A. So she sent me a script of some sort then.
 10 Q. JSScript.doc. So she would have written this.
 11 A. Yes.
 12 Q. So if we go to 126, this is the script?
 13 A. That's already got the sync in it, so I must have sent
 14 her the sync already.
 15 Q. So the sync is --
 16 A. [REDACTED] as it says there.
 17 Q. -- slotting in the extracts from the interviews?
 18 A. So the sync, yes, is interview already filmed. We have
 19 been through it. We have the time codes, which is what
 20 you can see there. This is real stuff that we've really
 21 got that is there and those are the clips that go into
 22 the piece.
 23 Q. So you are sure that you would have done that not
 24 Liz MacKean?
 25 A. No, I know I did that. I pulled the sync.
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1 Q. So this can't be the -- well, anyway. This is the first
 2 draft we've got.
 3 A. No, no, no. Probably what I've done is we've talked it
 4 through, I've sent Liz probably I would guess, the --
 5 MR POLLARD: The sync pull.
 6 A. The sync pull and said "Look, I think we need to use 1,
 7 2 and 3", and she would have said "Why don't we use 1, 2
 8 and 4?" and you would have the normal -- normal
 9 discussion.
 10 MR MACLEAN: So you have taken that from what I think you
 11 call the rushes?
 12 A. Yes.
 13 Q. Which we have seen?
 14 A. Yes.
 15 Q. And the whole thing lasts about an hour and we can see
 16 that Liz MacKean asks [REDACTED] questions?
 17 A. Yes.
 18 Q. And I think sometimes you go over and ask the same
 19 question again.
 20 A. Yes.
 21 Q. So you have been through those rushes and extracted the
 22 bits that you suggest go into the story?
 23 A. Yes. Yes, absolutely.
 24 Q. Who else has seen the rushes at that stage?
 25 A. Well, obviously live --
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1 Q. The people who were there.
 2 A. -- Hannah, Liz, myself and the cameraman, Simon, all
 3 watched it happen.
 4 Q. Yes?
 5 A. Nobody else has seen the rushes.
 6 Q. Who else did ever see the rushes?
 7 A. Presumably now the legal team and everyone else has.
 8 Q. In the last few weeks.
 9 A. In terms of by last Christmas, nobody. Nobody else had
 10 watched them.
 11 Q. You wouldn't expect the commissioner or the programme
 12 editor -- who in this case was one and the same
 13 person -- you wouldn't expect them to view the rushes,
 14 would you?
 15 A. Oh, you would. A story like this you would, yes.
 16 I would expect --
 17 Q. Let's just take it in stages.
 18 A. Yes.
 19 Q. Would you always expect the commissioner to view the
 20 rushes?
 21 A. Not on a noncontroversial subject, no.
 22 Q. Would you always expect the programme editor to view the
 23 rushes?
 24 A. No.
 25 Q. Now in this case they happen to be the same person?

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1 A. Yes.
 2 Q. So what fact or factors would there be which ought to
 3 lead, let's take the commissioner first of all, to view
 4 the rushes?
 5 A. Um, actually this is where I quite feel that in some
 6 ways, um, a chart would be -- it would be quite useful
 7 to have a flip chart. But, okay, let me take you
 8 through it.
 9 Obviously you have a very controversial story here.
 10 We believe we have it absolutely nailed down. We
 11 believe he's a predatory paedophile and we have good
 12 evidence. But it's going to have huge effects, this
 13 story.
 14 I would expect the exec, whoever it is, to want to
 15 look at the whole interview to make a judgment of the
 16 credibility of [REDACTED] because she's our key person on
 17 camera: do you believe her or don't you believe her?
 18 I would then expect them to go through the typewritten
 19 notes of all the conversations with all the other girls
 20 and read what they have to say to see whether you
 21 believe them as corroboration.
 22 I would expect them -- probably actually you would
 23 expect them to have a look at the Clunk Click stuff and
 24 so on, so you can see what the physical evidence is that
 25 backs what they are saying. Then most of all, at the

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1 end of that process, I would expect them to go and talk
 2 to Mark Williams-Thomas, who is a professional ex-police
 3 officer who has reviewed the evidence, who can give them
 4 a judgment on whether or not they think it's credible.
 5 That's the process I would expect in something like
 6 this.
 7 Q. Okay. We will come back to some of that process
 8 shortly.
 9 Can we just look at this script for moment?
 10 A. Which script is it? Is this the first one?
 11 Q. It's the one we've just been looking at. 126 --
 12 MR POLLARD: Can we just offer for help: you sent the [REDACTED]
 13 sync pull --
 14 A. Yes.
 15 MR POLLARD: -- to Liz, Hannah and yourself earlier that
 16 afternoon.
 17 A. Right, okay.
 18 MR POLLARD: It's at 1.18. So you will have picked out the
 19 bits of sync that you recommend --
 20 A. Yes.
 21 MR POLLARD: -- and sent the rough transcripts to Liz and
 22 then she can have incorporated them.
 23 A. Yes. Yes, that is right. That's what I would have
 24 expected, yes.
 25 MR MACLEAN: So if we go to 126 then, this early draft of

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1 the script has got tributes at the top.
 2 A. Yes.
 3 Q. So that's a reference to the tributes that were run --
 4 A. At the time of his death and so on.
 5 Q. The gold coffin and all that stuff.
 6 A. Yes, all that stuff.
 7 Q. As you say the State Funeral-esque treatment?
 8 A. Yes.
 9 Q. Then PTC, that is piece to camera, isn't it?
 10 A. Yes.
 11 Q. Another side, "Chatty charm masked another side, one
 12 which the police formally investigated."
 13 So right away --
 14 A. Yes.
 15 Q. We're into the police having investigated.
 16 A. Yes, absolutely.
 17 Q. "... involved a series of allegations about sexual abuse
 18 from girls at this former approved school before it was
 19 decided no further investigation because of his age."
 20 A. Yes.
 21 Q. And then Mark Williams-Thomas is going to say something
 22 about that. Yes?
 23 A. Yes.
 24 Q. Then if you go over to 127, Liz MacKean is going to say
 25 in this draft:

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1 "PTS [piece to camera] we have spoken to 10 ..."
 2 That is 10 of the 60 which had been approached, we
 3 will see that in a moment:
 4 "... all of whom were aged 14 and 15, all telling
 5 a broadly similar story. They didn't speak up at the
 6 time for two reasons ..."
 7 Which it gives. And then there is a reference to
 8 [redacted] and [redacted] and to [redacted]
 9 A. Yes.
 10 Q. And then you had some film of one of the Nolan Sisters
 11 when she was young on Top of the Pops, I think. Then
 12 128, piece to camera:
 13 "The investigation includes other well-known figures
 14 from the time [redacted]"
 15 That is obviously [redacted]?
 16 A. Yes.
 17 Q. As we discussed earlier there are no qualms about naming
 18 him in this piece --
 19 A. No.
 20 Q. -- because we see the extract from [redacted] Then there is
 21 more detail about some of the abuse.
 22 There isn't any mention in that script about the
 23 fact that -- there's no focus anyway on the fact that
 24 these -- some of these abuses or alleged abuses have
 25 taken place on BBC premises, other than the extract from
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1 [redacted]'s interview at the bottom of 128?
 2 A. Yes.
 3 Q. So although we see reference to Savile being there and
 4 laughing and so on --
 5 A. Yes.
 6 Q. -- there's never any focus is there, throughout these
 7 drafts, on the fact that this was, as it were, an
 8 institutional problem for the BBC having caused or
 9 permitted this to happen on its premises?
 10 A. **This is a very -- you know, this is a first -- a first**
 11 **draft. The whole way this works is you don't try to --**
 12 **it's got the Clunk Click in there and it's got**
 13 **[redacted] at the BBC. But, yes, it -- you know, this**
 14 **is just a first draft.**
 15 Q. But at no stage it is fair to say, isn't it, at no stage
 16 was there any focus on the element of this -- the BBC
 17 having, as it were, allowed this to happen on its
 18 premises? That just wasn't the focus of the story at
 19 all?
 20 A. **It's not about the focus. This is -- I mean, when you**
 21 **do a first script like this, as you develop over several**
 22 **scripts you get to somewhere where you're going. You**
 23 **put down something just as a marker. It's much better**
 24 **to get a draft out there which other people can then**
 25 **work on, rather than trying to do a perfect script to**
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1 start with.
 2 Q. But there are two aspects, I suggest, for this script.
 3 The first is that Jimmy Savile was an obnoxious
 4 paedophile. That's one aspect of it. And the other
 5 aspect of it was one of the -- a public service, namely
 6 the police, have fallen down on the job?
 7 A. **We don't know that.**
 8 Q. But that's the story that's being developed?
 9 A. **But we don't know that.**
 10 Q. But that's where you are hoping to get to with the
 11 story, isn't it?
 12 A. **It's one of the things we might get, but it's not**
 13 **something we know. We already have the BBC stuff. The**
 14 **BBC stuff we have. That is something that we may get.**
 15 Q. Now, you then worked on the script further, didn't you?
 16 A. **Yes. I mean how exactly it went between the two of us I**
 17 **cannot now remember, but it's probably clear in the --**
 18 Q. So let's go to 139.
 19 A. **Actually, if you look at 130, I think that's quite**
 20 **helpful. So that script I've sent to Hannah saying**
 21 **"Hannah, this is just so you can see how we work.**
 22 **Earliest possible opportunity that we've assimilated**
 23 **enough material we try and put it together in a script**
 24 **with sync and quotes."**
 25 Q. Yes.
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1 A. **So basically this is nowhere near supposed to be the**
 2 **story we want to tell. We put something together.**
 3 Q. That is a process email explaining to Hannah how it came
 4 about.
 5 A. Yes.
 6 Q. You then worked on the script, didn't you, and sent it
 7 back -- well, you sent it to yourself. If you go to
 8 page 139, that's an email from you to --
 9 A. Yes.
 10 Q. -- to you, and then to another email address which
 11 I assume is also you?
 12 A. Yes.
 13 Q. Why send it to two different emails, both of which are
 14 you?
 15 A. **For safety. Because it -- you know, and because I want**
 16 **to be able to work on it at home. Sometimes web mail**
 17 **goes down.**
 18 Q. There's not a reliable access to the BBC --
 19 A. **No. Like at the moment it's not working very well for**
 20 **instance. They have just switched systems.**
 21 Q. I don't want to get into the BBC's IT system.
 22 A. **Right, okay.**
 23 Q. So you have worked on this. You start reference to the
 24 tributes. It's the same structure, wasn't it, piece to
 25 camera about Duncroft?
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1 **A. It could be.**
 2 Q. Then Mark Williams-Thomas and his background --
 3 **A. Yes.**
 4 Q. -- in the Jonathan King investigation. And then this:
 5 "Mark Williams-Thomas approx what I expect him to
 6 say, not actually recorded yet?"
 7 **A. Yes.**
 8 Q. Had you discussed something along these lines with
 9 Williams-Thomas?
 10 **A. Yes, exactly. Been talking to Mark saying "If this
 11 happens, this is what we are going to write".**
 12 Q. What you wrote then was:
 13 "In the last five years Surrey Police have been
 14 investigating allegations of sexual assault on minors by
 15 Jimmy Savile in the 1970s. They passed the file to the
 16 Crown Prosecution Service but in 2009 the CPS decided
 17 that Savile was too old and infirm to face a trial and
 18 dropped the case. I have to say [you are anticipating
 19 Mark Williams-Thomas saying] I don't think that that is
 20 acceptable and why was it all hushed up?"
 21 **A. Yes.**
 22 Q. So the story here is that there was a hushing up --
 23 **A. No, no, we don't know any of that.**
 24 Q. But that's the story that you're hoping to put out,
 25 isn't it?

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1 **A. Yes, yes. That is the strongest version of that bit of
 2 the story. But, as Mark Williams-Thomas, as you say,
 3 showed when he put out the same story without it, it
 4 became an international -- well, mainly a huge national
 5 story.**
 6 **You know, we don't know at that stage. All we know
 7 for sure at that point is that the police have
 8 investigated. At some point around about now, quite
 9 soon, we become aware that they investigated it and took
 10 it seriously enough to go to the CPS. We don't even
 11 know that at this stage.**
 12 Q. Now did you send this version of the script to
 13 Mr Rippon?
 14 **A. I'm not sure. I send one to him on the 29th, I think.**
 15 Q. Let's look at that one. 143, it is called "Very rough
 16 Savile"?
 17 **A. Yes.**
 18 Q. So 143, on the 29th, you send it to Liz MacKean,
 19 Hannah Livingston, Liz Gibbons, Peter Rippon and Roger
 20 Law, the lawyer?
 21 **A. Yes.**
 22 Q. "Just a very rough script to give you an idea what we're
 23 saying, not finally written."
 24 **A. Yes.**
 25 Q. "Could put a defence in there or leave it as a

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1 prosecution case and have a defender off the back in a
 2 disco."
 3 **A. Yes.**
 4 Q. Just unpick that sentence for us. What does that mean?
 5 A defence of what?
 6 **A. Savile.**
 7 Q. Who are you contemplating being the witness for the
 8 defence?
 9 **A. It could be a member of his family. But also, it's at
 10 an early stage but we're also thinking that there are
 11 all sorts of people who need to put up defences here.
 12 So it could be the BBC.**
 13 Q. That can't be right --
 14 **A. Why can't it be right?**
 15 Q. Because it says:
 16 "Could put a defence in there or leave it as a
 17 prosecution case and have a defender off the back in a
 18 disco."
 19 That's not a BBC person, is it?
 20 **A. It could be, yes. You know, at the moment it's
 21 a prosecution case against Savile but it's also
 22 a prosecution case against the BBC to some extent.
 23 The difference between Newsnight and other
 24 programmes is very often you put up something and then
 25 the BBC element in this will be the live person off the**

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1 **back. I think I probably meant at that point somebody
 2 who would defend Savile's reputation, but it could have
 3 been the BBC at that point, I'm not sure.**
 4 Q. The attachment to that starts at 144. That is "Rough
 5 Savile" --
 6 **A. Yes.**
 7 Q. And we see it gets developed a bit further as we go on?
 8 **A. It gradually goes on, yes.**
 9 Q. So 144:
 10 "Still to come one more girl on camera next
 11 Wednesday."
 12 That's [REDACTED] hopefully?
 13 **A. Yes.**
 14 Q. "We will try ex staff next week, possibly [REDACTED]
 15 or someone similar ..." to essentially say --
 16 **A. We have been told that [REDACTED]**
 17 [REDACTED]
 18 Q. So you were hoping --
 19 **A. So we're after one of those two.**
 20 Q. Then "not legal, nowhere near final" and so on?
 21 **A. That is just in case somebody leaves it lying around
 22 somewhere.**
 23 Q. I understand. So we have the tributes, the piece to
 24 camera, Mark Williams-Thomas, and then we have the same
 25 references we saw before to it all being hushed up, you

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1 see at 144?
 2 **A. Yes, yes.**
 3 Q. And then it goes through with the mansion and the piece
 4 to camera and the Rolls Royce and the extract from [REDACTED]
 5 and so on?
 6 **A. Yes.**
 7 Q. And then it there is reference at 146 to
 8 Stoke Mandeville?
 9 **A. Yes.**
 10 Q. And somebody having got a job in return for sexual
 11 favours from Savile?
 12 **A. Yes.**
 13 Q. And then piece to camera, 147:
 14 "Always been rumours behind the scenes about
 15 Savile".
 16 And then there's the Nolan girl as she was on Top of
 17 the Pops. And then Mark Williams-Thomas again?
 18 **A. So you now have quite a lot of BBC in this one, haven't**
 19 **you? You have Top of the Pops, you have Clunk Click,**
 20 **you have a whole selection there.**
 21 Q. And then [REDACTED] at 148?
 22 **A. Then you have more Clunk Click.**
 23 Q. Then at the very bottom of 148, piece to camera,
 24 Duncroft or television centre. That's the location of
 25 the piece to camera?

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1 **A. Yes, yes.**
 2 Q. "Not sure yet with any statement from police or CPS"?
 3 **A. Yes.**
 4 Q. So the defence that is contemplated is not a defence of
 5 Jimmy Savile, nor is it a defence of the BBC. It's
 6 a defence of the position of the police or the CPS --
 7 **A. No. No, that's not the case.**
 8 Q. That they decided not to go ahead because he was too old
 9 and infirm and it was hushed up?
 10 **A. No, that's not the case talking. We haven't got the**
 11 **statement. We don't even know that it has gone to the**
 12 **CPS at this stage.**
 13 Q. I understand that, Mr Jones. I'm not asking you about
 14 what you understood.
 15 Just looking at this script, it starts off by saying
 16 Savile wasn't proceeded against because he was too old
 17 and infirm, it was hushed up, and it ends with
 18 prospective defence from the police or the CPS
 19 justifying that position. And that's what the whole
 20 story was about?
 21 **A. No, no, no, no. That's completely untrue. Look, it**
 22 **doesn't start with what you think it starts with. It**
 23 **starts with the tributes to Jimmy Savile, doesn't it?**
 24 **Isn't that where it starts, that he's a hero, he's**
 25 **a wonderful person. That's the start, isn't it?**

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1 **The end is "pay off over Savile pics, voice quotes**
 2 **from the girls saying he was a paedophile". So it**
 3 **starts with the tributes to him as this wonderful person**
 4 **but then says he had another side. It's centred around**
 5 **a series of allegations of sexual abuse from girls at**
 6 **this former approved school. That's where it starts,**
 7 **doesn't it? Does it say before that CPS or Metropolitan**
 8 **Police? It doesn't.**
 9 Q. The sting of this story is about the police and/or the
 10 CPS acting inappropriately --
 11 **A. You said it starts and ends with that. It doesn't.**
 12 **Look at the start. The first two paragraphs are saying**
 13 **he's a paedophile. He had a reputation as a wonderful**
 14 **person: he's a paedophile.**
 15 **It ends with the pay off over Savile pics with the**
 16 **quotes from girls. The quotes, as you will see in the**
 17 **next edition of the script, are them saying he was**
 18 **a paedophile.**
 19 Q. This is a story which has been set up with Jimmy Savile
 20 being a paedophile and then --
 21 **A. Right.**
 22 Q. -- asking questions and inviting answers from the CPS
 23 and the police with the allegation against them being
 24 that they have inappropriately not proceeded against
 25 Jimmy Savile?

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1 **A. As I think I said at the start of this, that**
 2 **Mark Williams-Thomas would have changed to from "they**
 3 **passed the file to the Crown Prosecution Service but in**
 4 **2009 the CPS decided that Savile was too old and infirm**
 5 **to face trial and dropped the case", that would have**
 6 **changed to:**
 7 **"The girls say the case was dropped because he was**
 8 **too old and infirm, but the Crown Prosecution Service**
 9 **say there was not enough evidence to prosecute him".**
 10 **And that's what it would have been in the final**
 11 **version. At this point we haven't talked to the CPS.**
 12 **We haven't even got confirmation from the police that**
 13 **they passed the file to the CPS. It's written in this**
 14 **way as a sort of maximalist way of doing it.**
 15 Q. What it has nothing to do with is the BBC being, as it
 16 were, under pressure for having allowed this abuse to
 17 happen on BBC premises, has it?
 18 **A. It has a whole chunk on the BBC.**
 19 Q. It mentions it as part of the factual background. But
 20 let's look at 158 --
 21 **A. Yes.**
 22 Q. -- Hannah Livingston emails you having got this script
 23 that you've just sent her we've just been looking at --
 24 **A. Yes.**
 25 Q. -- and she says:

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1 "It's good to see how the script has developed from
 2 last night. Here's hoping for good police response?"
 3 **A. Yes. We're still hoping for the police response. You**
 4 **know that. We haven't got a police response that says**
 5 **"we investigated him" -- an official response which says**
 6 **"We investigated him and we took it so seriously we**
 7 **passed the file to the CPS". We haven't got that**
 8 **response yet.**
 9 Q. There is another version then you are working on at the
 10 same time and that becomes Rough Savile 2, right? If
 11 you go to 159, you send that at 11.30 that morning?
 12 **A. If you are making the point that we keep that bit in**
 13 **throughout the scripts, we do. We keep that in until**
 14 **the 30th.**
 15 Q. Yes.
 16 **A. We're still waiting for the official confirmation. All**
 17 **these versions of the scripts have that same thing in**
 18 **there.**
 19 Q. Let's look at what you do say. There is another
 20 version. You are working on it and you send it, at 159,
 21 to MacKean, Livingston and Rippon, Gibbons and --
 22 **A. Yes.**
 23 Q. Rough Savile 2, 160?
 24 **A. Yes.**
 25 Q. Same structure?

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1 **A. Yes. The same bit about the CPS that you highlighted**
 2 **the last two scripts, yes.**
 3 Q. And at 162, there's a piece to camera. Starts at the
 4 bottom of 161:
 5 "We have spoken to ten girls from Duncroft. Broadly
 6 similar story."
 7 And you make the point that most of them -- this is
 8 important later in the story -- most of them talked to
 9 Surrey Police during the recent investigation?
 10 **A. Yes.**
 11 Q. "But some want to stay anonymous so we have changed
 12 their names"?
 13 **A. Yes.**
 14 Q. We will come to this but Mr Rippon, according to some of
 15 the emails at least, didn't grasp that point that it was
 16 most of them, not all of them?
 17 **A. In fact he uses the word "most" to say that means all,**
 18 **I think.**
 19 Q. And then we have Clunk Click and a bit more from
 20 Mark Williams-Thomas. Then right at the end, and this
 21 has developed a little bit from the last one:
 22 "Piece to camera, Duncroft or TV centre not sure
 23 yet, with any statement from police or CPS and line
 24 about girls not believing it just happened at Duncroft.
 25 Others will now come and tell what happened to them"?

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1 **A. Yes.**
 2 Q. That was shorthand for what? That last element?
 3 **A. Well, we -- the piece to camera -- by then, as I say,**
 4 **we're now believing that he's probably a paedophile who**
 5 **has attacked children at institutions all over the**
 6 **country. And it is pointing in that direction in that**
 7 **the girls are saying to us that they think -- so the**
 8 **piece to camera line would have ended up saying**
 9 **something like "The Duncroft girls believe that he**
 10 **attacked children at institutions all over the country.**
 11 **We'll now find out whether those people come forward or**
 12 **not".**
 13 Q. Right.
 14 **A. It's that sort of a line.**
 15 Q. So having, as it were, dropped the pebble into the story
 16 at 162 about Stoke Mandeville and Haute de la Garenne,
 17 it's --
 18 **A. It is building.**
 19 Q. -- them musing as to whether something will come of
 20 that. Is that fair?
 21 **A. The previous version of the script has Duncroft, BBC and**
 22 **Stoke Mandeville as possible places where he abused. By**
 23 **now we're putting in Haute de la Garenne as well and**
 24 **we're starting to feel that probably every institution**
 25 **that he went to -- that he targeted institutions. He**

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1 **wasn't after individuals; he went out and looked for**
 2 **places like Duncroft.**
 3 Q. So --
 4 **A. So we're now thinking it's going to be a much wider**
 5 **story.**
 6 Q. Let me see if I have this right then. The one that we
 7 looked at a moment ago, Rough Savile 1 --
 8 **A. Yes.**
 9 Q. I think you sent an email round to Peter Rippon saying
 10 "If you haven't looked at Rough Savile 1 yet, don't
 11 bother, look at Rough Savile 2" because it's been --
 12 **A. I'm not sure I send him the first. I think I send him**
 13 **the second. That's Roger Law I think I send that one**
 14 **to.**
 15 Q. I just want to get what the developments are in Rough
 16 Savile 2.
 17 **A. Sure.**
 18 Q. So the developments are, is this right --
 19 **A. Isn't this a later one? Is this two or --**
 20 Q. This is 2. Look at 160 --
 21 **A. All right, it is gradually developing.**
 22 Q. This is Rough Savile 2. We could go through it one by
 23 one but that would take too long.
 24 **A. Yes.**
 25 Q. If you go to 162, is it right that one of the

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1 developments is --
 2 **A. I'm just trying to check if Haute de la Garenne is in**
 3 **this one or not? Yes, it is. Yes, it is in that one,**
 4 **yes.**
 5 Q. Yes. Haute de la Garenne is, but I don't think that's
 6 in the one that we looked at previously?
 7 **A. No. It is gradually developing in that we're now**
 8 **starting to feel that every institution he was involved**
 9 **with there might be problems.**
 10 Q. So the development is, tell me if this is fair, that the
 11 focus of Savile's abuse is now widening --
 12 **A. Yes.**
 13 Q. -- from Duncroft and fanning out --
 14 **A. Definitely.**
 15 Q. -- to other places that he --
 16 **A. Although we don't -- except for Stoke Mandeville and**
 17 **possibly Haute de la Garenne, we don't have specifics,**
 18 **it is starting to look that way. There is also a lot of**
 19 **chatter around on that as well.**
 20 Q. Yes. At the same time -- I will come back to the
 21 Newsnight people --
 22 **A. Yes.**
 23 Q. -- at about this time there is some contact with
 24 somebody called Editorial Policy?
 25 **A. Yes. That's the Roger Mahony one?**
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1 Q. I'm going to ask you who Roger is. If you go to
 2 page 171, this is something called a log report. It
 3 starts with your name. Does that mean you filed this
 4 log report?
 5 **A. No, Phil Abrahams must have filed this one.**
 6 Q. Before we get into the detail of it, we have Phil
 7 Abrahams, we can see his name. We can see reference to
 8 you being in touch with Roger, do you see?
 9 **A. And you have an email on that. Somewhere in the bundle**
 10 **is a Roger Mahony email saying that early on in the**
 11 **process I talked to him, told him it was a story about**
 12 **Savile abusing underage kids. He advised me that we**
 13 **should be careful because he's just died, and this sort**
 14 **of stuff.**
 15 Q. Right.
 16 **A. So this is the second approach. I have talked to them**
 17 **about --**
 18 Q. Hang on. What is Editorial Policy? Why does it --
 19 what's its function? Because we know that Newsnight has
 20 an editor and we know there is a chain of command above
 21 the editor of Newsnight.
 22 **A. Yes.**
 23 Q. So this is another part of the BBC, Editorial Policy.
 24 So just explain to me your understanding of how it fits
 25 into this whole process.
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1 **A. Most broadcasting organisations have a unified thing of**
 2 **a lawyer who also says things like "You know, that's**
 3 **a bit dodgy" or "We shouldn't do that", or whatever,**
 4 **even if it isn't legal. That is a separate process in**
 5 **the BBC and it is called Editorial Policy.**
 6 **So something like whether you can do secret filming**
 7 **or things like this, those sorts of issues would go to**
 8 **Editorial Policy. They still get signed off ultimately**
 9 **by a line manager, but you have to consult with them**
 10 **about things like that. Impersonating people, deceit**
 11 **any of these sort of things.**
 12 Q. So is it almost like a professional conduct helpline?
 13 **A. It's a compliance department.**
 14 Q. A compliance helpline, I see. And it is headed by
 15 David Jordan?
 16 **A. Yes.**
 17 Q. How do you understand -- I don't know whether you think
 18 it is perfect or not, but do you understand the
 19 David Jordan Editorial Policy side of things eventually
 20 to coalesce with the Peter Rippon line --
 21 **A. Yes.**
 22 Q. -- of command?
 23 **A. Yes.**
 24 Q. Presumably it coalesces somewhere. Where does it
 25 coalesce?
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1 **A. In theory an editor can decide to disregard legal advice**
 2 **or editorial policy advice.**
 3 Q. A programme editor?
 4 **A. Yes. In practice it is very difficult to do that. So**
 5 **Editorial Policy used to be very much an advisory**
 6 **function; they have become far more powerful than that**
 7 **over the time.**
 8 **But I actually don't -- I've never had any problems**
 9 **dealing with them, I have to say. I have always found**
 10 **that if you are reasonable with them, they are**
 11 **reasonable with you.**
 12 Q. The obligation, if that is right word, to go to
 13 Editorial Policy rests with you as producer or
 14 Liz MacKean as reporter or Rippon as editor or who?
 15 **A. I think technically it is probably somebody higher up**
 16 **the chain than me, but in practice I would always go and**
 17 **talk to them because the earlier you told them what**
 18 **you're doing the better. And my editors would rather**
 19 **I dealt with all that rather than getting them involved**
 20 **in it.**
 21 Q. If we look at this page then, to come from the general
 22 to the particular, who is Phil Abrahams then?
 23 **A. He's another adviser at Editorial Policy. He's like**
 24 **Roger Mahony, another adviser.**
 25 Q. So they work for David Jordan?
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1 A. Yes.
 2 Q. Now the reference to the date and time --
 3 A. Yes.
 4 Q. -- and "Answered by to the nearest second", what does
 5 that mean?
 6 A. I assume -- I assume that because of various disasters
 7 that have happened in the past with compliance at the
 8 BBC, they now want to have a log of anything like this
 9 so that if there is a row later it's clear whether
 10 somebody did or did not go to Editorial Policy and what
 11 advice they were given.
 12 Q. Right. So you approached Phil Abrahams as it were off
 13 your own back?
 14 A. Having already had a talk maybe three weeks, four weeks
 15 earlier with Roger. I'm unusual in this, but I would
 16 normally, right at the start, if there something I'm
 17 doing talk to Legal and talk to Editorial Policy. So
 18 right from the start they are on board, they know what
 19 I'm doing.
 20 MR POLLARD: Would Peter Rippon know you were having those
 21 conversations?
 22 A. Yes, he would know I was having it, but I wouldn't
 23 specifically inform him unless there was a problem.
 24 MR MACLEAN: And I think you said a moment ago, he would be,
 25 as it were, quite happy for you to be dealing with this?

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1 A. Very happy. Yes, very happy to have all that dealt
 2 with.
 3 Q. Because this is a pain to do this?
 4 A. It's an absolute pain and, you know, I'm dealing with
 5 loads and loads of that sort of stuff.
 6 Q. All right. Tell us then, I'm not sure in your -- it's
 7 not a criticism -- in your submission you tell us very
 8 much about the Roger Mahony discussion, do you?
 9 A. I don't mention it, no.
 10 Q. So tell us about that.
 11 A. Well, according to his note -- which is in the documents
 12 you gave me on Friday night -- according to that note
 13 I ring up early on and say "We're planning to do this
 14 thing. It's an investigation of Jimmy Savile as
 15 a paedophile".
 16 Q. Yes.
 17 A. He says he's just died, you are going to have to be
 18 a bit careful.
 19 Q. Why?
 20 A. I don't know.
 21 Q. Did you ask him? Did you say surely we can be --
 22 A. It would be quite useful if you found the note, wouldn't
 23 it, I think?
 24 Q. We will try to track that down. Did that strike you as
 25 odd?

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1 A. I just thought people -- as with the Liz Gibbons
 2 objection on those sorts of grounds --
 3 Q. The taste one?
 4 A. Yes. I sort of -- maybe I'm just not very good at
 5 taste. Maybe that's just me. But I think if the guy's
 6 a paedophile, I don't care if it's the night of his
 7 funeral, we should tell people.
 8 Q. So you got the impression his objection was a sort of
 9 "not speaking ill of the dead" objection?
 10 A. A bit. A little bit, I think. But also remember at
 11 that stage it's very early in the investigation.
 12 By this stage we're getting to the point that we're
 13 convinced that this is a sort of predatory paedophile
 14 preying on people all over the country. That was not
 15 the case at the start of the investigation. At the
 16 start we're just starting to find stuff. It's
 17 reasonable for people, I think, to say "Well, I'm not
 18 sure about this" and so on. You know "What's it going
 19 to amount to?"
 20 Q. Is this fair, you are not suggesting that Mr Pollard
 21 should put very much emphasis on the first
 22 conversation --
 23 A. No, because it's early days --
 24 Q. It doesn't go very far, is that right?
 25 A. Yes, exactly.

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1 Q. So is it more or less --
 2 A. By now it is shaping up, yes.
 3 Q. So what happens is you go to have a discussion and he
 4 makes, as it were, a file note just in case there is any
 5 afters?
 6 A. Yes.
 7 Q. So that there's a record of what was said. So you tell
 8 him you are making a profile of Jimmy Savile --
 9 A. Yes.
 10 Q. -- which includes an examination of evidence obtained by
 11 the police?
 12 A. Yes.
 13 Q. With a view to prosecuting him on charges of child
 14 abuse.
 15 A. Yes.
 16 Q. No prosecution went ahead. And then he's concerned
 17 about the position of Mr Williams-Thomas and whether you
 18 should be paying him.
 19 A. Yes.
 20 Q. And you were in touch with Roger about other aspects of
 21 this project?
 22 A. Yes. That's the legals. Roger Law about legals.
 23 Q. That's Roger Law, I see.
 24 A. Well, actually, I don't know. It could be either,
 25 actually.

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1 Q. You see, if Abrahams and Mahony are kind of in the same
 2 position --
 3 A. It's more likely to be Roger Law, though, because --
 4 Q. Right.
 5 A. I don't know. Actually I genuinely don't know. It's
 6 the first time I have seen this note. It could be
 7 either.
 8 Q. Apart from this discussion with Mr Abrahams, to what
 9 extent did Editorial Policy, so far as you were able to
 10 detect, have any role in this story and the eventual
 11 non-running of this story?
 12 A. Very little, I think. At some point I would have had
 13 a very quick discussion with somebody at EdPol -- they
 14 might not even have noted it -- about anonymisation of
 15 Savile's victims.
 16 Q. Right.
 17 A. So technically that is something you need permission
 18 for, to use them anonymously, but in practice nobody is
 19 going to object to that.
 20 Q. So was this just part, therefore, of -- just one of the
 21 things you were required to do --
 22 A. Yes.
 23 Q. -- with a story like this, rather than anything of real
 24 importance, is that right?
 25 A. No, to get Mark Williams-Thomas to look at our evidence

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1 I had to get him paid for. To do that I had to go to
 2 EdPol and say "Is it okay for us to do it?"
 3 Q. I'm just trying to get at why you are going to these
 4 people at all. So the reason you are going to them
 5 is --
 6 A. We're obliged to.
 7 Q. -- to address the Williams-Thomas payment aspect --
 8 A. Yes.
 9 Q. -- rather than the substance of the story?
 10 A. Yes.
 11 Q. That's all I want to establish.
 12 A. Yes.
 13 Q. Okay. Then we know you had a contretemps, I think would
 14 be a polite way of putting it, with Mr Jordan much
 15 later?
 16 A. Very much later. I mean, I have never had any reason to
 17 doubt him beforehand. And in fact, on 4 October of this
 18 year, I went to him because I had heard him on The Today
 19 Programme, I thought "He has been misinformed. I trust
 20 this guy. If I just tell him what has happened,
 21 everything will be okay and he will pass it on".
 22 Q. Right.
 23 MR POLLARD: Just before we leave this log, why would you
 24 log the Mark Williams-Thomas engagement, as it were?
 25 Is it because he was an ex-policeman?

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1 Q. Yes?
 2 MR POLLARD: Only that?
 3 A. Yes.
 4 MR POLLARD: Because you would not normally go to EdPol if
 5 you were hiring an expert --
 6 A. No, I mean probably we're starting to get Levesony by
 7 then.
 8 MR POLLARD: Yes.
 9 A. So you want to say "Look, we're paying an ex-policeman
 10 but we're not paying an ex-policeman to bribe coppers or
 11 something for us. We're paying an ex-policeman to go
 12 through the evidence that we have" et cetera.
 13 MR POLLARD: And explain his status. Got it, yes.
 14 MR MACLEAN: He had a slightly hybrid role, didn't he?
 15 A. Yes.
 16 Q. He's part researcher in this process and then he's going
 17 to be presented in the piece, according to these
 18 scripts, as almost an expert witness?
 19 A. Yes, he's both.
 20 Q. He's both?
 21 A. If you look at the budget document, you will see it is
 22 a £500 one-off payment to assess the evidence for us.
 23 But actually he also had a role as seeing if any of his
 24 old mates on Surrey Police could tell us that this had
 25 actually happened.

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1 Q. If you go to page 174, this is 29 November.
 2 A. Yes.
 3 Q. We touched on this earlier. At least you anticipated
 4 this --
 5 A. There is a better version of this which has the top bit
 6 on it as well of her initial reaction, how strong it is.
 7 Q. I think we will probably see that somewhere.
 8 A. Okay, fine. I think this is the second email she sends
 9 on the 29th.
 10 Q. Right. All that we need to get from this, I think, is
 11 that --
 12 A. Yes.
 13 Q. -- Jo Mathys in --
 14 A. Impact.
 15 Q. -- Impact, can see that there is going to be an impact?
 16 A. Yes.
 17 Q. It is going to be a wide impact across the BBC?
 18 A. Yes, yes.
 19 Q. And they need a lot of things from Liz. That is
 20 Liz MacKean?
 21 A. Yes.
 22 Q. Who is going to have to chop up the piece and present it
 23 for different programmes on radio and television and
 24 so on?
 25 A. Yes. Effectively what they will do, just to make it

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<p>1 obvious to people, they will provide the production 2 capacity so I can carry on producing the Newsnight. We 3 don't need Liz there all the time at that stage because 4 obviously she just can put down track for other things. 5 I can carry on getting the piece ready. They will 6 provide all the production support for all those other 7 pieces.</p> <p>8 Q. Yes. Now you replied to Jo Mathys, if we go to 178, on 9 29 November?</p> <p>10 A. Yes.</p> <p>11 Q. Her email to you, which you have just seen, ends with 12 "Speak soon"?</p> <p>13 A. Yes.</p> <p>14 Q. And then you say: 15 "It will screw your chances of ever working in light 16 entertainment"?</p> <p>17 A. Yes, a slightly flippant remark.</p> <p>18 Q. Slightly flippant remark, but what's the substance 19 behind it?</p> <p>20 A. Because the tributes are going to get pulled. It is 21 obvious. And it's going to cause problems for all sorts 22 of people who did work in LE and so on. But it's the 23 tributes is the prime thing there.</p> <p>24 Q. We will come to -- I have found the email you referred 25 to, the better one -- in a moment, but if you go to 180</p> <p style="text-align: center;">Page 137</p>	<p>1 Peter Rippon an email?</p> <p>2 A. Yes.</p> <p>3 Q. "I won't mention anything to Programmes until you and he 4 are ready for me to do so"?</p> <p>5 A. Yes, that would be normal.</p> <p>6 Q. What does "Programmes" mean?</p> <p>7 A. So at the moment it's just her, David Gibson who runs 8 that unit, Helen Weaver. They have all sat around and 9 gone "This is going to be huge", but they are holding 10 off from actually going to the 10 o'clock News and 11 5 Live and so on directly because we don't want it -- we 12 really don't want it leaking out in any way at this 13 stage. So that would be done later in the process --</p> <p>14 Q. So she's teeing it up, making preparations but not 15 telling people?</p> <p>16 A. Not telling Output, yes.</p> <p>17 Q. And then she says: 18 "However I think it's safe to assume that there will 19 be a huge amount of interest in this story. All 20 domestic outlets to want versions."</p> <p>21 A. Yes.</p> <p>22 Q. And you of course agreed with that?</p> <p>23 A. Yes.</p> <p>24 Q. It was obvious to you?</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 139</p>
<p>1 she replies to you again saying: 2 "Indeed. Not sure I want to, thanks, given what 3 you've just told me"?</p> <p>4 A. Yes.</p> <p>5 Q. What was that?</p> <p>6 A. I don't know whether she means in general the Savile 7 story. I don't know.</p> <p>8 Q. But why should she not want to work in light 9 entertainment?</p> <p>10 A. Well, with people like Savile and all that, I assume. 11 I don't know. I genuinely don't know the answer to 12 that.</p> <p>13 Q. 179, is this the one you had in mind as being, as it 14 were, the better one?</p> <p>15 A. Yes.</p> <p>16 Q. This one goes to Rippon?</p> <p>17 A. Yes.</p> <p>18 Q. On the 29th. She has just had a helpful chat with 19 you --</p> <p>20 A. She has actually also at that point read the script. 21 I remember that incident very clearly. She has come 22 down. We have a desk that we have all the newspapers on 23 and I have shown her the script and she's read through 24 the script at that point.</p> <p>25 Q. So she comes down, she chats to you and then she sends</p> <p style="text-align: center;">Page 138</p>	<p>1 Q. And then she's concerned that Liz MacKean is going to 2 have to spread herself quite widely?</p> <p>3 A. Yes.</p> <p>4 Q. Such is the impact, is that right?</p> <p>5 A. Yes.</p> <p>6 Q. So "Below is my prediction for demands ..." 7 She wonders whether it is too much on her plate?</p> <p>8 A. Yes.</p> <p>9 Q. "We would need a bit of notice, though, as this is 10 obviously a complex and sensitive story and not one we 11 can expect ..." 12 What's --</p> <p>13 A. News gathering correspondent.</p> <p>14 Q. "... a news gathering correspondent..."</p> <p>15 A. So you don't want to just pull a reporter in --</p> <p>16 Q. Off the rank, as it were?</p> <p>17 A. -- who might then get things horribly wrong.</p> <p>18 Q. Yes, I see. 19 Then at around the same time you sent the script to 20 Williams-Thomas, didn't you, if you go to 188?</p> <p>21 A. What number?</p> <p>22 Q. 188, the same day, you sent Rough Savile 2 to 23 Mark Williams-Thomas. Is that an email to 24 Mark Williams-Thomas?</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 140</p>

1 Q. And if you go over the page, that's Rough Savile 2.
 2 That's the one we have already looked at?
 3 A. It looks like Rough Savile 3 to me.
 4 Q. Yes, it --
 5 A. Okay. What it means is there may be changes in here,
 6 even though it still says Rough Savile 2 on the top.
 7 Q. Unless you want tell me you want to tell me something
 8 about that, I'm going to skip over it.
 9 A. Do.
 10 Q. 195, however, the same day. This is the same email
 11 thread so you see --
 12 A. Yes, yes.
 13 Q. -- the one we have just seen, "Extremely rough early
 14 draft"?
 15 A. Yes.
 16 Q. And then he replies at 13.24:
 17 "Thanks. No problem, only I will see it."
 18 Because you want to keep this under wraps.
 19 "If you can get me into the studio on the night,
 20 that would be great, but understand if not, given I'm in
 21 the film."
 22 A. Yes.
 23 Q. Then you say:
 24 "I suspect other bits of the BBC will want you that
 25 day if we start running the story at 5."
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1 A. Yes.
 2 Q. "But you are key to the Newsnight film."
 3 A. Yes.
 4 Q. "And therefore they won't want you in Newsnight studio,
 5 I suspect"?
 6 A. Yes.
 7 Q. And then you make a point about how long you last for
 8 posterity and so on --
 9 A. Yes.
 10 Q. -- if you are in the film or in the studio.
 11 A. Yes.
 12 Q. Now he was key to the Newsnight film --
 13 A. Yes.
 14 Q. -- because his particular expertise was the police angle
 15 of it?
 16 A. No. If you pull out the budget, you will see the main
 17 thing he's being paid for. He's key because he is the
 18 child protection expert. He is the man who first
 19 tracked down Jonathan King, put the first calls in
 20 against Jonathan King, he's absolutely key to "Is this
 21 man a paedophile or not? Is he behaving like other
 22 paedophiles?" That's what he's key to.
 23 Q. Who did you anticipate was going to be in the studio
 24 after the pieces -- you run the piece, there is a short
 25 discussion with Liz MacKean --
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1 A. Okay, we haven't had that discussion yet. But by now
 2 I think we're thinking it's going to be a BBC person.
 3 It might be -- it might be his nephew, I think, you know
 4 the guy who was the main -- you know, we might have
 5 about three different people we could go to.
 6 You might have ended it up with as we say a Tony
 7 Blackburn figure or something, or more likely Esther
 8 might well have been in there --
 9 Q. Was that ever discussed with Peter Rippon?
 10 A. We didn't get to that point of discussing exactly who it
 11 would be.
 12 Q. Who is "we" in this?
 13 A. Myself and Liz.
 14 Q. And Hannah Livingston, it is above her pay grade, is it,
 15 to be involved in those discussions?
 16 A. Yes. She's also physically not there by that stage by
 17 the time --
 18 Q. She's in Scotland?
 19 A. Yes. She is still making calls and doing work, but
 20 she's up in Scotland.
 21 Q. Now in the afternoon and evening of 29 November --
 22 A. Yes.
 23 Q. -- what was Peter Rippon's attitude so far as you were
 24 aware?
 25 A. I don't know. I'm trying to work out what happened on
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1 that evening. Certainly by the next morning he sends
 2 that email --
 3 Q. We will come to that.
 4 A. Yes.
 5 Q. Focus on the 29th.
 6 A. I'm not sure whether we had a discussion or -- his tone
 7 in the email the next morning suggests that there may
 8 have been a discussion the night before. But I don't
 9 specifically remember that.
 10 Q. Can you remember where you were on the 29th?
 11 A. We were probably in Television Centre.
 12 Q. And so was he?
 13 A. I would think so. I would think so.
 14 Q. Is this right -- tell me if this is not right, it's
 15 important -- there were no memorable discussions with
 16 Peter Rippon --
 17 A. On the 29th?
 18 Q. -- from the time of the greenlight transmission, which
 19 I think was the 25th, I think --
 20 A. Yes, it is the 25th.
 21 Q. -- up to and including the end of the 29th. Is that
 22 right?
 23 A. There might have been a discussion on the evening of the
 24 29th, but certainly up to that stage, yeah, no, nothing.
 25 Q. Nothing memorable. You may have made some passing
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1 remark but nothing memorable?
 2 **A. No, definitely not.**
 3 Q. Is that fair?
 4 **A. Yes, that's true.**
 5 Q. Had you formed any view at this stage of whether
 6 Mr Rippon had formed a view as to the credibility of the
 7 sources for the story?
 8 **A. No. I mean he'd read the script. We can see that he**
 9 **had read the script. He sends bits -- on the 29th,**
 10 **about that same time, he sends an email to**
 11 **Steve Mitchell which has a chunk of the script in it.**
 12 **They are talking about the issue of my aunt.**
 13 Q. Is that the one at 197?
 14 **A. Yes. Yes, exactly.**
 15 Q. So what did you get out of -- first of all, you only saw
 16 that email --
 17 **A. Yes, I only saw that Friday --**
 18 Q. -- for the first time last week?
 19 **A. Friday night, yes.**
 20 Q. So you wouldn't have seen that at that time?
 21 **A. No, but it accords with what I thought at the time,**
 22 **which was that there were no real problems at that**
 23 **point. At sort of 2 o'clock on the Tuesday afternoon,**
 24 **there were still no problems.**
 25 Q. Right. So the answer to my question about whether you

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1 had formed any view about whether he had formed a view
 2 about the credibility of the sources, is this fair, was
 3 not really but you hadn't been given any reason to think
 4 there was a problem?
 5 **A. No.**
 6 Q. Is that a fair summary?
 7 **A. Yes, absolutely. Now what I would have expected then,**
 8 **at that stage with about a week to go, is for him to**
 9 **have wanted to comb through our evidence.**
 10 **It's all -- you know, he's taking it on our word**
 11 **that it's good and he's seen the script which obviously**
 12 **looks good, but what would normally happen would be that**
 13 **he would then go through the evidence at that point.**
 14 Q. And he would do that because he was the commissioner or
 15 because he was the editor of the programme or both?
 16 **A. Both, really.**
 17 Q. Let's assume Liz Gibbons had been the commissioner, and
 18 she's a deputy editor: you would not expect the editor
 19 to do it as well, would you?
 20 **A. Probably not, no. You expect the commissioners to do**
 21 **it.**
 22 Q. So it is really the commissioner and the producer and
 23 the reporter?
 24 **A. Yes.**
 25 Q. Is that right?

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1 **A. Yes.**
 2 Q. That's the real nerve centre of the operation?
 3 **A. Yes, exactly.**
 4 MR MACLEAN: Time is up. Can we have another short break
 5 just for the shorthand writer's benefit.
 6 **A. Yes.**
 7 **(1.05 am)**
 8 **(The short adjournment)**
 9 **(1.40 pm)**
 10 MR POLLARD: Meirion, can I just start the afternoon session
 11 with a couple of questions?
 12 I just want to get a sense of that period around
 13 middle of November, when you had done the [REDACTED]
 14 interview.
 15 **A. Yes.**
 16 MR POLLARD: And either just before or just after -- and
 17 I appreciate that you are wrapping up the American film
 18 as well.
 19 **A. Yes.**
 20 MR POLLARD: But obviously the [REDACTED] interview I have
 21 seen it all.
 22 **A. Yes.**
 23 MR POLLARD: And I just wondered, when you got back to the
 24 office, you must have been pretty convinced that you had
 25 something good --

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1 **A. Yes.**
 2 MR POLLARD: -- and clearly you thought she was credible.
 3 What did you say to Peter at this stage? You
 4 presumably want to just get him on side, did you write
 5 him note about it or did you go and tell him? Did you
 6 suggest he sees any of it?
 7 **A. We went and told him. We talked about it with him. And**
 8 **that's why you have that email from Liz I think the next**
 9 **day or the day after saying the mood is much more**
 10 **positive about the film now and so on, it was as**
 11 **a result of us coming back and saying what we'd got from**
 12 **[REDACTED]**
 13 MR POLLARD: Yes, so she has been talking. Did you have the
 14 sense the Liz Gibbons, who clearly was doubtful to start
 15 with, did she remain doubtful or come on side?
 16 **A. I think she just decided to be not part of the process.**
 17 **So she then absented herself from that process.**
 18 **So I didn't really get any idea of whether her view**
 19 **changed or not.**
 20 MR POLLARD: Did you have any conversations with Shaminder
 21 about it?
 22 **A. No, I got the impression that she was very much in**
 23 **favour of it, but I didn't actually have that --**
 24 **I don't -- I might have done in a sort of general way**
 25 **but we didn't have a specific conversation about it.**

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1 MR POLLARD: The only other thing I just wanted to ask you
 2 about in passing is that in the [REDACTED] interview --
 3 A. Yes.
 4 MR POLLARD: -- there are a couple of points obviously where
 5 she talks about how things were in those days. She
 6 talks about being on lithium, whether she meant lithium
 7 or Librium. I saw a suggestion --
 8 A. It's not Librium.
 9 MR POLLARD: On something else Largactyl whatever, and being
 10 in a sort of dream state --
 11 A. Yes.
 12 MR POLLARD: -- clearly there were some things that weren't
 13 very clear. How convinced were you about the absolute
 14 credibility of what she was saying to you and how
 15 clearly she remembered things?
 16 A. I was very convinced. I mean, I have dealt -- probably
 17 a lot of us have, but I've dealt with quite a few
 18 stories like that before, where you have imperfect
 19 witnesses, particularly for sexual abuse many years ago.
 20 And you have to -- I think experience actually helps in
 21 terms of getting some sort of assessment. Because at
 22 one point she says "That might be a lie". You know,
 23 there are all sorts of odd bits in there where you could
 24 go, I don't think we should trust her. But if you
 25 actually watch the whole thing and you talk to her --

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1 and that's why we had so many of us there as well, just
 2 for people to pick up -- sometimes somebody will pick up
 3 something that isn't right, you know, you're not picking
 4 it up but they might. So, you know, as many eyes as
 5 possible. And we all came out of that thinking that
 6 essentially that story was true.
 7 MR POLLARD: I guess the other question I have about
 8 credibility, which in the end comes largely to
 9 a subjective point, the other thing that is a little
 10 troubling, I think, is the question of the letter.
 11 I know we have talked about the significance of the
 12 letter, but did you find it odd -- and do you still find
 13 it odd -- that apparently several women talked of
 14 receiving this letter, and there must be some doubt,
 15 I imagine, whether this letter ever existed --
 16 A. No, apparently it would have existed. We're clear on
 17 that. I mean, obviously subsequently I have gone
 18 back -- or we have gone back and talked to the people
 19 who did the investigation. Obviously that's from
 20 a different time frame as this, but since this all broke
 21 we have gone back to them and they say they were
 22 convinced that he was a predatory paedophile. On the
 23 other hand they were also not surprised the CPS couldn't
 24 do anything with what they were given. They don't --
 25 they didn't blame the CPS.

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1 MR POLLARD: So you think at least some of the women were
 2 sent a letter?
 3 A. Yes.
 4 MR POLLARD: But the letter appropriately wouldn't have said
 5 "No charges because he was old and infirm"?
 6 A. And in fact the only one of them who claimed to have
 7 the letter that said that was [REDACTED]
 8 MR POLLARD: Why do you think that was a common account,
 9 then?
 10 A. Because I -- you know, as I think I was saying earlier,
 11 I think that if you were the police officer in that
 12 situation, you know, you are getting in touch with
 13 somebody, you would try and make it clear that you
 14 didn't think -- you didn't disbelieve them, and it
 15 wasn't because they were terribly useless witnesses,
 16 that, you know, I think you might try and soften --
 17 soften that blow. Even if you had that conversation
 18 with one of them, that would have got around the rest of
 19 the ones, I suspect.
 20 MR POLLARD: That was the other point I was just going to
 21 get on to, about, if you like, the common sharing of
 22 stories --
 23 A. Yes.
 24 MR POLLARD: -- and I guess it is a classic element of
 25 social media --

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1 A. Yes.
 2 MR POLLARD: -- and they were obviously sharing accounts on
 3 Friends Reunited. Did that give you any pause for
 4 thought about their credibility, if you like, that there
 5 was a common version not necessarily witnessed or known
 6 by individuals coming out?
 7 A. Well, when you looked at those versions they were
 8 different, to start with, which was helpful. To some
 9 extent [REDACTED] version was separate from everybody
 10 else's. She wasn't really involved with the rest of
 11 them.
 12 [REDACTED] I think, influenced a number of people around
 13 her to some extent. We had different stories from
 14 different people. I think they would have conflated
 15 their stories more if they had been doing that. So for
 16 instance [REDACTED] her account of being groped
 17 in the caravan and so on and then complaining, what she
 18 didn't say at the time to us, but what she, you know,
 19 subsequently said, is that she was put in lockdown for
 20 two days as a result of that.
 21 Both [REDACTED] and [REDACTED] told stories of being asked to
 22 give blow jobs in the car. Others give stories of him
 23 molesting -- molesting them in other ways. Some of them
 24 only give an account, despite the fact those other
 25 accounts are out there, of being sort of physically

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1 assaulted by him and groped and so on. There are
 2 actually quite a lot of different stories in there about
 3 what happened to them, they have not really coalesced
 4 around one story.
 5 MR POLLARD: Okay, good, thank you for that.
 6 A. Thanks.
 7 MR MACLEAN: Now, we were at 29 November.
 8 A. Yes.
 9 Q. We'd had a discussion about whether there was anything
 10 in Mr Rippon's, as it were, behaviour to you up to and
 11 including 29 November that gave any indication that he
 12 was going cold on the story, to which I think
 13 essentially you said no.
 14 A. Except for a slight doubt about whether there might have
 15 been a discussion that evening. That's my only thing.
 16 His note of the 30th gives a very, vague idea that maybe
 17 we had a discussion late on the 29th.
 18 Q. Right. So his note of the 30th that you refer to, what
 19 you have in mind is the document at page 214, is it, the
 20 email to you?
 21 A. 214, is it?
 22 Q. It's the next one I want to show you. Pondering
 23 overnight; yes?
 24 A. Yes.
 25 Q. He sends this to you, and only to you, at 9.37 in the
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1 morning.
 2 A. Yes.
 3 Q. "Having pondered this overnight I think the key is
 4 whether we can establish the CPS did drop the case for
 5 the reasons the women say. That makes it a much better
 6 story. Our sources so far are just the women and the
 7 secondhand briefing. Have we exhausted all chances of
 8 getting the letter."
 9 The secondhand briefing is the reference to what you
 10 had told him that Mark Williams-Thomas had told you [REDACTED]
 [REDACTED] --
 12 A. I assume that's what he's saying there.
 13 Q. -- yes?
 14 A. Yes.
 15 Q. So how did this email strike you when you received it?
 16 A. I think I say in my statement that I was absolutely,
 17 like, shaken by it. I wasn't expecting it. It was a --
 18 it just appeared to be bringing in a bar that hadn't
 19 been there before.
 20 Q. You say that there might have been a conversation with
 21 Mr Rippon and yourself the night before --
 22 A. Yes.
 23 Q. -- but you can't recall --
 24 A. No, this has the feel of us having had a chat the night
 25 before.
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1 Q. Did Mr Rippon give any indication other than what we can
 2 see from this page as to what had operated on his
 3 mind --
 4 A. No.
 5 Q. -- to come to this conclusion?
 6 A. Not immediately. Um, one of the problems here is we had
 7 so many discussions over the next nine or ten days, some
 8 picking what happened in each one. So apart from the
 9 things where there's an email I sent somebody or the red
 10 flag memo or something where I can fix what I thought at
 11 the moment, it is difficult to unpick what happened
 12 at and the each stage.
 13 I'm pretty sure, though, that I said on the 30th we
 14 would be accused of a cover-up if we did this, because
 15 we had clear evidence of abuse on BBC premises.
 16 Christmas specials were coming up, I'm pretty sure
 17 I said all that stuff on the 30th. The other thing is
 18 some of these meetings Liz and I both would have been
 19 in, some of them only one of us would be in.
 20 Q. I'm going to come to that just now.
 21 A. Yes.
 22 Q. If you go over the page, who is Jackie Long? We can see
 23 that she's the social affairs editor of Channel 4 News?
 24 A. She was Newsnight. She's one of Liz's best friends and
 25 they carried on -- you know, they have carried on as
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1 best friends since.
 2 Q. Now --
 3 A. I should say I had no idea she'd done this at the time,
 4 obviously.
 5 Q. This isn't in the rule book, is it, to be having this
 6 kind of email exchange with Jackie Long?
 7 A. No.
 8 Q. It is actually contrary to the rule book, isn't it?
 9 A. No, I would say it is. But I would say probably, as far
 10 as I know, this didn't come out for a year afterwards,
 11 so her confidence was at least largely well placed.
 12 Q. Well --
 13 A. But, yes, I mean, it is -- you know, yeah.
 14 Q. It's a bit naughty, isn't it?
 15 A. Yeah, yeah, it is.
 16 Q. Liz MacKean, we can see she emails Jackie Long at 10.30
 17 in the morning?
 18 A. Yes.
 19 Q. She, Liz MacKean, hasn't been copied into your email --
 20 Mr Rippon's email to you at 9.37.
 21 A. No, but we have obviously both been in the room for
 22 an argument after that.
 23 Q. Right. So we can assume --
 24 A. Yes, so we would have both been in the room for that.
 25 Q. -- that in the intervening 50-odd minutes there had been
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<p>1 a full and frank exchange of views, had there, between 2 Rippon, you and MacKean? 3 A. One thing I should may clear is that some of the papers 4 say there were violent rows. There were not violent 5 rows. 6 Q. You say you argued in your statement? 7 A. Yes, we argued, but there was no -- you know, there was 8 no shouting and screaming on either side. 9 Q. She says in this email: 10 "Must tell you story when we next speak." 11 I think that's about -- well, I think that is this 12 story. 13 "PR" that is obviously Mr Rippon "in an absolute 14 spin." 15 A. Yes. 16 Q. Used in the old fashioned sense: 17 "He's already done the surrender gesture." 18 Do you know what that is? 19 A. Yeah, no, that rings a bell, very much so. Sort of -- 20 it's sort of -- you know, it's like sort of, you know, 21 you're arguing with him and rather than arguing back, 22 he's sort of going, you know, it's not just something -- 23 Q. Yes. 24 A. Do you know that I mean, it's that sort of -- I mean 25 when I read that, it immediately -- which I only saw the <p style="text-align: center;">Page 157</p> </p>	<p>1 A. Yes. 2 MR POLLARD: Can I just ask one factual point here? 3 MR MACLEAN: Of course. 4 MR POLLARD: At any of these meetings, did you or as far as 5 know Liz write a note of what was going on, or were they 6 just meetings where you were talking, nobody -- 7 A. No, the nearest thing to that is that red flag memo. 8 MR MACLEAN: We will come to that. 9 A. That's the nearest thing to that. That was the next 10 stage send them first. 11 MR POLLARD: With the notebook jotting things down as the 12 discussions were going on? 13 A. No, and I think had we done that, that would have 14 immediately caused the meeting to stop, I think. 15 MR POLLARD: Okay, I understand. 16 MR MACLEAN: Now, this is another email from Liz MacKean 17 also to her friend Jackie Long. 18 A. Yes. 19 Q. Later that same morning: 20 "PR's latest panic attack. Liz, certainly this is 21 a very long political thing." 22 Now, I infer that there was a further discussion 23 between Mr Rippon and Liz MacKean. Were you a party to 24 a further discussion? 25 A. I don't -- I don't know if I'm honest. I don't remember <p style="text-align: center;">Page 159</p> </p>
<p>1 other week, it immediately brought that -- that idea 2 into my head. 3 Q. So a gesture of powerlessness. 4 A. Yes. Yes. Sort of -- yes -- 5 Q. Is that fair? 6 A. -- and distances. Powerlessness and distancing as well. 7 Q. And then Liz MacKean says: 8 "... and told me [ie Rippon] and me and Mei if the 9 bosses aren't happy I can't go to the wall on this one." 10 A. Yes. 11 Q. Do you remember Mr Rippon saying that? 12 A. I can't swear on the words "if the bosses aren't happy". 13 The phrase that stuck on my head was "I can't go to the 14 wall on this one" in that context. 15 Q. Who would be driving Mr Rippon to the wall? 16 A. I assumed at the time it would be Helen and Steve. 17 Q. Why? 18 A. Because they are up the chain of command from him. 19 Q. I know they are up the chain of command, but why would 20 that mean they -- is that the only reason they would be 21 the only ones driving him to the wall? 22 A. Well, even though I can't remember him saying "bosses", 23 I had an impression of plural and they would be the next 24 two up the chain. 25 Q. Picking up on the word "chain", if you go to page 220 -- <p style="text-align: center;">Page 158</p> </p>	<p>1 those exact words. Those words don't ring a particular 2 bell with me. So it might have just been the two of 3 them or it may be that I just don't remember the exact 4 words. 5 Q. If we read "political" as a synonym of management -- 6 A. Yes. 7 Q. -- the chain runs from Peter Rippon to Stephen Mitchell 8 to Helen Boaden and then to the director general, for 9 the board. 10 A. To be honest, I don't know. I didn't -- 11 Q. That's how the chain runs. 12 A. Yes. It would run -- yes. That's how it would run. 13 Q. So assuming Liz MacKean -- 14 A. But remember, there are many chains in the BBC. So 15 you've also got David as well that it could potentially 16 run through. There are different -- you know, it could 17 have run sideways into Vision. There are lots of 18 different routes it could run. 19 Q. We will ask Liz MacKean obviously what she had in mind. 20 But you don't remember those words? 21 A. I don't remember those words. It's not -- you know, 22 I had a similar feeling but I do not remember those 23 specific words. 24 Q. Do you have your submission there? 25 A. Yes. <p style="text-align: center;">Page 160</p> </p>

1 Q. If you go to paragraph 9.4, page 13.
 2 A. Yes.
 3 Q. This is in the wake of the Mr Rippon's email, pondering
 4 overnight. You say:
 5 "We argued, I couldn't see how anyone could think
 6 that the first...(Reading to the words)... investigated
 7 by the police for paedophile offences on the first
 8 on-camera interview with one of his victims was anything
 9 other than a very strong story. I said if we pulled the
 10 story we would be accused of a cover-up to save the
 11 Christmas specials and to protect the BBC's reputation."
 12 Did you say that to Mr Rippon, as it were, in
 13 terrorem?
 14 A. I'm not very good on the Latin.
 15 Q. To, as it were, one might say, cajole, or one might say
 16 bully, him into running this story?
 17 A. Making a very strong point why we should run the story.
 18 Q. You go on to say:
 19 "Peter Rippon seems to be implying his bosses were
 20 pressing him to drop the story and he was not prepared
 21 to confront them. He said 'I'm not prepared to go to
 22 the wall on this one!'"
 23 Is that how he implied -- when you say he implied
 24 his bosses were pressing him the implication came from
 25 his words, is that right, or was it something else?

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1 A. No, I took that implication. He didn't say in as many
 2 words to me "My bosses are pressing me to drop this
 3 one", but he gave that impression that it was a decision
 4 out of his hands and above him. It was an impression
 5 that he gave.
 6 Q. Did he say who he had spoken to or communicated with?
 7 A. Not to me, no.
 8 Q. Did you ask him who he had spoken to or communicated
 9 with? Did you say "Come on, Peter, who the devil is
 10 saying this"?
 11 A. I don't think I did, actually. I just sort of assumed
 12 that that was the situation. I don't think I did
 13 challenge him on that. I think Liz had a conversation
 14 with him on that but I don't think I did.
 15 Q. Is this X or Y, in which case I will go have a word with
 16 them. That would be the natural thing to do.
 17 A. The problem in the BBC is you can't do that. And that's
 18 one of the fundamental problems of the way the BBC is
 19 managed. If you try -- for instance, during this crisis
 20 halfway through it I went up to George and said --
 21 Q. Well, I'm coming to that.
 22 A. You know, they say, "No, we can't talk to you". It's
 23 like the 19th Century army, you can only go to your
 24 commanding officer, and even if there is a fire and you
 25 are trying to ring the alarm bell, you are not allowed

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1 to go above that.
 2 Q. Just to deal with that for the moment, you say in your
 3 statement at paragraph 27.1 -- jumping away ahead now --
 4 on 16 October 2012 --
 5 A. Yes.
 6 Q. -- this is when Mr Entwistle has announced the inquiry
 7 on the 12th and he's going to go to the committee, isn't
 8 he?
 9 A. That's the key thing. The day before, I think, he's
 10 said "I'm going to go to the Select Committee", and
 11 I think he's just going to be destroyed at the Select
 12 Committee if he goes in there claiming that we weren't
 13 trying to do the story about Savile paedophile.
 14 Q. Jumping ahead, all sorts of things have happened about
 15 blog and all sorts of stuff --
 16 A. Yes.
 17 Q. -- but you explained in your statement on the page
 18 before, at 26.3, that you wrote an email to Mr Entwistle
 19 on the 12th saying "George, you are still not being
 20 accurately briefed".
 21 A. Yes.
 22 Q. You then remembered that this went into some sort of
 23 email box that Mr Entwistle didn't look at over the
 24 weekend?
 25 A. That's what had happened the weekend before. I found

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1 that he hasn't got it until the Monday.
 2 Q. So you sent it to Mr MacQuarrie who had been called in
 3 to do a report.
 4 A. Yes.
 5 Q. So you were concerned that Mr Entwistle was not getting
 6 the right story sent up the chain to him?
 7 A. Yes.
 8 Q. So you tried to --
 9 A. But, no, decisively what makes me go up to him was the
 10 announcement that he's going to the Select Committee,
 11 because on the Monday, if you remember, Maria Miller
 12 starts up. He then says "I'm going to the Select
 13 Committee", and I'm thinking --
 14 Q. So you are fearful for his --
 15 A. I'm very fearful --
 16 Q. -- fate at the committee?
 17 A. Yes. I think he -- you know, I think he will be
 18 demolished by the committee basically.
 19 Q. Because he is getting the wrong story?
 20 A. And because they're a bright committee, you know, it's
 21 full of ex-journalists and people like that, they will
 22 know that what that is, that what he's saying is false.
 23 Q. So you say in paragraph 27.1 that on the Tuesday --
 24 A. Yes.
 25 Q. -- you waited for Mr Entwistle at the 4th floor lift.

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1 Help me with the geography --
 2 A. We had recently moved to New Broadcasting House. And on
 3 the 4th floor -- the Panorama office is on the 4th floor
 4 and so is the management suite, which made for some
 5 interesting dynamics in that week.
 6 Q. So his office was on that floor and so was yours?
 7 A. Yes.
 8 Q. So you wait for him by the lift --
 9 A. There's a little place where you can get yourself a
 10 coffee, and I waited there for about half an hour
 11 waiting -- thinking he might come out at that point.
 12 I thought the best thing to do is get him away from his
 13 advisers, away from the chain and just talk to him
 14 directly.
 15 Q. You say that you asked him for a ten-minute conversation
 16 to explain to him why the line he was being given and
 17 putting out was wrong.
 18 A. Yes.
 19 Q. And he said "I'm sorry, I can't do that".
 20 A. Yes.
 21 Q. So just tell me, how did -- can you remember what the
 22 precise conversation was? How did it go?
 23 A. I think -- unless I misheard him I think he started off
 24 by saying something like "Look, mate, I just I can't do
 25 that".

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1 Q. You must have started it.
 2 A. Yes.
 3 Q. So what did you say?
 4 A. Pretty much what I said there, I said, "Look, you know,
 5 George you have to know that what you are being told is
 6 wrong. It's really important we have a ten-minute
 7 off-the-record meeting where I can just tell you what's
 8 been happening".
 9 Q. You don't mention an off-the-record meeting in your
 10 submission, do you?
 11 A. I don't, but that's what I was asking for. I definitely
 12 said off-the-record.
 13 Q. That's rather important, isn't it?
 14 A. I don't know, but that's what I asked for.
 15 Q. Right. Well, why ask for an off-the-record
 16 conversation?
 17 A. Because I thought he might say he couldn't have an
 18 on-the-record conversation with me. I thought he was
 19 more likely to accept an off-the-record than an
 20 on-the-record.
 21 Q. So you were willing to have an on-the-record
 22 conversation with him?
 23 A. Absolutely happy to, yes, delighted to.
 24 Q. But in fact you asked him for an off-the-record one?
 25 A. Because I thought he was more likely to say yes to that.

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1 Q. And what did he say --
 2 A. All I was hoping is he would say "Look, you know, come
 3 see the me at 4 o'clock and we will just have a coffee
 4 and a quick chat" or whatever.
 5 Q. You say he said "I'm sorry, I can't do that".
 6 A. Yes.
 7 Q. Now, if you read the paragraph 27.1 on its own it reads
 8 as if Mr Entwistle is refusing to talk to you at all,
 9 doesn't it?
 10 A. Well, that's how I took it, yes.
 11 Q. But the that to which Mr Entwistle was declining the
 12 invitation was an invitation to an off-the-record
 13 conversation, wasn't it?
 14 A. Well, then he would have said "I can't do that, but
 15 I can talk to you on the record". He would have said
 16 that.
 17 Q. Or you might said "Well, can I talk you to on the record
 18 then"?
 19 A. No. I mean, if he meant that he was happy to have an on
 20 the record obviously he would have said "I can't do that
 21 but I can do an on the record".
 22 Q. But it was obvious why he couldn't have an
 23 off-the-record conversation because he'd just
 24 announced --
 25 A. It was not obvious to me.

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1 Q. He'd just set announced some enquiries, he'd set up
 2 a whole apparatus to review things, and as the man at
 3 the top of the organisation the last thing on earth he
 4 would want was an off-the-record conversation with one
 5 of the key players in the drama, if I can put it like
 6 that?
 7 A. Well, in that case he couldn't have an on the record
 8 either, if you make that argument. Because obviously he
 9 couldn't have an on-the-record argument --
 10 Q. Why not?
 11 A. -- on the basis -- discussion on the basis of that
 12 because he set up the inquiry. Once he set up the
 13 inquiry I can see that he can't have an on-the-record.
 14 It doesn't stop him having an off-the-record.
 15 Q. Who are you trying to protect by suggesting an
 16 off-the-record conversation? You are just trying to
 17 tell the man at the top of the organisation that you
 18 work for who you fear is about to make a terrible
 19 Horlicks of it at the committee the following day --
 20 A. Yes.
 21 Q. -- you are trying to tell him the truth --
 22 A. Yes.
 23 Q. -- now, why on earth has this that got to be done off
 24 the record?
 25 A. Because that's not the official truth. I'm just trying

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<p>1 to get the message through to him to avoid -- you know, 2 if you look, repeatedly, you know, on 4 October -- you 3 know, time and again I have sent emails, I go to people. 4 On the 5th I send an email to George saying that "You 5 are not being briefed properly", I'm constantly trying 6 to get the message through.</p> <p>7 Q. Don't you think on reflection it would have been more 8 sensible either to have asked him in the first place 9 simply for a discussion or to have asked him for an 10 on-the-record discussion?</p> <p>11 A. No, because we've already done that the week before. He 12 sent Ken MacQuarrie to see me on -- the week before, on 13 the Tuesday. We have had -- we've had that discussion 14 through official routes, I'm desperately trying to find 15 an unofficial route.</p> <p>16 Q. Those discussions were all through middlemen. You had 17 spoken to various people, including Mr MacQuarrie.</p> <p>18 A. Yes.</p> <p>19 Q. The whole point of this approach to Mr Entwistle is to 20 go straight to the organ grinder.</p> <p>21 A. Yes.</p> <p>22 Q. So why --</p> <p>23 A. Because if I had asked for an on-the-record -- if he 24 could have done on the record, he would have said 25 "I can't do that, but I can do an on the record of". It</p> <p style="text-align: center;">Page 169</p>	<p>1 that conversation with Mr Entwistle -- we will see this, 2 I think, a little bit later -- you were, one is tempted 3 to say "finally", contacted by the legal department of 4 the BBC who said to you in effect "Can you please 5 furnish us with all of the information that you had on 6 this investigation back in 2011"?</p> <p>7 A. No, that happens much earlier.</p> <p>8 Q. Does it?</p> <p>9 A. I'm cooperating with them on that from certainly 10 October 1, earlier than that.</p> <p>11 Q. Well --</p> <p>12 A. Way back.</p> <p>13 Q. We're jumping out of order.</p> <p>14 A. In the week of October 1 to 5 I'm already providing 15 everything I can to legal. I suspect there are emails 16 from the 2nd or 3rd.</p> <p>17 Q. I wasn't making a criticism of you, Mr --</p> <p>18 A. No, I thought you wanted to find out, sorry. No, no, 19 no, if it's not important, let's forget it.</p> <p>20 Q. Let me just show you, the email I have in mind, I'm 21 slightly wrong and you are slightly wrong. The email 22 I have in mind we will come to is of 12 October --</p> <p>23 A. Right.</p> <p>24 Q. -- which is before this conversation with 25 Mr Entwistle --</p> <p style="text-align: center;">Page 171</p>
<p>1 was plain to me the meaning was he couldn't do -- he 2 couldn't have a chat.</p> <p>3 Q. You interpreted, anyway, Mr Entwistle's response as 4 being "I can't talk to you on whatever basis, as it 5 were, go away and feed it -- feed in whatever you've got 6 to say to the appropriate part of the hierarchy"?</p> <p>7 A. By which time that had ceased to exist. They had all 8 been already removed from the -- from the ranks. 9 Neither Steve nor Helen were allowed to talk about any 10 of these issues.</p> <p>11 Q. So who was in charge of it? Mr Horrocks at that stage?</p> <p>12 A. Not quite. At that point there was nobody. And then 13 Horrocks comes in later in the week and starts to taking 14 an interest in Panorama. And then on the Friday, 15 finally, he sits down and has a chat with me, he very 16 quickly realises there is a major problem --</p> <p>17 Q. By which time Mr Entwistle has been to the committee.</p> <p>18 A. No, this is the Friday before the committee.</p> <p>19 Q. I see.</p> <p>20 A. He then asked me to write a brief for George, which 21 I do, and everything changes on the Monday.</p> <p>22 Q. I understand. We skipped ahead --</p> <p>23 A. Sorry.</p> <p>24 Q. That's all right.</p> <p>25 It is right, isn't it, that some time shortly after</p> <p style="text-align: center;">Page 170</p>	<p>1 A. Yes.</p> <p>2 Q. -- to you and to Liz MacKean from somebody called 3 Nicola Cain.</p> <p>4 A. Yeah, yeah.</p> <p>5 Q. Do you remember the one?</p> <p>6 A. No, no, no, we're in constant contact with Nadia and 7 then Nicola from about 1 October. There is a whole 8 series of emails.</p> <p>9 Q. Can you just have a look at A12 just for a moment. 10 A12/140. Just have a look at this one.</p> <p>11 Now, I'm going to look at 140 in just a second, so 12 keep a finger there and go back to 132, the same bundle. 13 This is the email that you refer to in your statement 14 about:</p> <p>15 "George, you are still not being accurately 16 briefed."</p> <p>17 A. Yes.</p> <p>18 Q. Right?</p> <p>19 A. Yes.</p> <p>20 Q. And that is Friday, 12 October.</p> <p>21 A. Yes.</p> <p>22 Q. And on Friday, 12 October you send as an attachment to 23 this email, I think, a copy of the script as it was on 24 Wednesday, the 30th. If you go over the page, that is 25 "ROUGHSAVILE 5"?</p> <p style="text-align: center;">Page 172</p>

1 A. Okay.
 2 Q. Do you see that?
 3 A. Yes.
 4 Q. That goes through for a few pages. Then at page 140,
 5 this has actually happened a few minutes earlier,
 6 I think, 18.15 -- do you see 18.15, Nicola Cain to you?
 7 A. Yes.
 8 Q. She says:
 9 "As you already know, I'm working to identifying and
 10 collating the materials obtained during Newsnight's
 11 20/11 investigation for disclosure to the police or any
 12 inquiries. It is important that we ensure that all
 13 materials are retained safely and not destroyed."
 14 A. Can I stop you there for a second and say that this
 15 process has already been going on. The reason you may
 16 have missed it is Nadia originally is sending the emails
 17 back and forth with me. It only becomes Nicola at about
 18 this stage, I think.
 19 Q. What difference does that make?
 20 A. I thought you were suggesting this was the start of the
 21 process.
 22 Q. I see, right?
 23 A. Because the process actually starts very soon after
 24 October 1.
 25 Q. We will come to that then. Can we go back to
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1 30 November, the year before, just where we were.
 2 A. Sorry.
 3 Q. If you have your statement at 9.4 and 5 --
 4 A. Yes.
 5 Q. -- we have discussed 9.4.
 6 A. Yes.
 7 Q. I note what you say at 9.5. Then you say at 9.6:
 8 "If the CPS has confirmed they'd dropped the case
 9 because Savile was too old and infirm, that may have
 10 raised difficult questions for the CPS, but it would not
 11 have materially increased the impact of the film".
 12 Is that really right?
 13 A. Well, I mean, you have seen what the impact was
 14 about it, because that's essentially what went out on
 15 October 3 this year --
 16 Q. Correct.
 17 A. -- and it is difficult to materially increase that
 18 impact.
 19 Q. Well, it would have added the extra angle of the
 20 prosecuting authorities having decided for what arguably
 21 is not a justified reason not to go after Jimmy Savile.
 22 A. I very much doubt that it would have got more coverage
 23 than it has.
 24 Q. We measure impact by the amount of press column inches
 25 that the story gets, is that how it works?
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1 A. That's part of it, yeah. That's part of the impact,
 2 yeah. The -- obviously it would have raised issues for
 3 the CPS if that had happened.
 4 Q. You go on to say that:
 5 "In any event as Liz and I had repeatedly made clear
 6 to Peter ..."
 7 "Had" in the past tense --
 8 A. Yes.
 9 Q. "... the key figure in the film [redacted] had not told
 10 her story to the police, with the result that her
 11 evidence had yet to be considered by the CPS."
 12 A. Yes.
 13 Q. When and how had that repeatedly been made clear to
 14 Peter?
 15 A. In every single argument we had had with him.
 16 Q. But the arguments had only started that morning?
 17 A. Yes.
 18 Q. So it's that day?
 19 A. In terms of in the argument, yes. But, you know, when
 20 we got back from the filming with her we told him that
 21 as well. We told him -- the astonishing thing is that
 22 however many times you tell him this, even if it is in
 23 emails, which it is in the February of 2012, it still
 24 doesn't go in, and I don't understand why not.
 25 Q. Go into Mr Rippon's head, it doesn't register with him?
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1 A. Yes. But over this period, over these nine days that
 2 was every single argument, we're saying, you know, "We
 3 don't accept what you're doing with the CPS, but even if
 4 you did do that, you would have to see that we have far
 5 more than the CPS, we have [redacted]", you know.
 6 Q. What was the reaction of Liz Gibbons and Shaminder Nahal
 7 to Mr Rippon's overnight musings --
 8 A. I don't know. I didn't have any discussions with either
 9 of them. Liz had already sort of exempted herself from
 10 that. Shaminder didn't -- didn't take an overwhelming
 11 interest with the sort of journalistic side. She didn't
 12 commission films. That wasn't part of her job really.
 13 Q. So if I can put it like this, how dead was the story on
 14 the morning of the 30 November?
 15 A. I didn't realise it was dead. I thought this was
 16 something to be argued over.
 17 Q. Right.
 18 A. In fact I didn't realise it was dead really until
 19 5 December when it got pulled out the edit.
 20 Q. Right. If you still have bundle A3, the one we are
 21 really on, and go to page 222, please, still on the same
 22 morning.
 23 A. Yes.
 24 Q. We know who Jo Mathys is, we have seen her. Who is
 25 Hannah MacInnes?
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1 **A. She's a sort of researcher, AP, on Newsnight who books**
 2 **guests. So this is about guest booking really.**
 3 Q. Right. Who is Jennifer?
 4 **A. I don't know.**
 5 Q. So what would --
 6 **A. No idea.**
 7 Q. Do you understand -- maybe you don't -- the reference to
 8 "next week's prospects for Jennifer"? Liz Gibbons is
 9 obviously feeding some information into somebody else?
 10 **A. I assume that this is something that would go on the**
 11 **news gathering diary, maybe, or something like that,**
 12 **that would say "Newsnight has -- may it wouldn't even**
 13 **say "Savile investigation". It would say "Newsnight has**
 14 **a paedophile investigation into major personality, you**
 15 **know, call such a body for -- so that is the 30th, God,**
 16 **that is a real -- that's a real surprise to me.**
 17 Q. You see the reference to "still v sensitive and legally
 18 complicated"?
 19 **A. It wasn't legally complicated.**
 20 Q. But you told me earlier -- remember the discussion we
 21 had -- that so far as you were concerned it wasn't
 22 legally complicated because the only slight problem,
 23 which was about naming the third person, was resolved
 24 between you and Mr Law entirely amicably. That's right,
 25 isn't it?

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1 **A. Yes, absolutely. It was still v sensitive, that's true.**
 2 Q. V sensitive for?
 3 **A. Internally, BBC reasons and so on.**
 4 Q. So can you help me with the reference. I appreciate
 5 this isn't your email, it wasn't sent to you,
 6 I appreciate all of that, but "still v sensitive".
 7 **A. Well, don't put it on there yet, because plainly on 29th**
 8 **Jo Mathys has sent the email saying it is going to be**
 9 **everywhere and she's about to say so everyone this is**
 10 **what Newsnight are offering next week. And this is Liz**
 11 **saying "Don't -- you know, don't mention at the meeting.**
 12 **Please don't mention it at that meeting, we don't want**
 13 **people going, you know, they have got a Savile story for**
 14 **next week".**
 15 Q. "... and it may not run."
 16 The implication might be that the story may not run
 17 for legal reasons --
 18 **A. Yes.**
 19 Q. -- or it may not run for sensitivity reasons or both.
 20 **A. Yes. Yes that's fair, I think.**
 21 Q. So far as you were concerned, anyway, there were no
 22 legal problems?
 23 **A. No, definitely not.**
 24 Q. Then you go to 227, please --
 25 **A. I have to say, I'm quite shocked at this, because**

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1 **I've not -- I've not seen anything like this before.**
 2 Q. Right. Okay.
 3 Now, 227, just look, please, for a moment at 227 and
 4 228.
 5 **A. Yes.**
 6 Q. Look in particular at the blank space at the bottom of
 7 227.
 8 **A. Yes.**
 9 Q. All right. Then go to 225 and 226. That's --
 10 **A. Sorry, yes.**
 11 Q. That's the same email. Right?
 12 **A. Is it?**
 13 Q. Well, it is. You can see. It's from you to you at
 14 13.45?
 15 **A. Sorry, I'm looking at the wrong page. So this is 123**
 16 **going to 124 you are talking about?**
 17 Q. Yes, that's right. You might go 123 to 124. It's the
 18 same as the one at 227 to 228. The same email.
 19 **A. Right.**
 20 Q. The difference is that somebody has made the last
 21 paragraph at 227 disappear. Do you see that?
 22 **A. Yes.**
 23 Q. Was that you?
 24 **A. It's got the same --**
 25 Q. It's the same email. I promise you, it's the same

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1 email.
 2 **A. It has the same time on it.**
 3 Q. It is the same email, I promise you. What has happened
 4 is that it has come in at two different times, I think,
 5 and it may be that you can't help me with this -- it may
 6 well be you can't help me --
 7 **A. If I looked at my -- if I look at my sent emails, I can.**
 8 Q. Right. I'm interested to know if you can help me with
 9 why the foot of 227 has been covered up. It may be it
 10 wasn't you.
 11 **A. I'm just trying to think if there is any sensitivity**
 12 **issue there. But it has gone to myself so why would it**
 13 **do that?**
 14 Q. I'm going to show you.
 15 **A. I'll have a look. 30 November -- no, it is full here.**
 16 Q. So what happened -- just help me, I genuinely don't
 17 understand this -- you supplied the MJ199.
 18 **A. Yes.**
 19 Q. You supplied that to whom, in the last few weeks?
 20 **A. Nicola Cain or Nadia Banno.**
 21 Q. You do it in two batches, did you? Look at the bundle
 22 here for a minute, please.
 23 **A. Okay, what happened was this. When I moved across to**
 24 **Panorama I said to the deputy editor Karen Whiteman,**
 25 **"I may have misinterpreted some of my emails. Can you**

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1 go through my entire sent box and my entire in box, I
 2 give you complete access go through look and at all my
 3 emails". She went through everything and pulled out
 4 anything that was Savile-related. Nicola Cain then came
 5 in and took that bundle -- a copy of that bundle,
 6 everything that was in it --
 7 Q. And took it away?
 8 A. Took it away to litigation.
 9 Q. And didn't bring it back?
 10 A. And didn't bring it back, yes.
 11 Q. So I infer from that that this blanking out at page 227
 12 was done by some BBC lawyer?
 13 A. I would infer that, but you would need to check.
 14 MR POLLARD: But not by you.
 15 A. Certainly not by me, and I've looked, I've checked the
 16 email.
 17 MR MACLEAN: So you supplied complete information to the
 18 BBC, who then the supplied it to our review?
 19 A. But how have you got the other version then?
 20 MR POLLARD: Could I just ask on that subject --
 21 A. Yes.
 22 MR POLLARD: You might have noticed when he were looking at
 23 copies of earlier Savile drafts there were paragraphs
 24 missing, was that not your doing?
 25 A. No.

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1 MR POLLARD: Okay.
 2 MR MACLEAN: What I suspect has happened is that somebody at
 3 the BBC has decided for some reason to blank out the
 4 bottom of page 227, but if you look at 225, we can in
 5 fact see because this has not been done in a very
 6 comprehensive fashion, we can actually see what was
 7 blanked out.
 8 A. Yes.
 9 Q. I know you are not a lawyer, Mr Jones, and this
 10 absolutely is not a criticism of you, but it is slightly
 11 baffling to me why that bottom paragraph has been
 12 blanked out. Indeed, it is one of the most important
 13 passages in all the documents you wrote, because it
 14 tells us how many Duncroft girls were contacted, how
 15 many responded and what they said.
 16 So can we just look at that together? I don't think
 17 this is controversial between you and I.
 18 A. Okay.
 19 Q. Just look at 225. No, just look at the start of it for
 20 the moment, we will come back to that paragraph. This
 21 appears to be a kind of note to self --
 22 A. Yes.
 23 Q. -- dump onto -- in writing, is that --
 24 A. Yes, that's exactly -- it's me obviously we're starting
 25 to have arguments and I'm saying "Okay, let me go back

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1 and re-examine for myself what do we basically have".
 2 Q. Yes. So this is a note to self because this is clearly
 3 getting more complicated.
 4 A. Yes.
 5 Q. So you are setting out the history. We can read this,
 6 as it were, for ourselves. 2009/2010 query, CPS tell
 7 police, police tell girls he's too old and infirm face
 8 trial. And then there is a reference to The Sun, and
 9 then there is a reference to Mark Williams-Thomas not
 10 running the story until Savile is dead because of the
 11 obvious problems of standing up in a trial.
 12 A. Yes, yes.
 13 Q. And then you refer to Hannah Livingston, who you refer
 14 to as a trainee who was with you for a week.
 15 A. To be fair on that, she was physically with us for
 16 a week but carried on working in Scotland for the next
 17 three weeks or whatever.
 18 Q. She was mainly with Reporting Scotland I think at that
 19 time.
 20 A. Yes.
 21 Q. Then you attack about the [redacted] interview, the
 22 [redacted] business and so on. Then -- and that is
 23 the paragraph that was blanked out, but not by you:
 24 "We contacted 60 ex-Duncroft girls. Of those 10
 25 came back to us and were prepared to talk about the

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1 Savile allegations. A lot of them do not want people to
 2 know they went to an approved school. Seven of the ten
 3 I infer said that they had been molested or assaulted by
 4 him while aged 14 or 15, and three [presumably that is
 5 the other three] said they had talked to friends at the
 6 time who had been assaulted or molested. One told us
 7 about her 13-year-old sister who was assaulted by Savile
 8 at Stoke Mandeville and who may have been the original
 9 complainant who set off the investigation."
 10 So by this stage you know that the police
 11 investigation which you know to have taken place was
 12 sparked by one complainant?
 13 A. Later on we found out it was two. But probably not in
 14 the historical time of this.
 15 Q. "Two girls told us specifically he had pressured them to
 16 give oral sex when they were 14 or 15 ..."
 17 And so on:
 18 "Some of them do did not want to be specific about
 19 the exact details of what had happened. Seven confirmed
 20 that they had been contacted by the police."
 21 That is a rather important little detail, isn't it?
 22 A. It's a different seven. It's within the ten, but it's
 23 not the same seven.
 24 Q. My detail was a slightly different one. It is important
 25 to bear in mind that the -- when we talk about girls

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1 going to the police and all the girls going to the
 2 police or whichever girls went to the police --
 3 **A. Yes.**
 4 Q. -- that in fact it wasn't that seven girls had gone
 5 knocking on the police's door saying "You have to
 6 investigate this", in fact the police had contacted them
 7 because obviously somebody, or perhaps two people, had
 8 gone to the police to start it.
 9 **A. Yes, I think that's probably what happened.**
 10 Q. These other girls were then contacted as a result of the
 11 police investigation having started; yes?
 12 **A. Yes. That's right.**
 13 Q. So seven confirmed they had been contacted by the police
 14 and interviewed, and a year or so later had received
 15 another letter saying case was not going ahead. So we
 16 have seven been contacted by the police who say they got
 17 a letter. Three, presumably of that seven --
 18 **A. Yes.**
 19 Q. -- specifically remember that the letter said he was too
 20 old and infirm to prosecute. And then it also became
 21 apparent that Sky were sniffing around -- that's my
 22 words, not yours.
 23 **A. Yes.**
 24 Q. And then your timeline recording what the [REDACTED]
 25 [REDACTED] had confirmed off the

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1 record, that is to Williams-Thomas, and you were still
 2 waiting for that. Right?
 3 **A. Yes.**
 4 Q. You are an experienced journalist, you presumably agree
 5 with me, you are familiar with protecting sources and
 6 so on?
 7 **A. Yes.**
 8 Q. There is absolutely nothing in that paragraph that you
 9 just looked at that is remotely sensitive?
 10 **A. Unless they wanted to protect Lisa Dowd or something,**
 11 **but they could have put a black line through that.**
 12 Q. They could have put a black line through it.
 13 Now, we know that on 30 November we've got
 14 ROUGHSAVILE 5. If you look at page 232 of the same
 15 bundle, Liz MacKean emails ROUGHSAVILE 5 --
 16 **A. Yes.**
 17 Q. -- to you and to herself.
 18 **A. Yes.**
 19 Q. We can look at what this says, but the structure of it
 20 is still broadly the same as the one we looked at
 21 before --
 22 **A. Sure.**
 23 Q. -- so all the points we discussed this morning we could
 24 go through again but it wouldn't be very fruitful.
 25 **A. Yes.**

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1 Q. But when it says in page 235 you see in the middle of
 2 the paragraph:
 3 [REDACTED] is not alone in making these claims."
 4 **A. Yes.**
 5 Q. Can I just be completely clear about this. You contact
 6 60 and ten come back --
 7 **A. Yes.**
 8 Q. -- [REDACTED] was not one of those ten, was she?
 9 **A. No, no. I think --**
 10 Q. Was she the 11th?
 11 **A. It depends on how you do your numbers. What have I got**
 12 **here? I've got this in front of me. Let me have**
 13 **a look, because I had to do this again.**
 14 **Effectively what we've got is nine who we talk to.**
 15 **A tenth, who was the sister of one of the nine, and**
 16 **she's the one who was abused at Stoke Mandeville, and --**
 17 **there are 11 -- okay, the ten girls that we talked to**
 18 **and one who was sister of one of the people we talked**
 19 **to.**
 20 Q. And [REDACTED] was one of the ten?
 21 **A. [REDACTED] was one of the 11 in all, if you see, yes. So she**
 22 **was one of the ten we talked to.**
 23 Q. So ten Duncroft and the sister of one of those is 11,
 24 who is somebody else --
 25 **A. Although all our communications with her ended up being**

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1 **through her sister.**
 2 Q. The Duncroft sister?
 3 **A. But we believed that what we were getting there was**
 4 **a true picture of what was going on.**
 5 Q. Right. So when we look at 235 -- this is ROUGHSAVILE
 6 5 --
 7 **A. Yes.**
 8 Q. The reference to "most of them talked to Surrey Police
 9 during the recent investigation" --
 10 **A. To the ten. No, that's to the --**
 11 Q. We get "most" that's because seven out of ten --
 12 **A. Exactly.**
 13 Q. -- had been contacted by the police, and hence that's
 14 most, seven out of ten?
 15 **A. Yes, exactly.**
 16 Q. Now, on 1 December then, there's an email from Mr Rippon
 17 to you on page 274:
 18 "I assume still no word."
 19 And that's no word from --
 20 **A. About the CPS.**
 21 Q. Because this ball is now in the CPS's court, is that
 22 right, you are now chasing them?
 23 **A. No, well, actually, hang on, no -- no, we still haven't**
 24 **actually got the confirmation from the police that they**
 25 **handed a file to the CPS.**

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1 Q. We will come to this, I think. When the CPS finally do
 2 put something in writing they actually manage to refer
 3 to Kent Police and that is wrong, it should have been
 4 Surrey, and then they have to correct that.
 5 **A. Yes, but at this point we still don't have the official**
 6 **line from Surrey Police. We don't get that until the**
 7 **5th.**
 8 Q. So he's going to pull editing for now, Mr Rippon?
 9 **A. Yeah. Oh, well, more stop working on other elements.**
 10 Q. "Until we know for sure what we are likely to get from
 11 them". So "them" is?
 12 **A. It could be CPS, it could be police. But it's sort of**
 13 **CPS -- basically he's talking about the CPS line.**
 14 **Either way he's talking about the CPS line there,**
 15 **I think.**
 16 Q. And he says:
 17 "We don't really have a strong enough story without
 18 it."
 19 Obviously you rather disagreed with that to put it
 20 mildly.
 21 **A. Mmm.**
 22 Q. "I will pull editing et cetera for now."
 23 So how dead is the story now then?
 24 **A. In retrospect, it was very dead. At the time I still**
 25 **thought, you know, he's having a bit of a fit or**
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1 **whatever and, you know, we'll talk him around and you**
 2 **know -- you know, essentially either he or his bosses**
 3 **will decide that it has to run.**
 4 Q. So over the page, 275, you reply within half an hour-ish
 5 and say:
 6 "I don't think that's a good idea, let's chat."
 7 And you did chat.
 8 **A. That's probably a bit of a stronger phrase than it**
 9 **appears in print.**
 10 Q. You say in your statement, your submission, at 11.4, you
 11 have just referred to this email we have just looked at.
 12 **A. Yes.**
 13 Q. "I don't think it's a good idea, let's chat":
 14 "We had a conversation where I strongly argued the
 15 story we had was incredibly strong."
 16 And so on.
 17 **A. Yes.**
 18 Q. Who else was present in that conversation, do you
 19 remember?
 20 **A. What day of the week, was it? Thursday. I don't know**
 21 **whether Liz would have been there or not, she didn't**
 22 **usually work Thursday. It's probably not, it's probably**
 23 **just me and Peter.**
 24 Q. I think this is still the same conversation, isn't it,
 25 down at 11.7 --
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1 **A. Yes.**
 2 Q. -- where you say that in this conversation of 1 December
 3 you made it clear to Mr Rippon that you felt:
 4 "... we had an obligation to run the story, not only
 5 because of the abuse itself but because we had unearthed
 6 credible allegations of abuse by one of the BBC's top
 7 stars and abuse at BBC properties."
 8 **A. Yes.**
 9 Q. "We could not be seen to be concealing this."
 10 And then the aspect of it that it was likely to come
 11 out anyway because it would go to the press and somebody
 12 else would write it up.
 13 MR POLLARD: Could I just ask at this point you mention in
 14 11.3 Peter had not even asked to review the material
 15 which you had.
 16 **A. Yes.**
 17 MR POLLARD: Had you ever said to him, about that time or
 18 earlier "Just come and see it"? Had you said it as
 19 forcefully as that?
 20 **A. No, we're doing it from the 30th we're saying that.**
 21 **We're saying "You know, just look at this, just judge**
 22 **the evidence".**
 23 MR POLLARD: And Liz was a party to saying that --
 24 **A. Absolutely, 100 per cent. 100 per cent, yeah. We are**
 25 **both saying just look at it, see what we've got.**
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1 MR MACLEAN: Liz MacKean, that would be, of course.
 2 **A. Yes.**
 3 MR POLLARD: Sorry, yes.
 4 MR MACLEAN: Now, do you remember this chat took place that
 5 day?
 6 **A. The 1st December?**
 7 Q. Yes.
 8 **A. Yes.**
 9 Q. Because if you look at 276 Mr Rippon cannot find you but
 10 presumably he did track you down.
 11 **A. No, no, no, I mean, it's just a matter of -- it's an**
 12 **instant thing, he has come out, he can't see me, we see**
 13 **each other five minutes later, you know.**
 14 Q. All right. Now, that same day -- but I think in the
 15 morning -- if you go back to 268 --
 16 **A. This is why I'm so confident about what I was thinking**
 17 **on that day, because I have a record of what I was**
 18 **thinking.**
 19 Q. Yes. This is what you call the red flag email.
 20 **A. Yes. I probably shouldn't call it an email -- well,**
 21 **it's an email to myself.**
 22 Q. It's a note --
 23 **A. It's a memo.**
 24 Q. -- that you email to yourself so it can be kept and you
 25 do it to these two email addresses.
 Page 192

<p>1 A. Yeah. And I think on the 5th then I then think about 2 sending it as an email to Helen and Steve. But that's 3 on the 5th. 4 Q. But you didn't. 5 A. No. 6 Q. What then follows at 269 to 271 is your memo to self, as 7 it were? 8 A. Yes. 9 Q. And potentially to others if you chose to send it to 10 them? 11 A. Yes. 12 Q. You say: 13 "I think we should run this story next Wednesday as 14 planned subject to confirmation of police and CPS 15 situation of course for straightforward journalistic 16 reasons and I think BBC News should make the decision to 17 run it on straightforward news grounds." 18 I know you say something about that in your 19 statement, we will come back to that: 20 "I do however also think that we should notify our 21 colleagues in Vision or wherever else ... so that 22 whoever is making the Jim'll Fix It Christmas special is 23 aware that there may be a problem for them as early as 24 possible." 25 A. Yes.</p> <p style="text-align: center;">Page 193</p>	<p>1 And if it emerges after Christmas the headlines will 2 be: 3 "BBC covered up paedo sir Jimmy Savile to fix 4 Christmas ratings." 5 You then say: 6 "Why do I think it will come out?" 7 "We know that the victims believe that the police 8 and CPS covered up for Savile." 9 Now, I appreciate this is a memo to yourself but it 10 wouldn't be right to say that all the victims believed 11 that, would it? 12 A. No, only the ones who had contact with them. 13 Q. And all they know is that they were interviewed, told 14 what happened, and then a year later they were told that 15 he was too old to press charges. Now, again, what made 16 you think that, that's a somewhat -- 17 A. That is coming on from the believe beforehand. 18 Q. But it wouldn't be -- I appreciate this didn't go to 19 anybody in the end -- 20 A. Yes. 21 Q. -- it is only a note to self. I have that point. But 22 it is a telescoping of the fact to suggest that all of 23 the victims were interviewed, all of them were told what 24 happened -- 25 A. No.</p> <p style="text-align: center;">Page 195</p>
<p>1 Q. "However, BBC News should not be influenced by other 2 parts of the BBC to cancel or delay transmission until 3 after the Christmas special has gone out. Obviously it 4 is a point of principle, but there is also a very 5 practical reason for this." 6 Now, the practical reason was that, what, others 7 were on to the story or might be, or what? 8 A. Well, no, it's what I go on to say. 9 Q. Right: 10 "So if you go ahead there will be minor 11 embarrassment." 12 The minor embarrassment would be -- 13 A. We were bad in the 70s and we have to pull our tribute. 14 We were a bad organisation in the 1970s, we let Savile 15 run wild, we are now pulling our tribute. 16 Q. And then you say: 17 "If we cancel or delay until after Christmas there's 18 a risk of another BBC scandal on the scale of the Queen 19 or Jonathan Ross ..." 20 I suppose one could form a view about that as 21 matters transpired: 22 "... and similar damage to our core value of trust." 23 Then there is a point that it might emerge anyway, 24 and then if that happened, then the story would be: 25 "BBC cover up paedo Sir Jimmy Savile."</p> <p style="text-align: center;">Page 194</p>	<p>1 Q. -- and all of them were told he was too old to press 2 charges, because those weren't the facts that you had 3 gathered. 4 A. No, I mean, you know, that's -- yes, it should have said 5 "We know that some of the victims believe, you know". 6 Q. I appreciate this is a note to itself and it doesn't go 7 to anyone. 8 A. This is a first draft. It is just something I'm 9 writing. 10 Q. And then you make the point about the News 11 International. We have already covered that. Then at 12 the end -- I'm coming back to the first point you 13 made -- at the end, 271: 14 "I can't be the only journalist with evidence of 15 Savile's activities who is waiting for him to die 16 because the victims were vulnerable and wouldn't stand 17 up well in the libel hearing. It would take a few weeks 18 to get something together, but the week before the BBC's 19 Jim'll Fix It special would be perfect timing for them." 20 A. Yes. 21 Q. So we touched on this earlier. You were anticipating 22 that if your story runs, then -- 23 A. No, it doesn't run. This is if it doesn't run. 24 Q. I see. I understand? 25 A. That's if it comes out --</p> <p style="text-align: center;">Page 196</p>

1 Q. If somebody else gets it they would stick it on, they
 2 would announce it a week before the Jim'll Fix It
 3 special, and then the BBC has a problem then?
 4 A. Yes.
 5 Q. Another problem, a different problem?
 6 A. Yes.
 7 Q. So let's go back to the subject of police and CPS
 8 situation.
 9 A. Yes.
 10 Q. That was a reference to the point that Mr Rippon had
 11 been on for some time that corroboration was necessary,
 12 wasn't it?
 13 A. That corroboration of what?
 14 Q. Well, that the police and CPS end of the story --
 15 A. Being what, though.
 16 Q. Backed up what the -- what the Duncroft girls had said?
 17 A. Yes. That the police handed a file to the CPS is what
 18 I would say that meant.
 19 Q. You say in your statement that what you had in mind then
 20 was -- to use your words:
 21 "While the unofficial confirmation that the police
 22 had investigated and taken it seriously enough to pass
 23 a file to the CPS, we didn't get the official
 24 confirmation until 5 December."
 25 A. Yes, around about now we knew that they had given it to
 Page 197

1 the CPS. Somewhere around about there we were getting
 2 a little bit more.
 3 Q. So you are accepting that the running of this story is
 4 contingent upon confirmation of something from the
 5 police and the CPS?
 6 A. Confirmation that the police took it seriously enough to
 7 hand the file to the CPS. I've got that now
 8 unofficially. It has moved on from the 25th where
 9 I just knew that the police had investigated. By now
 10 I know that it has gone to the CPS.
 11 Q. So you are accepting that as matters stand when you
 12 write this memo --
 13 A. Yes.
 14 Q. -- there is still a piece of the jigsaw missing?
 15 A. Yes, but it is a piece of the jigsaw that I know 100
 16 per cent is coming.
 17 Q. Hang on. Which is a necessary part of broadcasting the
 18 story?
 19 A. But I know it's coming.
 20 Q. You know it's coming --
 21 A. There is no doubt that it is coming. You know, once the
 22 [REDACTED] has told you that, it is
 23 definitely coming.
 24 Q. Your evidence was that the missing piece of the jigsaw
 25 was that the police had passed their file to the CPS?
 Page 198

1 A. Yeah. Yeah. Well, no, and confirmation that the police
 2 investigation had taken place. We haven't got
 3 confirmation of that either. We've got unofficial
 4 confirmation of both of those by then. We don't get
 5 official confirmation until 5 December.
 6 Q. But we -- you were asked earlier about various building
 7 blocks --
 8 A. Yes.
 9 Q. -- it's not sufficient simply to get confirmation that
 10 there has been a police investigation. You need
 11 confirmation of police and CPS situations?
 12 A. Well, because by now I know that we're going to get both
 13 of those.
 14 Q. So the first one you just mentioned is actually a red
 15 herring, because actually do know --
 16 A. No, we haven't got confirmation. No. We do not have
 17 confirmation of either.
 18 Q. [REDACTED]
 19 [REDACTED]
 20 A. And that is unofficial. We've got it. We know it's
 21 coming because we know it exists, but we are still
 22 waiting for that thing to arrive from Surrey Police.
 23 That only arrives on 5 December. They put out an
 24 official email to me saying "Yes, it's all official".
 25 That's what I'm waiting for.
 Page 199

1 Q. But that's still not enough because you also need
 2 something from the CPS as well?
 3 A. No. No, no, no. And we know that they are going to
 4 say -- we know they are going to say "and we handed the
 5 file to the CPS". So that means they took it seriously,
 6 and we know that's coming.
 7 Q. Once they confirm that they handed it to the CPS, then
 8 why were you still worried about what the CPS --
 9 A. Because they have not officially confirmed any of this.
 10 MR POLLARD: Could I just ask, when in the timeline do you
 11 hear that there has been a file to the CPS?
 12 A. Around about now. Around about -- there is no record of
 13 it on there. It is not on the Friday the 25th --
 14 MR POLLARD: That is just they investigated?
 15 A. That is just they investigated. Mark gets a bit --
 16 I think Mark presumably [REDACTED]
 17 [REDACTED] and says "When is this coming through?
 18 Anything else you can tell me?" And he said "Well, what
 19 I can tell you is we took it seriously enough to send it
 20 to the CPS". I admit there is no record of that in
 21 there but I know that. By this time I know that.
 22 I didn't know it the week before. I do know it now.
 23 However, it's not official. Until we get the thing on
 24 the 5th it's not official. So, you know, in a sense I'm
 25 putting a condition in here that I know is going to be
 Page 200

1 fulfilled.
 2 MR MACLEAN: We can see that the story that you were hoping
 3 to run -- as I think I suggested to you earlier -- we
 4 can see that from the foot of 269, can't we, that the
 5 story you were hoping to have was, in bold type capital
 6 letters "Police secretly investigated Jimmy Savile,
 7 child sexual abuser". That was the story. And we see
 8 that in the script about hushed up and so on.
 9 A. Yes.
 10 Q. That was the story you had, the police secretly
 11 investigated Jimmy Savile --
 12 A. **It's a secret because nobody ever found out.**
 13 Q. Because it was hushed up?
 14 A. **Well, I don't know if it was hushed up or not.**
 15 Q. That was the story you were hoping to have?
 16 A. **It's possible. It's possible.**
 17 Q. It's not possible. It's obvious.
 18 A. **No, the obvious story here is that Jimmy Savile was**
 19 **investigated by the police for child sexual abuse.**
 20 **That's a huge story.**
 21 Q. Secretly.
 22 A. **Yeah.**
 23 Q. Which adds more than a little something, doesn't it?
 24 Secretly investigated.
 25 A. **Yeah, okay, I mean, it's a better headline. But, you**
 Page 201

1 know, it's not --
 2 Q. That's why the fact that they didn't pursue him because
 3 he was old and infirm was, as I put to you at the very
 4 beginning, an important part of the story?
 5 A. **Can I try and cut through this because it just seems**
 6 **crazy to me, and I'm sorry about this. Plainly I'm in**
 7 **a position where I'm being told that there is a CPS bar**
 8 **to running this. I am writing this memo because I'm**
 9 **thinking, you know, what do I do to convince them to get**
 10 **rid of this bar and run the story. I wouldn't have**
 11 **written this if I wasn't trying to do that.**
 12 **If I was happy with the CPS bar I wouldn't have**
 13 **written this in the first place. I wouldn't have**
 14 **bothered writing this.**
 15 Q. So you wouldn't agree that you were --
 16 A. **Frankly, it sounds crazy to me. Why would -- why would**
 17 **I be having all these arguments and so on about the bar**
 18 **and saying -- and meaning that to mean "I'm happy with**
 19 **the bar"?**
 20 Q. You would not agree --
 21 A. No.
 22 Q. -- that this was you accepting Mr --
 23 A. **It's just mad, read it. I mean, it seek speaks for**
 24 **itself, I think.**
 25 Q. Just let me ask the question. You would not accept
 Page 202

1 that, therefore, you were accepting Mr Rippon's
 2 condition for running the story.
 3 A. **If I was I would not need to be arguing with him.**
 4 **I would just say, "Oh, well, let's wait -- let's wait**
 5 **till the CPS come along and confirm that they're so mad**
 6 **that they write things saying, we laughed at -- you**
 7 **know, he was too old and infirm".**
 8 Q. Now, meanwhile --
 9 A. **I'm sorry, I am afraid I was losing it a bit there,**
 10 **I apologise, it just seems so crazy.**
 11 Q. My job is to ask questions --
 12 A. **I know, I know, I'm sorry, yeah.**
 13 Q. This is an inquisitorial rial process, I'm not trying to
 14 prove a case, but I have a job to do --
 15 A. **Yeah, yeah, I know.**
 16 Q. -- which involves asking you questions; all right? And
 17 I will be doing that with all the other witnesses too?
 18 A. **Yeah, Yeah. I know. I know.**
 19 Q. Now, go to page 278. This is from you to
 20 Williams-Thomas.
 21 A. **Yes.**
 22 Q. I think this came from Hannah Livingston originally.
 23 There has been some digging around in what might be
 24 described as --
 25 A. **Chat-rooms and God knows what.**
 Page 203

1 Q. The same sort of story. In fact it is still concerned
 2 with Jimmy Savile. This is blogs in Australia -- no.
 3 It is other blogs, isn't it?
 4 A. **Yes.**
 5 Q. This come from Hannah who has been doing further
 6 research, I think, originally.
 7 A. **I'm not sure about that but, yeah, let's say relevant**
 8 **either way. But yeah.**
 9 Q. We see that, I think, from 280 where you passed it on to
 10 Liz MacKean saying "Hannah found this".
 11 A. **Oh, well, then, fine, great.**
 12 Q. So Hannah has been doing some more research. You pass
 13 it to Liz MacKean.
 14 And then 282, she says to you, do you see in the
 15 middle of the page:
 16 "Can you re-send, it hasn't come through. L".
 17 It's there, Liz. That's her saying "Yes, I have got
 18 it now".
 19 And then she says at the top:
 20 "Incredible interesting she also say Sussex Police.
 21 Will you show Peter?"
 22 Do you see that?
 23 A. **Yes.**
 24 Q. Did you?
 25 A. **I don't know. I suppose what she's trying to say there**
 Page 204

1 is, "Is this another force?" I suppose she's trying to
 2 say that.
 3 Q. She's still trying to find more bolstering for the
 4 story.
 5 A. Oh, yes, no, no no, but -- but it says Sussex Police.
 6 That seems to be the key thing here, doesn't it?
 7 Q. Yes.
 8 A. I genuinely don't know. It might well have come up in
 9 the course of arguments and so on. I suspect by then he
 10 had gone home. That is Thursday the 1st -- I think he's
 11 gone home. And he's not in -- well, I'm out filming on
 12 the Friday morning. By the time I -- by the time I get
 13 back he's not there. So I don't think I see him until
 14 the Friday.
 15 Q. Friday being --
 16 A. Sorry, until Monday. This is -- this is Thursday the
 17 1st. 2nd I'm out filming with Rolls Royce.
 18 Q. Monday you are back.
 19 A. Monday I'm back in the office. So if I did put it to
 20 him, it wouldn't have been until Monday.
 21 Q. Now, the Friday, if you go to 288 -- you will not have
 22 seen this document before, I apprehend -- this is
 23 Mr Mitchell's diary, as I understand it, for 2 December.
 24 One of the things that happened on 2 December was that
 25 there was something called the Women in Film and
 Page 205

1 Television Awards ceremony --
 2 A. Yes.
 3 Q. -- which I assume you were not at?
 4 A. No, I was driving around in a vintage Rolls Royce at
 5 Duncroft.
 6 Q. At this stage, by which I mean in the period when the
 7 story was killed off or dropped or whatever -- whatever
 8 terminology you want to adopt -- did you learn anything
 9 at all about anything relevant to Savile that had
 10 happened at that award ceremony?
 11 A. No, not at all.
 12 Q. At this stage what were you aware -- may you weren't
 13 aware, but what did you know that the Vision side of
 14 things knew about --
 15 A. I didn't know.
 16 Q. You didn't know?
 17 A. I knew that in arguments I'd been saying "You've got to
 18 tell Vision".
 19 Q. Yes, we saw that earlier.
 20 A. Yes.
 21 Q. So the next involvement -- you can put bundle 3 away,
 22 please, and take up bundle 4 --
 23 MR POLLARD: Sorry, could I just ask -- and apologise if it
 24 is clear I should know this -- did you ever say directly
 25 to Peter "You have to let Vision know", or "You have to
 Page 206

1 let the wider BBC know --
 2 A. Yes, absolutely we both said that. We both said that.
 3 MR POLLARD: -- because they are walking towards a big bear
 4 trap"?
 5 A. Yeah. Yeah. Yeah.
 6 MR POLLARD: That's not, I think, in print anywhere as
 7 directly as that, is it?
 8 A. It is there in the red flag, which is a part of what
 9 I was saying --
 10 MR POLLARD: Well, you didn't send to anybody.
 11 A. No, no, no; but it's a record of what I was thinking and
 12 saying at that time and it's a good record of the sort
 13 of arguments I was making to Peter.
 14 MR MACLEAN: Just to pick that up, when you made those
 15 arguments to Peter saying "For goodness sake, you have
 16 to tell Vision about this", what did he say? What was
 17 his reaction?
 18 A. He didn't engage with anything like that. He just, you
 19 know -- he didn't -- he wouldn't engage with anything
 20 like that.
 21 Q. Because his head was in the sand or what?
 22 A. I don't know. He just wouldn't engage with it. He
 23 didn't say "I have told them", or "I haven't told them".
 24 He just said move off to other stuff. So, you know,
 25 it's not a story until -- he never said "I have done
 Page 207

1 this", or "I have done that", to my memory.
 2 Q. Right, okay.
 3 Bundle 4, page 2, you remember we started with some
 4 of these. This is another similar document. This is
 5 Mr Rippon's diary for 5 December. It likes as if, at
 6 least in the diary, in his office there is a meeting
 7 with you, Ms Gibbons and Ms Nahal "Investigations
 8 routine"; yes?
 9 A. Yeah. All that was routine about them was that they
 10 never happened. I would accept them routinely, but we
 11 never got round to them.
 12 Q. Right. Page 7, same day in the morning.
 13 A. Yes.
 14 Q. "I talked to Sarah Bailey ..."
 15 And these in the Surrey Police I think?
 16 A. Yes.
 17 Q. "... press office to make request for Savile info
 18 formal."
 19 A. Yes.
 20 Q. So why bother with that at this stage?
 21 A. Because they have still not responded. So obviously on
 22 the Friday we still haven't got this official
 23 confirmation.
 24 Q. You obviously don't think the story is completely, dead
 25 otherwise this would be a waste of time?
 Page 208

1 **A. No. No, I don't. I don't. I mean I should have done.**
 2 **I should have realised. It is really obvious from the**
 3 **30th and the first emails that I should have, but in**
 4 **fact I hadn't been stopped from filming on the 2nd. My**
 5 **edit was still there for the 5th. I come in on the**
 6 **5th and start loading material into the edit.**
 7 MR POLLARD: The cameraman on the 5th was for [REDACTED] is
 8 that right?
 9 **A. No, the cameraman on the 1st -- I thought when**
 10 **I originally put -- we said -- the cameraman for the**
 11 **30th was actually for the 1st. When I went back and**
 12 **rang the cameraman he said "No, we actually did the**
 13 **interview on the 1st". So he was John Morris. He did**
 14 **the filming on the 2nd as well.**
 15 **The filming for the 5th was actually then put back**
 16 **to the 6th because we decided to start the edit and then**
 17 **on the -- it was probably a weather forecast thing or**
 18 **something that we would do it on the 6th, the other bits**
 19 **of filming --**
 20 MR MACLEAN: You had to do some outdoor shots either at
 21 Duncroft --
 22 **A. We needed do a piece to camera down at Duncroft.**
 23 **I suspect it was going to rain on the Monday, we put it**
 24 **back to the Tuesday, something like that.**
 25 Q. You need Liz MacKean to do it?
 Page 209

1 **A. Yes, she needed to do a piece to camera.**
 2 MR POLLARD: So the actual date of [REDACTED] was?
 3 **A. 1 December. It may be wrong in your notes because we**
 4 **thought -- it was down as being the 30th but then she**
 5 **delayed it and it ended up being the 1st.**
 6 MR MACLEAN: Would it surprise you to learn -- I can't hand
 7 you this document right now -- but take it from me,
 8 would it surprise you to know that on 1 December 2011
 9 Liz Gibbons was emailing Shaminder Nahal about something
 10 else to say that there was now spare editing available
 11 because of Jimmy?
 12 **A. Yes. So plainly they had removed it. But nobody had**
 13 **told me.**
 14 Q. Right.
 15 **A. Yes.**
 16 Q. I will try to dig that out.
 17 **A. Yes, it fits.**
 18 Q. You appreciate things have been coming in --
 19 **A. No, no, no, it fits. It totally fits, yes.**
 20 Q. It would appear that in the minds of the Newsnight
 21 deputy editors it was a dead duck on 1 December?
 22 **A. It was dead on the 1st, yes.**
 23 Q. Jo Mathys doesn't know that it is a dead duck because
 24 she sends you an email on page 8 in bundle 4. She is
 25 the Impact woman.
 Page 210

1 **A. Yes.**
 2 Q. She's still gearing up to spread this around the various
 3 BBC outlets.
 4 **A. Yes, and what she wants from me is me to dub off all the**
 5 **various bits of material so they can start making their**
 6 **stuff.**
 7 Q. You say "dub off"?
 8 **A. Clips of [REDACTED] clips of [REDACTED] maybe, all that sort**
 9 **of stuff, really.**
 10 Q. Right. Then that same day, page 13, you have now
 11 something formal --
 12 **A. That is the official thing I have been waiting for, yes.**
 13 Q. -- pursuant to the email we have just seen with a lady
 14 from Surrey Police.
 15 **A. Yes.**
 16 Q. So they say, as it were, officially and on the record:
 17 "In 2007 Surrey Police received the historic
 18 allegation of indecent assault which is alleged to have
 19 occurred at the children's home in Staines in 1970s.
 20 The allegation was investigated but no further action
 21 was taken against any individual."
 22 And then you had spoken to Sarah Bailey, and she had
 23 confirmed that it had been referred to the CPS and it
 24 was they, the CPS, who decided not to take it any
 25 further. So obviously you then went to them and said
 Page 211

1 why, and you didn't get an immediate answer.
 2 **A. No, not until the 9th.**
 3 MR POLLARD: What is your thought on in seeing that, because
 4 following your logic, that is absolutely game, set and
 5 match, isn't it --
 6 **A. Yes, it is. It is. It is.**
 7 MR POLLARD: -- so far as your logic is concerned?
 8 **A. It is. But we've been pulled up -- by then we have been**
 9 **pulled out of the edit.**
 10 MR POLLARD: Do you send that to Peter?
 11 **A. I think I probably just told him it. I think. Because**
 12 **I think I would have told him if before I actually sent**
 13 **it to them. And, you know, in the hope, again, of**
 14 **getting him to change his mind.**
 15 MR MACLEAN: But it was still important, wasn't it, to find
 16 out why the charges had been dropped?
 17 **A. Not now the edit had been pulled, you know, increasingly**
 18 **less and less so.**
 19 **Yes -- no, obviously, you know, that's why I rang**
 20 **the CPS, obviously, to find out to see if they would**
 21 **tell me why. But I thought we had more than enough to**
 22 **run the story, but I would still like to know what the**
 23 **CPS had to say.**
 24 Q. So over the page at 14, when Hannah Livingston emails
 25 you --
 Page 212

1 A. Yes.
 2 Q. -- she congratulates you for your good work and then
 3 says:
 4 "Hopefully CPS can confirm what the girls said about
 5 why charges were dropped."
 6 A. Yes.
 7 Q. And that's back to the old and infirm again?
 8 A. Yeah. Yeah, no, sure. Sure, that's what she is saying
 9 there, because she now knows that it's not going to run
 10 unless -- unless the CPS do say that.
 11 Q. Because that is the condition Mr Rippon's now set?
 12 A. That's the condition that's now been set.
 13 Q. But for you, your evidence is, that that aspect was, as
 14 it were, always jam on top?
 15 A. Yeah, exactly, that's a good way of putting it. No, but
 16 it also was for Hannah. But Hannah is realistically
 17 saying here "I hope they confirm that so we can get past
 18 the barrier and run it".
 19 Q. Yes, I understand. Now, just looking at your
 20 submissions for a moment at 17.3, this is where you give
 21 your comment having just set out the email we have just
 22 looked at, right?
 23 A. Yes.
 24 Q. You say:
 25 "We were still arguing with Peter Rippon. I looked
 Page 213

1 again at my red flag memo, thought about sending it to
 2 Steve Mitchell and Helen Boaden, but I assumed that the
 3 force of my arguments had already been passed on by
 4 Peter to them, so there seemed no point."
 5 A. Yes.
 6 Q. So that seems to me, if I may suggest, a rather curious
 7 suggestion. Mr Rippon was hardly an advocate in the
 8 cause of this story at this stage, was he?
 9 A. No.
 10 Q. So why assume that he would have passed on either at all
 11 or with any or any sufficient force to Mitchell and
 12 Boaden the case you were advocating?
 13 A. You know, even if he was not an advocate it would be
 14 career suicide for him not to pass on to his bosses that
 15 two senior journalists on his team were saying "If you
 16 don't run this story, forget whether it is right or
 17 wrong to run it, but if you don't run it, the
 18 consequences for the BBC are going to be disastrous,
 19 absolutely disastrous, because all those people out
 20 there will be saying you knew he was a paedophile, you
 21 ran the tributes knowing he was a paedophile. How could
 22 you do that? We trust the BBC."
 23 So this is a separate issue from the actual pulling
 24 in the first place.
 25 Q. Yes, yes, I understand.
 Page 214

1 A. This is a new issue, which is that you have two senior
 2 people saying this, and why would you not pass that
 3 message up all the way through the ranks.
 4 Q. The two senior people being you and Liz MacKean?
 5 A. Yes.
 6 Q. Just pausing in this paragraph for a moment --
 7 A. Yes.
 8 Q. -- I think I asked you this already, but just help me
 9 again: if you wanted to send or you were contemplating
 10 the red flag memo to Steve Mitchell and Helen Boaden,
 11 their offices were on the fourth floor, were they?
 12 A. Fifth there. This is Television Centre.
 13 Q. Where were you, at this stage?
 14 A. Ground floor.
 15 Q. Why not do with Mr Mitchell and Ms Boaden what you
 16 eventually did with Mr Entwistle? Why did you not go
 17 and see these people?
 18 A. Because --
 19 Q. Knock on their door, ring the secretary?
 20 A. It is difficult to explain if you are outside the BBC,
 21 that is not the culture. And it's not only that it
 22 would reflect badly on you if you did that, it would
 23 reflect badly on your editor that his troops are out of
 24 line.
 25 Q. So what would have happened? Presumably -- let's take
 Page 215

1 Mr Mitchell, for example, presumably he's got a PA or a
 2 secretary?
 3 A. Yeah.
 4 Q. Or Helen Boaden and PA or a secretary?
 5 A. Yes.
 6 Q. If you had picked up the phone and said, where are we,
 7 5 December, "Can I come and talk to you for 10 minutes
 8 about a subject I feel very strongly about that I've
 9 been having a full and frank exchange of views with
 10 Mr Rippon about over the last few day, I just want to
 11 make sure you have my side of the story, because I'm
 12 very concerned about not just Newsnight but the wider
 13 BBC", for all the reasons in your red flagged memo --
 14 A. Mmm.
 15 Q. -- are you suggesting that they would have said "We
 16 can't see you, go away"?
 17 A. I think they would have gone back down to Peter and said
 18 "What's going on?" And then Peter would then have had
 19 another chat with me. That's what would have happened,
 20 I think. But having said that, look, I still regret not
 21 sending it because is there a chance, a faint chance, it
 22 might have done something if I had.
 23 In some ways I don't think it would have done,
 24 because I just don't think they would have done
 25 anything. But what I really needed to do was to go
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1 above that. The trouble is I didn't know Mark Thompson.
 2 Q. Materially above Helen Boaden was Mark Thompson?
 3 A. Yes. The trouble is I didn't know Mark.
 4 Q. And nobody else really?
 5 A. No.
 6 Q. What about Mr Jordan?
 7 A. I just -- well, I mean, I did think -- as I go on to say
 8 later, I did think about whether there was a whistle
 9 blower line I could take that would just -- anonymously
 10 without anyone caring where it had come from, would get
 11 a message through.
 12 Q. Let me ask you this --
 13 A. The difference between Mark and George is that I knew
 14 George.
 15 Q. Not least because he'd been a Newsnight --
 16 A. He had been my editor but even up to a couple of years
 17 ago we would go and have fish and chips on a Friday
 18 lunch time on some occasions, you know.
 19 Q. I don't mean this in a critical way, but it sounds from
 20 what you're saying as if you were -- at least part of
 21 you was "scared" may be too strong a word but wary at
 22 least from your own point of view from approaching these
 23 senior management figures, because it might lead to
 24 career damage to you; is that right? Is that what you
 25 are saying?

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1 A. Yeah, I mean, I have to say not many people recently
 2 have accused me of being scared and risking, you know,
 3 career damage, really. I mean, you know, I have taken
 4 a path which really does risk that, it would be much
 5 easier to have gone along with things --
 6 MR POLLARD: Sorry to interrupt, you knew George Entwistle
 7 well, and I appreciate he was out of the chain of news,
 8 couldn't you have picked up the phone to him and said
 9 "George, 30 seconds conversation will save you from
 10 making a colossal mistake on behalf of your department
 11 and the BBC. I have got something that makes your
 12 tributes seem incredibly inappropriate?"
 13 A. I didn't know George was in the loop at that moment.
 14 I didn't find that out until about August of this year
 15 when Steve Mitchell told me that George had been in the
 16 loop. I would have thought it would have been the
 17 controllers of BBC1 or BBC2.
 18 Q. By in the loop, that's a reference to the awards dinner
 19 conversation or what? In what sense --
 20 A. I didn't know that he knew anything about this, in any
 21 sense. I would have thought that Danny Cohen on BBC1 or
 22 Janice Hadlow on BBC2 might have been informed of it.
 23 Q. Because those were the channels that the tributes were
 24 going out on?
 25 A. Yes. That's they way -- you know, I say -- as I said in

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1 that memo although I say Vision I'm not really sure how
 2 management works and all that.
 3 MR POLLARD: I think the official position is that they were
 4 not in the loop.
 5 A. I think that -- I believe it's true. But I didn't know
 6 that at the time. I thought -- and, again, I don't know
 7 either of them very well. I -- you know, if I had known
 8 George had been informed of it, then I would have
 9 probably done that, I would have rung George, and
 10 hopefully his reaction would have been different.
 11 MR POLLARD: Isn't the stronger argument, thinking that he
 12 was not aware of it --
 13 A. I think that is a valid criticism.
 14 MR MACLEAN: Just let me be clear. You say you didn't find
 15 out until August of this year "When Steve Mitchell told
 16 me that George had been in the loop".
 17 A. Yes, or it could have been the first week of September,
 18 but a few weeks before the whole explosion thing
 19 happened.
 20 Q. That's a reference back to the discussion at the award's
 21 lunch?
 22 A. I assume so. He wasn't that specific. He just said to
 23 me -- he said to me nobody else -- it wasn't a decision
 24 from on top.
 25 MR MACLEAN: Ie Mark Thomson.

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1 A. Well, or -- you know, above him or whatever. But he
 2 said -- I mean, there is a note of it somewhere in
 3 there, he said "Obviously other people are informed,
 4 George Entwistle for instance" I'm surprised at that.
 5 I didn't realise that. It didn't occur to me.
 6 Q. I see.
 7 A. I mean, that's all that happened.
 8 Q. Looking back at this paragraph of your statement we were
 9 on, you say:
 10 "In any case, Peter Rippon seemed to be hinting that
 11 they were behind the decision."
 12 They being Mitchell and Boaden.
 13 A. Yes.
 14 Q. How did he seem to be hinting? What did he do?
 15 A. It's like the discussion we had before about the sort
 16 of -- he wasn't trying to win the argument, really. He
 17 was not looking at the evidence. It wasn't on
 18 journalistic grounds. There had been this huge about
 19 turn and he was sort of suggesting that the decisions
 20 were nothing that he had control -- that he was
 21 powerless, that he didn't have control over this --
 22 Q. So he was saying "I can't do this"?
 23 A. Yeah, that sort of thing. He never said to me "my
 24 bosses", he didn't say that, I will be clear about that.
 25 Q. Did he ever use the words "Steve" or "Mitchell", or

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1 "Helen" or "Boaden" --
 2 **A. No, no, no, he didn't --**
 3 Q. Or "Mark" or "Thompson"?
 4 **A. He didn't do any of that. No, none of that. But it was**
 5 **constantly "It's beyond my control, really", it was that**
 6 **feeling.**
 7 Q. "It's out of my hands. There's nothing I can do"?
 8 **A. Yes. And, therefore, when you tried to say "Look at the**
 9 **evidence, it's really strong" the counter-argument was**
 10 **not really put type of thing.**
 11 Q. Didn't you say to him, "Hang on, Peter, this is all
 12 a bit strange, because on the 25th it was all systems
 13 go, you were very pleased with the award interview, we
 14 were all excited on the 15th"?
 15 **A. I mean, there are -- I think there were two or three**
 16 **emails from me to other people in the BBC -- or recent**
 17 **ex-BBC people in that pile.**
 18 Q. We will come to David Lomax, for example.
 19 **A. One is Lomax, one is Mary Wilkinson.**
 20 Q. We are just coming to them. You know this chronology
 21 even better than I do, if I may say so.
 22 On 6 December, if we go to page 19, there is an
 23 email from Liz MacKean. You might not have seen this
 24 one before, it's not very long.
 25 **A. I've seen it very recently.**
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1 Q. When did you see it recently?
 2 **A. I think Liz sent me this email and another one about**
 3 **a week ago, something like that.**
 4 Q. Who is Michael Hughes?
 5 **A. He was a producer for a very long time on Newsnight.**
 6 **Again, a very close friend of Liz's.**
 7 Q. He now works in Ireland, I think.
 8 **A. Yes, RTE I think.**
 9 Q. He works for RTE, yeah.
 10 **A. Yes.**
 11 Q. So this falls into the same category as earlier, the
 12 Jackie Long email, doesn't it?
 13 **A. Yes.**
 14 Q. This is an unauthorised email:
 15 "How is Hughes et cetera. Quite a storm brewing
 16 this end. My story [that she has got you] is terrifying
 17 the bosses. Basically BBC1 is preparing a Jim'll Fix
 18 special for Christmas. Having commissioned the story
 19 Peter Rippon keeps saying he's lukewarm about it and is
 20 trying to kill it by making impossible editorial
 21 demands. When he rebuts his points he resorts to
 22 saying, it was 40 years ago the girls were teenagers,
 23 not too young. They weren't the worst kind of sexual
 24 offences, et cetera."
 25 Did Mr Rippon ever say anything like that in your
 Page 222

1 hearing?
 2 **A. I wasn't with them when that happened. What happened**
 3 **was that Liz immediately came up to me and said this is**
 4 **what he said, et cetera. Apparently when I got home**
 5 **that night I told my other half about all this and**
 6 **so on. She was telling me that the other day. So I was**
 7 **not a witness to this. I was just a witness to Liz**
 8 **coming -- you know, storming over afterwards.**
 9 MR POLLARD: But in the many conversations that you had with
 10 Peter, he presumably had gone into quite considerable
 11 detail about why he didn't think the evidence was strong
 12 enough.
 13 **A. No, not really. Because we kept saying "Just look at**
 14 **the evidence. The only evidence he had seen was the**
 15 **script.**
 16 MR POLLARD: So his reason as expressed to you in those
 17 meetings for not running it was --
 18 **A. Was that the bar was now -- it wasn't a strong enough**
 19 **story unless the CPS said they let him off because he**
 20 **was too old. It was as simple as that. That was the**
 21 **sort of -- and that's why we thought that was a device,**
 22 **frankly.**
 23 MR POLLARD: He didn't, in those meetings he had with you,
 24 express any doubts about the credibility of the women?
 25 **A. He might have done. He might've done. But he didn't --**
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1 **he hadn't any evidence to do that on, basically. So,**
 2 **yes, I think he probably did say, you know, "Well, you**
 3 **know, I'm just relying on the women", and so on. He**
 4 **says something -- he sends an email a bit like that, you**
 5 **know, it's just the women and a secondhand brief. He**
 6 **did say things like that, but he didn't say it in quite**
 7 **as bald a way as is said here, which is also what Liz at**
 8 **the time said he had said to me.**
 9 MR MACLEAN: She says that he has not warned BBC1 about the
 10 story.
 11 **A. I'm not sure that he was ever answering that question.**
 12 Q. I'm sorry, I don't understand that?
 13 **A. We said to him "Have you warned BBC1 about this"? I**
 14 **don't think he ever gave us an answer to that.**
 15 Q. So you this --
 16 **A. I think it's more that he wasn't answering question the**
 17 **and, therefore, she assumed that he hasn't warned them.**
 18 Q. So that suggestion goes slightly further than you
 19 think -- than you were aware of, anyway?
 20 **A. Yes, certainly. Certainly. But, remember, she also had**
 21 **conversations with him that I didn't. So it is possible**
 22 **that he might have told her that.**
 23 Q. Now, she also says Liz G, who we know is the deputy
 24 editor, has said to you "I'm having nothing to do with
 25 this. I don't want to piss off Danny Cohen, it's down
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1 to Peter"; is that right?
 2 **A. Okay, my thought on that is that I might have said to**
 3 **her -- she's telling me, I'm having nothing to do with**
 4 **this, you know, she doesn't want to piss off Danny Cohen**
 5 **it's down to Peter.**
 6 Q. Now, Danny Cohen would be --
 7 **A. BBC1.**
 8 Q. -- pissed off because he's the controller of BBC1 and
 9 he's got these tributes. That's why he would be pissed
 10 off?
 11 **A. Yes, very pissed off, yes. And she had much more to do**
 12 **with the controllers than other people on Newsnight did,**
 13 **because previously she'd worked on the review show,**
 14 **which was spun off from Newsnight and didn't come under**
 15 **news any more, and so on.**
 16 **So my suspicion here is -- I don't think I have said**
 17 **that she said "I don't want to piss off Danny Cohen". I**
 18 **don't think she would have said that. But I might well**
 19 **have said to Liz "She said I'm having nothing to do with**
 20 **this, you know, if she doesn't want to piss off Danny**
 21 **Cohen it's down to Peter".**
 22 Q. So Liz MacKean is consciously or unconsciously -- that's
 23 not a matter for you -- glossing what Liz Gibbons said
 24 to you, is that right?
 25 **A. I think that middle -- that middle line is probably**
 Page 225

1 **something that I have said but not as something that Liz**
 2 **has said to me but I'm just giving it an explanation why**
 3 **she was saying that.**
 4 Q. Let's go to page 31. While all of this is going on,
 5 somebody called Helen Deller --
 6 **A. The press office.**
 7 Q. -- who describes herself as a publicist. Which part of
 8 the regime does she --
 9 **A. There is a big press office at the BBC.**
 10 Q. Is it that headed by James Hardy? Is he the --
 11 **A. I'm not sure if it is Hardy or Mylrea, or whatever his**
 12 **name is. I don't actually know how they all work up**
 13 **there.**
 14 Q. So far as you're aware -- we can obviously check --
 15 she's in the press office?
 16 **A. Yes, she's a middle-ranking press officer.**
 17 Q. She emails you and Peter Rippon.
 18 **A. Yes.**
 19 Q. She's spoken to Liz MacKean earlier, whether it is
 20 earlier that day or not I'm not clear --
 21 **A. I suspect it is earlier in the week.**
 22 Q. "... which reminded me that your Jimmy Savile piece is
 23 in the pipeline. Then she's talking about promotional
 24 efforts and so on. And then she says:
 25 "Despite such rumours circulating in the media for
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1 years, in addition to any press interest you can bear in
 2 mind how the BBC complaints team responds."
 3 This seems, in the light of recent events, that they
 4 are worried about the complaints about running the story
 5 about Jimmy Savile being a paedophile.
 6 **A. Yes.**
 7 Q. Rather than the reverse of what's in the event
 8 transpired.
 9 **A. Yes.**
 10 Q. And she asks amongst other things whether Roger Law was
 11 the lawyer involved.
 12 **A. Yes.**
 13 Q. To which we know the answer was yes.
 14 **A. Yes.**
 15 Q. We can see what she says. So the press office is
 16 getting into full swing --
 17 **A. Yes.**
 18 Q. -- for the airing of the story; right?
 19 **A. Yes.**
 20 Q. She has some Q&A of what might be said when it runs.
 21 **A. Yes.**
 22 Q. Over the page Mr Rippon replies:
 23 "We're putting the cart way before the horse here.
 24 We have been looking into the story but it is far from
 25 clear it will ever be strong enough for us even to run
 Page 227

1 it. At the moment I'm not satisfied that it is, so I
 2 would not worry about this until we are clearer where we
 3 are with the story."
 4 You say that is in a sense double speak because the
 5 story was already dead in Rippon's mind?
 6 **A. Yes.**
 7 Q. I can't help noticing that Mr Rippon copies that email.
 8 He replies to all, but he adds somebody, doesn't he?
 9 **A. Yes, that is very significant.**
 10 Q. Why do you think that might be?
 11 **A. I think -- you know, I read that, I think, at the time**
 12 **even as being he's telling his superiors that he's**
 13 **killed the story. I mean, I certainly noticed the**
 14 **addition of Steve Mitchell's name.**
 15 Q. And then he follows it up, Mr Rippon, with an email to
 16 you a minute later. If you go to two pages on, 34:
 17 "What is the latest, did the CPS get back?"
 18 **A. Yes.**
 19 Q. "There's a limit to how much time it is sensible to
 20 continue chasing this."
 21 **A. Yes.**
 22 Q. And your reply is at 42. This isn't the whole red flag
 23 email --
 24 **A. No.**
 25 Q. -- but --
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<p>1 A. The "as you know" tells that you that I have been saying 2 this to him again and again and again. This is not 3 a new thought for me in there. 4 Q. You would say, I imagine, that although you didn't send 5 the red flag email what we do see here is you telling 6 Peter Rippon at least that: 7 "The danger of not running it is substantial damage 8 to the BBC reputation, but no point having that 9 discussion until I have the final word from CPS." 10 In other words, if you meet what we might call the 11 Rippon criteria, that's great, and if you don't you will 12 have the argy-bargy; is that fair? 13 A. Yes. 14 Q. You say in your submission at paragraph 18.6 that you 15 had never used those words in your 24 years at the BBC. 16 A. No, never. 17 Q. So I take from that, that someone in your position, this 18 is really sticking your neck out, is it? 19 A. Yes, absolutely. 20 Q. Although it might seem to a lawyer as being rather 21 mildly expressed. 22 A. Yes. 23 Q. But in BBC code it is understood as being somebody 24 really sticking his neck out. 25 A. Those are key words "substantial damage to BBC Page 229</p>	<p>1 A. All right, yes. 2 Q. If we go to page 44, who is Mary Wilkinson? 3 A. She used to be deputy editor of Newsnight. She's now 4 something quite big in World. 5 Q. BBC World? 6 A. Yes. 7 Q. I think I know what that means. That's the -- 8 A. She commissions films, I think, for BBC World. 9 Q. That's the channel you see when you are in a foreign 10 hotel? 11 A. Yes, but she has also been an adviser to DG for 12 a period, all that sort of thing. She's actually very, 13 very good, very competent. 14 Q. She's a friend of yours. 15 A. Yes. 16 Q. You are emailing at 20 past 11 at night? 17 A. That is probably because I had only just got round to 18 that stuff. Because this would be all of the extra 19 stuff, of people sending you extra stuff. 20 Q. You say in this email: 21 "Meanwhile I'm dealing with the BBC which doesn't 22 want to put out a piece about Jimmy Savile being 23 investigate by the police about sexual offences against 24 13, 14 and 15 years old, including interviews with 25 victims because it might damage the audience for the Page 231</p>
<p>1 reputation" is saying, you know, this is absolutely 2 existential, you know, threat. 3 Q. So you would say you didn't copy that to Mr Mitchell 4 because it is obvious from the exchanges we have just 5 been looking at that Rippon and have Mitchell are in 6 very close contact? 7 A. I assume so, yes. 8 Q. Now, meanwhile -- 9 A. But remember also this is, you know -- all this is doing 10 is repeating what has been said again and again by Liz 11 and myself for days and days by this stage. Seven/eight 12 days we have been going at it. 13 Q. We can see from page 38 what Liz MacKean thinks of it, 14 can't we, from the top of the page? 15 A. Yes. 16 MR POLLARD: You hadn't seen that, had you? 17 A. A very long time ago, at the time. 18 MR POLLARD: You have seen it, yes, of course. 19 MR MACLEAN: There is another email which I didn't get until 20 recently, in which it is said that Mr Rippon was "trying 21 everything to kill it". You would agree with that, 22 would you? 23 A. Yes. Who is it from or to? 24 Q. I can't remember who it is to. It's a Liz MacKean 25 email. Page 230</p>	<p>1 Jim'll Fix It Christmas special." 2 Had anybody said to you that this piece wasn't 3 running because it might damage the audience for the 4 Jim'll Fix It Christmas special? 5 A. No, they would deny that if you -- 6 Q. Never mind what they would say. Had anybody said to you 7 that that was the reason why this story wasn't to run? 8 A. No, but it seemed obvious to me. 9 Q. So that was your -- 10 A. Yes, my interpretation, and obviously it might damage 11 the audience, it's me being a bit arch. Obviously it 12 would have to go. There was no way you could broadcast 13 our piece and still broadcast the tribute. That's my 14 undercutting it. It's not -- plainly it's not going to 15 go ahead there. 16 Q. The obvious inference from this email is that it was 17 going to go ahead but fewer people would have watched 18 it. 19 A. Okay. That's just my sense of humour, if you like. The 20 way I put that. You know, we can't put out a piece 21 about him being a paedophile because it might, you know, 22 reduce the audience for the Jim'll Fix It Christmas 23 special. It's not -- I don't literally think the 24 Christmas special is going to go out. 25 Q. The last sentence, is that some irony there as well? Page 232</p>

1 A. Yes.
 2 Q. "At the moment my opinion of BBC management is well not
 3 quite as high as it usually is."
 4 Was it usually very high at all?
 5 A. No.
 6 Q. So it's even worse than normal --
 7 A. Yes.
 8 Q. -- it is subterranean instead of low, is it?
 9 A. Yes.
 10 Q. Who did you have in mind?
 11 A. Hmm?
 12 Q. Which individuals in BBC management did you, as it were,
 13 blame for this?
 14 A. To some -- to some extent there I'm thinking of it as
 15 the way it works corporately, because it's not -- it's
 16 not just the individuals, Steve, Helen, whatever, it's
 17 also this thing about a red flag being waved and it not
 18 getting up there. There are all these things going on
 19 in my head, so I'm not actually being specific there
 20 about individuals, it's more the way the machine worked.
 21 Q. You characterised your piece as being one about
 22 "Jimmy Savile being investigated by police for sexual
 23 offences against 13, 14 and 15 year olds".
 24 A. Yes. Including interviews with the victims. So the two
 25 elements are there, the interviews with the victims and
 Page 233

1 the police investigation.
 2 Q. Yes.
 3 MR POLLARD: Could I just ask a sort of supplementary
 4 question on this very point? I am sure you absolutely
 5 realised the significance of what you are suggesting
 6 there, that there are two possible -- more than two, at
 7 least two possible ways of analysing the dropping of
 8 this. One is what you might call a purely editorial
 9 line where your superior, for whatever reason,
 10 editorially sets the bar high, discusses with his
 11 editorial bosses this story. It's difficult, a level of
 12 proof, et cetera, et cetera, and they come down on
 13 a decision that the story isn't safe to run editorially.
 14 You disagree with that, and that's fine.
 15 The idea that the story is dropped because of wider
 16 non-journalistic corporate interests is a much more
 17 damaging allegation, as you know. And it would rightly
 18 be regarded as a terrible breach of all sorts of faith.
 19 Whereas, if you like, route 1 might be a mistake but
 20 it's not. And you weren't convinced enough --
 21 A. At that time.
 22 MR POLLARD: -- at that time that, if you like, the second
 23 more serious path had been taken. But you don't have
 24 any evidence --
 25 A. No.
 Page 234

1 MR POLLARD: -- is that right?
 2 A. No, don't have any evidence what goes on above Peter
 3 really at all. I'm also --
 4 MR POLLARD: Can I just press you on what made you think
 5 that at the time, then? In other words, route 2 rather
 6 than route 1?
 7 A. Firstly, the enthusiasm for the story, "Excellent
 8 prepare for transmission", the enthusiasm in the rest of
 9 the BBC News for the story, let's go out all outlets,
 10 but certainly handbrake turn.
 11 MR POLLARD: But that could have happened by a discussion
 12 between, let's say, Peter Rippon and Steve Mitchell
 13 and/or Helen Boaden where they say "Just have a look at
 14 the level of proof that you're -- I'm not telling you
 15 don't run it, go away and just be sure you are right".
 16 A. Yes, no, that's entirely true. That's entirely
 17 possible.
 18 MR POLLARD: But you think it was more than that.
 19 A. It didn't look like to me at the time, not with the
 20 tributes rushing up. I didn't see -- never mind the
 21 piece in a way, I didn't see how you could run the
 22 tributes on what we already knew. We already -- you
 23 know, essentially we knew he was a paedophile and,
 24 therefore, you couldn't run the tributes.
 25 MR MACLEAN: But if Vision, Danny Cohen or somebody on that
 Page 235

1 side of it didn't know what you knew --
 2 A. Yes.
 3 Q. -- and didn't know anything else to stop him from
 4 running this story, then why shouldn't they run the
 5 tributes?
 6 A. Because from the outside we internally were making all
 7 these divisions between little bits of the BBC and so
 8 on. From the outside the BBC knew he was a paedophile
 9 and they ran the tributes. It doesn't matter which
 10 individuals knew what, it was very important for the BBC
 11 to find a way of stopping that happening. If it's
 12 management doesn't work in a way that allows that to
 13 happen, there's something wrong with the management
 14 process.
 15 Q. That's a rather sweeping statement, if I may say so,
 16 that the BBC knew that he was a paedophile.
 17 A. Well, they did.
 18 Q. The BBC is a collection like all organisations of
 19 individuals.
 20 A. But it has a management structure so that when you feed
 21 something into that management structure that it is
 22 supposed to be able to go wherever it needs to go.
 23 If I feed into my editor that Jimmy Savile is
 24 a paedophile and that there are tributes planned to him,
 25 if the system doesn't work in a way that that message
 Page 236

1 gets up to a level -- I mean, I think that message
 2 should get to DG level, frankly. If that message
 3 doesn't get up there there's something horribly wrong
 4 with the BBC management structure.
 5 Q. Are you making this point that whatever happened to your
 6 story, whether there were or were not justifiable
 7 journalist grounds for not running it, or not running it
 8 at this stage at least, which is the point you make in
 9 your submission, whatever the whys and wherefores of
 10 your story, are saying that there was at least enough
 11 material that should have percolated up through the BBC
 12 to get them to realise that either Jimmy Savile was
 13 a paedophile, or the chances were he was a paedophile,
 14 and the very first they ought to be doing was not
 15 running tributes to him?
 16 A. I mean --
 17 Q. Is that what you saying?
 18 A. Yes, that's exactly what I'm saying. Once you have the
 19 news that there had been a police investigation, a
 20 serious police investigation of him as a paedophile and
 21 we're going to put out tributes on the -- you know, the
 22 main children's entertainment over Christmas is going to
 23 be this? You can't do it.
 24 Q. Let's just test that for a moment. There are public
 25 figures of all sorts, including the legal profession who
 Page 237

1 have been accused and even tried in some cases for
 2 sexual offences of one sort or another and acquitted?
 3 A. Yes, but most of the ones who are tried, except for
 4 a very long time ago, their names are known et cetera.
 5 Q. Once somebody has been acquitted, then there is
 6 absolutely no reason not to treat them in the same way
 7 as everybody else, because they are innocent?
 8 A. It depends evidence came out in the trial, doesn't it?
 9 Q. And surely the people who are in this kind of situation
 10 where there is a police investigation which doesn't go
 11 any further either at the police end or at the CPS end
 12 are in an even stronger position that they are to be
 13 treated as though they were --
 14 A. Except in this case we had a interview with somebody who
 15 claimed to be his victim which was supplementary to what
 16 the police said alleging abuse on BBC premises by BBC
 17 personalities and which everyone who had watched the
 18 interview felt was true. We are not in a position to
 19 run the tributes.
 20 MR MACLEAN: Is that time for a --
 21 MR SPAFFORD: It is time for a break. Thank you, we will
 22 have a few minutes.
 23 A. Thank you.
 24 (3.22 pm)
 25 (A short break)
 Page 238

1 (3.35 pm)
 2 MR MACLEAN: Can you, please, go to page 52 and 53.
 3 A. Yes.
 4 Q. This is an email exchange you had with David Lomax. He
 5 used to work for the BBC; is that right?
 6 A. Yes, he's still a freelance for us occasionally. But --
 7 yeah, he used to be Newsnight.
 8 Q. So this was an email from you being sent outside of the
 9 BBC?
 10 A. Yes, I am afraid it was. I don't think of him as being
 11 outside of the BBC because he doesn't work for anyone
 12 else.
 13 Q. At the bottom of 52 you say:
 14 "Confidentially I'm trying to get an expose of
 15 national treasures, so Jimmy Savile, on air at the
 16 moment. We have uncovered the police investigation of
 17 his sexual assaults on vulnerable 14 and 15-year-olds
 18 and some of them agreed to speak to us, but for some
 19 reason BBC bosses think it might wreck their Jim'll Fix
 20 It Christmas special so they are trying to block it
 21 without sending an email saying 'cover it up'.
 22 That's a rather specific allegation, but it's one
 23 for which, I think, you agreed with Mr Pollard a little
 24 earlier, you had no evidence at all --
 25 A. Yes.
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1 Q. -- is that right?
 2 A. Yes, I would say that's true.
 3 Q. So that was not a terribly responsible thing to be
 4 doing, was it?
 5 A. I didn't have firm evidence for it. I believed it to be
 6 the case at the time. Going back very briefly to the
 7 previous one, I will tell you why I will did this.
 8 There was quite a good reason for me to send that one to
 9 Mary Wilkinson, which is that she was still well
 10 connected at a very senior level.
 11 Q. I was going to ask you actually, the next question was,
 12 what was the purpose of sending this one to Mr Lomax?
 13 A. Yes. Yes, and, er -- (Pause).
 14 Q. Maybe it was just born of frustration, I don't know.
 15 A. No, but it doesn't start about that. It starts about
 16 something else. He must have -- has he sent me an
 17 email? I don't know if he has or not.
 18 Q. He sent you Christmas greetings, I think, at 53, at
 19 11.08; do you see?
 20 A. That's what happened.
 21 Q. He sent you Christmas greetings, a little prematurely,
 22 but still there we are. And you reply.
 23 A. And I think maybe I'm also vaguely thinking about maybe
 24 he has told me that story vaguely before, as well.
 25 About Savile, and the cameraman.
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1 Q. Let me ask you what was the purpose. Can you remember,
 2 what was the purpose of sending it to Mr Lomax?
 3 A. No, I don't remember it having a purpose. But I'm
 4 wondering whether I remembered -- vaguely remembered him
 5 telling me a story about Savile and caravan and so on.
 6 Q. You see it may be that you are --
 7 A. No, no, I mean, I'm seeing that he's put that in -- I'm
 8 wondering whether -- the problem is I now know that --
 9 I know that anyhow -- I don't know whether I vaguely
 10 knew that at the time, whether I was partly fishing,
 11 I don't know.
 12 Q. I understand. What were you hoping he would do with
 13 this information?
 14 A. I was not hoping he would do anything with it. I was
 15 probably expressing frustration. And he's -- he's
 16 a friend of mine, you know, he's an old friend of mine.
 17 Q. He was a reporter.
 18 A. Yes. He was a sort of a -- almost a father figure on
 19 the programme when I joined it.
 20 Q. To Newsnight?
 21 A. Yes. And we did some amazing work together and he's the
 22 sort of person I might have rung up, actually, and said
 23 "Look, David, you are out of this now, what the hell do
 24 I do".
 25 Q. A sounding board?

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1 A. Yes. So there's a bit of that in there as well.
 2 Q. After his reply, which you have been reading at 52, was
 3 that it?
 4 A. Yes, I think so.
 5 Q. This just ran into the sand then, did it?
 6 A. I think so. I maybe partly hoped he would come up with
 7 an idea.
 8 Q. Yes. Go to page 60, please. This is the 9th. So this
 9 is the next day?
 10 A. Yes.
 11 Q. Somebody called Thomas Carter at the CPS gives you
 12 a statement. It turns out actually to be wrong.
 13 A. Yes.
 14 Q. He says "Following an investigation by Kent Police" as
 15 we will see that should be Surrey, I'm not going to
 16 waste time going to that:
 17 "... the CPS reviewing lawyer advised the police
 18 that no further action should be taken due to lack of
 19 evidence."
 20 Those were the critical words, certainly so far as
 21 Mr Rippon was concerned?
 22 A. Yes.
 23 Q. You passed that on to Mr Rippon, as you would expect,
 24 pretty quickly. If you look over the page, within a few
 25 minutes. With an email headed "CPS say" not enough

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1 evidence". You knew that this would be --
 2 A. Yes.
 3 Q. -- if there were any nails left to be hammered in, this
 4 would be the last one?
 5 A. Yes.
 6 Q. This was the last. You sent this to Hannah Livingston
 7 and Liz MacKean as well. You queried at 65 with
 8 Mr Thomas whether he meant Surrey or Kent and he
 9 corrects that?
 10 A. Yes.
 11 Q. This was the last straw for Mr Rippon; right?
 12 A. Yes.
 13 Q. At page 66 -- I don't know whether you have seen this
 14 one?
 15 A. I saw it on Friday night. It is one of the ones that
 16 arrived then.
 17 Q. You see Mr Rippon sends it on within just over half an
 18 hour to Steve Mitchell saying:
 19 "As a result Meirion has accepted my view and agreed
 20 not to pursue any more."
 21 A. I think I explained in my statement that accepted my
 22 view means I'd have a think about do I essentially walk
 23 away from the BBC or accept his editorial decision
 24 however wrong I thought it was, and I decided stay in
 25 the BBC.

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1 Q. Yes. So it had come really to an ultimate decision for
 2 you?
 3 A. Yes, it had.
 4 Q. And --
 5 A. And I think it's very revealing that all these ideas
 6 that people might have gone back to working on it
 7 afterwards, I have had to agree not to pursue the story,
 8 that the story should never -- never be pursued, really.
 9 That's it. It's not agreed that it's not ready for
 10 broadcast yet; it's agreed not to pursue the story.
 11 Q. Yes.
 12 A. Don't find any more evidence, don't find any more
 13 witnesses.
 14 Q. Yes. So it has been suggested to us by others that one
 15 possible not uncommon outcome of this type of story, an
 16 investigative story, is that you get to the point where
 17 the editor says "I'm not putting this on today, or
 18 tomorrow, or next week, because it's not strong enough,
 19 but go away and keep digging, and when it is strong
 20 enough I will put it on"?
 21 A. Yeah. I mean, a common thing to say would be "I need
 22 a second victim on tape. Can you get a second victim on
 23 tape", something like that. That would be a perfectly
 24 reasonable request. I might say, you know -- you know,
 25 "I think that is crazy because somebody else is going to

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1 get this on air before we do if we wait," but it's
 2 a perfectly reasonable thing for an editor to say. Mind
 3 you, to do that they need to look at the evidence. They
 4 would have to look at the evidence really to see what
 5 we've got to know what else they want us to get, and you
 6 can't do that if you haven't looked at the evidence, and
 7 in this case the evidence had not been looked at so
 8 that's really why he couldn't -- I mean, I think the
 9 problem was the evidence was too strong here. It was
 10 not the evidence was too weak --
 11 MR POLLARD: Sorry, Meirion, sorry to interrupt, just so
 12 that specific point.
 13 A. Yes.
 14 MR POLLARD: He obviously had not seen the interview and had
 15 not looked at the synced clips.
 16 A. Well, no, he would have seen the wording of the --
 17 MR POLLARD: He hadn't seen the video.
 18 A. No.
 19 MR POLLARD: Had he seen, had you shown him, if you like,
 20 the full, interview notes --
 21 A. No, he hadn't seen those. They are all things we would
 22 have wanted him to see.
 23 MR POLLARD: Had you specifically said "Would you look at
 24 those?"
 25 A. Yes, "Can we show you the evidence". During those
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1 discussions that started on the 30th.
 2 MR MACLEAN: He had been sent the various iterations of --
 3 A. Yes.
 4 Q. -- not all of them, necessarily, but he'd seen some of
 5 the rough Saviles, hadn't he?
 6 A. Definitely. And he quotes one of them in one of his
 7 emails to Steve, so plainly he has taken that on board.
 8 Q. We can see that there are emails where Liz MacKean does
 9 not give up with a letter and [REDACTED] and
 10 Hannah Livingston is still going wading her way through
 11 old episodes of Clunk Click?
 12 A. But as far as I'm concerned, I have been told to stop.
 13 Q. It really is dead now?
 14 A. That's it. Yes. Yes.
 15 Q. By the end of December somebody called Miles Goslett,
 16 was, if I can put it like this, sniffing around; is that
 17 right?
 18 A. We didn't know that until he did a piece in the
 19 Spectator the week before last.
 20 Q. The week before last?
 21 A. Yes, because --
 22 Q. He writes a piece in The Oldie in February.
 23 A. Yes.
 24 Q. And everybody knows it is him.
 25 A. Yeah, they do.
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1 Q. It has his byline on it, I think.
 2 A. No, no, absolutely, and there was a piece in the
 3 Sunday Mirror on 9 January. What was new about that is
 4 he says in that he contacted the BBC press office on
 5 21 December, so before the tributes go out.
 6 Q. Let me take you -- we could do a double act here. Let
 7 me take you to that. Page 131 is an email from
 8 Helen Deller, who we discussed earlier in the press
 9 office --
 10 A. Yes.
 11 Q. -- to Peter Rippon, Sara Beck and Karin Rosine --
 12 A. Press office.
 13 Q. Can you help me with those two, both of them?
 14 A. No, Sara Beck is probably acting for Steve Mitchell at
 15 this point because Steve is away on holiday, I'm
 16 guessing. Sara Beck's his deputy, or, you know, she
 17 deputises for him when he's away. Karen Rosine press
 18 office, Roger Law, lawyer, James Hardy, press office.
 19 Q. James Hardy is the head of some part of the press
 20 office, I think --
 21 A. Yes, I'm not entirely clear about that structure.
 22 Q. Okay. Now, you have seen this before, in which case
 23 I can cut it a little bit shorter?
 24 A. Yes, I have.
 25 Q. You have seen this?
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1 A. Yes, I have in a different form, I think.
 2 Q. So the basic story is that Mr Goslett is sniffing
 3 around. He's got information that there was
 4 a Jimmy Savile piece that had been dropped.
 5 A. Yes.
 6 Q. He does not appear to know this was a Newsnight
 7 investigation. He's asking for confirmation this
 8 interview took place and why we haven't run the
 9 interview/story. He is writing for The Independent at
 10 this stage."
 11 Two elements.
 12 So Helen Deller recognises there are two elements:
 13 "One is covering up a story as it happened on our
 14 doorstep and the other is not running a story to protect
 15 our own positive programming around Savile."
 16 Now, there is obviously a similarity between that
 17 and your red flagged points.
 18 A. Yes.
 19 Q. And then she suggests less is more. Then the statement
 20 gets worked up:
 21 "The BBC gathers information on hundreds of stories
 22 and not all make it to air. In this case the angle we
 23 were pursuing could not be substantiated, and the
 24 background was too brief that yes there was an interview
 25 with a view to pursuing an interview involving CPS and
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1 police. We had been led to believe that there had been
 2 a recent investigation into the allegations that these
 3 were dropped. However, we could not gain sufficient
 4 information to stand this up."
 5 This goes to the point I was on just before we broke
 6 about people who had been acquitted and so on?
 7 **A. Yes.**
 8 Q. You said that what was different here was that, if you
 9 like, Savile had been investigated because of complaint
 10 X or possibly X and Y, but [REDACTED] was Z?
 11 **A. Yeah, exactly.**
 12 Q. That's the burden?
 13 **A. And went further.**
 14 Q. And went further. Now, this line that gets worked up --
 15 and we've got, as you can see, quite a lot of pieces of
 16 paper here, I could show you quite a lot of them which
 17 have this line in it.
 18 **A. Yes.**
 19 Q. But the drafting of this statement, I think, was done
 20 without any recourse to you at all?
 21 **A. God, yes. No. No. Absolutely not, no.**
 22 Q. So if we go to 137, this is Mr Rippon's reply to that
 23 email we have just looked at. Have you seen Mr Rippon's
 24 reply before?
 25 **A. I saw it on Friday night.**

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1 Q. Right. You see, I am afraid I'm not entirely au fait
 2 with what was sent to you. He says it's not quite
 3 right. There was a police CPS investigation recently in
 4 2007. It was into an historic indecent assault.
 5 However, it was not pursued for lack of evidence. We
 6 were trying to establish if it was true as the woman
 7 alleged that it was dropped because of Savile's age and
 8 celebrity status. We could not establish that that was
 9 the case. The main allegation she made about herself
 10 did not take place at the BBC. She alleged some other
 11 incidents did involving others."
 12 What Mr Rippon is doing there, for whatever reason,
 13 is conflating the position of [REDACTED] with the position of
 14 [REDACTED] is that right? Because "the woman" -- you see,
 15 the woman in the second line --
 16 **A. Yes.**
 17 Q. -- is a different woman --
 18 **A. You are right.**
 19 Q. -- from she in the PS?
 20 **A. Yes, absolutely.**
 21 Q. Yes.
 22 **A. Yes.**
 23 Q. And it was true that [REDACTED] who was a woman that had
 24 alleged because of Savile's age and celebrity status,
 25 had been in contact with the police, that's true?

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1 **A. Yes.**
 2 Q. But the woman who made allegations, as it were, about
 3 herself not taking place at the BBC, that was, as we
 4 know, [REDACTED] --
 5 **A. Yes, who was our key witness --**
 6 Q. Who was the main allegation was the business of Jimmy
 7 Savile taking her out in the car.
 8 **A. And the [REDACTED] stuff at BBC. Oh, about herself,**
 9 **yes.**
 10 Q. About herself.
 11 **A. Yes.**
 12 Q. So part of this anyway -- these are really points for
 13 Mr Rippon, but part of this is coming from what the CPS
 14 have said about not being pursued for lack of evidence.
 15 So he's, as it were, got that point, but there is then
 16 this conflation, but none of this is done by reference
 17 to you anyway?
 18 **A. No, absolutely not.**
 19 Q. If we go to 149, you see at the bottom, Deller to Rippon
 20 and Rosine and Beck and Law and Hardy:
 21 "Thanks all.
 22 "Knowing this journalist he's not going to leave it
 23 alone."
 24 Not pursued, Rosine's happy with this:
 25 "Thanks [REDACTED] -- Sara, Peter, is that okay?"

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1 "Yes, fine."
 2 So Rippon signs that off.
 3 **A. Yes.**
 4 Q. Now --
 5 **A. The way it is written technically you can just about get**
 6 **away with it, Helen's email at the bottom there. Yes,**
 7 **BBC crew did interview an individual about Savile. It**
 8 **doesn't say there is any link to the next bit:**
 9 **"We understood there was relatively recent CPS**
 10 **police ..."**
 11 Q. Yes.
 12 **A. She doesn't actually make a link between the person who**
 13 **is interviewed and the rest of the story, but, yes --**
 14 Q. That's a fair point. Page 224 who is Bridget Osborne?
 15 **A. BBC. She was Hard Talk, I'm not sure which bit of BBC**
 16 **she's in at the moment. She's internal anyhow. I know,**
 17 **and she also was the person who recommended**
 18 **Hannah Livingston to me. That's the relevance.**
 19 Q. Right. So that would explain the reference to
 20 Hannah Livingston then.
 21 **A. Yes.**
 22 Q. So you say:
 23 "She [that is Hannah] has probably told you the
 24 non-journalistic reasons why that didn't appear on air,
 25 outrageous."

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<p>1 A. Yes.</p> <p>2 Q. So that is a reference to the management squashing the</p> <p>3 story as you believed it?</p> <p>4 A. Yes, I mean, I think -- you know, I think Nick used the</p> <p>5 phrase "editorial decision", and that's what the BBC</p> <p>6 uses in the course of this. The trouble is editorial</p> <p>7 decision is, you know, if the editor decides to take all</p> <p>8 his clothes off and run around on the table, that's an</p> <p>9 editorial decision. I prefer journalistic decision</p> <p>10 because I don't think you could find any journalistic</p> <p>11 reason for not running it.</p> <p>12 Q. When you were asked a bit earlier about those emails</p> <p>13 that you sent to Mr Lomax and so on --</p> <p>14 A. Yes.</p> <p>15 Q. -- and you said you believed that at the time --</p> <p>16 A. Yes.</p> <p>17 Q. -- you emphasised, used the expression "at the time" two</p> <p>18 or three times --</p> <p>19 A. Yes.</p> <p>20 Q. -- do I take from that that you don't believe that any</p> <p>21 more?</p> <p>22 A. No, it's just that those are good records of what</p> <p>23 I thought at the time. At the moment there is an</p> <p>24 inquiry going on, and we're finding out more, I want to</p> <p>25 know more.</p> <p style="text-align: center;">Page 253</p>	<p>1 Q. "I know Mirror rang Newsnight office before Christmas</p> <p>2 and said they knew we'd investigated Savile and the Mail</p> <p>3 were on the trail as well. The don't even name the</p> <p>4 establishment."</p> <p>5 Then Rippon says:</p> <p>6 'there has been some internal briefing too which is</p> <p>7 unsurprising but disappointing."</p> <p>8 What's that a reference to?</p> <p>9 A. He's saying, he's presumably to -- there are quotes in</p> <p>10 the article which plainly have come from somebody in the</p> <p>11 BBC, unless the reporter made them up. So there has</p> <p>12 been briefing.</p> <p>13 Q. So internal briefing --</p> <p>14 A. I see what you mean, internal, whether he means --</p> <p>15 Q. He means internal to his operation. He means Newsnight</p> <p>16 briefing, doesn't he?</p> <p>17 A. Not sure whether he means that. Whether he's talking</p> <p>18 about Caroline talking to Mark Thompson or something</p> <p>19 like that. I'm not quite sure. He may mean -- it might</p> <p>20 mean that he's saying someone from Newsnight or someone</p> <p>21 from news has talked to The Mirror --</p> <p>22 Q. Yes --</p> <p>23 A. -- I don't know.</p> <p>24 Q. -- that's how I read it?</p> <p>25 A. It's possible.</p> <p style="text-align: center;">Page 255</p>
<p>1 Q. So what if anything has happened to change your belief</p> <p>2 one way or the other, either to harden or to soften?</p> <p>3 A. Nothing happened to change it one way or the other. It</p> <p>4 is just that at the moment we're finding out new</p> <p>5 information and I'm open to that new information to find</p> <p>6 out what happened.</p> <p>7 Q. Right.</p> <p>8 A. To see if there is, you know, another plausible</p> <p>9 explanation.</p> <p>10 Q. Right.</p> <p>11 A. The reason I'm saying this to Bridget is obviously</p> <p>12 I don't want her to think that Hannah was no good at the</p> <p>13 job and that's why we didn't get it. I'm very clearly</p> <p>14 saying to Bridget that Hannah is good.</p> <p>15 Q. The Sunday Mirror, I think, ran a piece on 8 January.</p> <p>16 A. Yes.</p> <p>17 Q. If you go to page 265.</p> <p>18 A. Yes.</p> <p>19 Q. Now, the Sunday Mirror has run a piece.</p> <p>20 A. Yes.</p> <p>21 Q. I want you to look at the bottom of the page at 265.</p> <p>22 A. Yes.</p> <p>23 Q. So you send an email to, I think, Peter Rippon:</p> <p>24 'I am sure you have seen this.'</p> <p>25 A. Yes.</p> <p style="text-align: center;">Page 254</p>	<p>1 Q. We'll ask him.</p> <p>2 A. Yes.</p> <p>3 Q. You weren't doing any briefing, were you?</p> <p>4 A. No, absolutely not.</p> <p>5 Q. Do you know anybody who was?</p> <p>6 A. No, I don't. The --</p> <p>7 MR POLLARD: Had you had any conversations with</p> <p>8 Miles Goslett before he contacted the Beeb on December</p> <p>9 21?</p> <p>10 A. No, the first conversation I had with him was when he</p> <p>11 [REDACTED] about me two weeks ago</p> <p>12 for the Sunday Times, which said that I had hidden the</p> <p>13 interview with [REDACTED].</p> <p>14 MR POLLARD: Right.</p> <p>15 A. What happened was The Mail rang me --</p> <p>16 MR MACLEAN: When are we now?</p> <p>17 A. October 21 is when that story came out.</p> <p>18 Q. Can we come to that?</p> <p>19 A. Sure. But that was the first time and I talked to him</p> <p>20 because he'd written -- he had put his name on an</p> <p>21 [REDACTED] article.</p> <p>22 Q. In The Sunday Times?</p> <p>23 A. Yes.</p> <p>24 MR POLLARD: I would just say that my reading of 265 is</p> <p>25 clearly Peter Rippon is saying somebody is leaking to</p> <p style="text-align: center;">Page 256</p>

64 (Pages 253 to 256)

1 the newspapers and also there is spinning going on
 2 internally inside the BBC and perhaps inside the news
 3 department.
 4 **A. Okay.**
 5 MR POLLARD: And I think --
 6 **A. I think that is quite possible.**
 7 MR POLLARD: -- he's asking obliquely, are you doing this?
 8 **A. He's kind of asking me am I doing it, because the way**
 9 **I respond to that is I look at what is said in the**
 10 **piece.**
 11 MR MACLEAN: This is a from The Mirror that someone
 12 somewhere should have realised; yes?
 13 **A. Yes.**
 14 Q. You quote that. And then you say that is probably "it":
 15 "... sounds like someone who thought we shouldn't
 16 have done it in the first place, and probably not
 17 someone from Newsnight."
 18 **A. [REDACTED]**
 19 **[REDACTED]**
 20 Q. Yes:
 21 "Mirror call came day after news gathering party."
 22 And then it doesn't mention certain other things.
 23 So "I find this slightly opaque" is your reply to Mr
 24 Rippon. What is the real message you are trying to
 25 communicate, just cutting through the verbiage?

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1 **A. It looks to me like it has come from someone who doesn't**
 2 **think we should have done the story in the first place.**
 3 Q. Did you have somebody in mind?
 4 **A. No, absolutely not.**
 5 Q. Somebody who had worked in Newsnight or had worked in
 6 news?
 7 **A. No, I mean, there's one -- [REDACTED]**
 8 **[REDACTED]**
 9 **[REDACTED]**
 10 Q. **[REDACTED]**
 11 **[REDACTED]**
 12 **[REDACTED]**
 13 **[REDACTED]**
 14 **A. I'm not making any allegation here, definitely not, but**
 15 **there are people like that. They would know things.**
 16 **There are all sorts of things -- I mean, the reference**
 17 **to the news gathering party here, I was not at that**
 18 **party because it was the same night as the Newsnight**
 19 **party, but I know that at that party people were talking**
 20 **about the -- you can imagine, something like this**
 21 **happens, there's a big buzz internally about it.**
 22 Q. The acrimony in that departure from Newsnight --
 23 **A. Yes.**
 24 Q. -- between whom was there acrimony?
 25 **A. Between [REDACTED]**

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1 Q. **[REDACTED]**
 2 **A. [REDACTED]**
 3 **[REDACTED]**
 4 **[REDACTED]**
 5 Q. Is that not a compliment?
 6 **A. Apparently, not, no. So there was quite a lot of**
 7 **acrimony.**
 8 Q. What is your relationship with James Hardy?
 9 **A. I don't have one.**
 10 Q. Have you ever met him?
 11 **A. I've talked to him on the phone once, I don't know, I**
 12 **mean, you know, there are endless people in the press**
 13 **office. There are hundreds.**
 14 Q. Have you ever done him a bad turn?
 15 **A. No.**
 16 Q. Look at 267, please. Look at the bottom first of all,
 17 take it in stages. This is Helen Deller and she's
 18 putting down -- I have seen more of these than I care to
 19 remember, she's putting down as we're on the record, on
 20 the log, what she's done, do you see, from Helen Deller,
 21 see previous log, Nick Owens Sunday Mirror ask, if we go
 22 over the page she's just recording who she has spoken to
 23 to get the position down on the log?
 24 **A. Yes.**
 25 Q. Then if you look a bit further up, there is another

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1 email --
 2 **A. Yes.**
 3 Q. Helen Deller --
 4 **A. Of course, no, this is new to me. I have not seen this**
 5 **one before.**
 6 Q. Right. So 8 January, 17.09:
 7 "Thanks very much. Yes, saw the S Mirror piece.
 8 Actually when you read it ..."
 9 **A. God.**
 10 Q. "... you just thought what's the point of this story?
 11 BBC investigated something and didn't run it. I will
 12 however drip poison about Meirion's suspected role if
 13 I get the opportunity."
 14 **A. I don't even know the guy.**
 15 Q. It seems to me, reading that email, that you were --
 16 **A. A direct allegation that I have leaked it, obviously.**
 17 Q. But also that you seem to be, if I can use Orwellian
 18 term, a bit of a non-person by this stage?
 19 **A. Yes. This is new to me. The bizarre thing is it**
 20 **doesn't stop them giving me all the sort of most**
 21 **difficult investigations we did all year. It is really**
 22 **bizarre, after this.**
 23 Q. So why would -- it may be obvious, but why were they
 24 dripping poison? Because they suspected that you were
 25 the source of this story --

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1 **A. They obviously suspect I'm the source of the story.**
 2 Q. And suspicion was misplaced, was it?
 3 **A. Absolutely false. Totally false. Yeah, no, I didn't**
 4 **talk to -- I didn't talk to any journalist about this**
 5 **until the Exposure thing broke.**
 6 Q. That's the ITV story?
 7 **A. On 28/29 September this year. Absolutely nobody before**
 8 **that.**
 9 Q. Apart from people in the Mr Lomax category and people
 10 like that?
 11 **A. Yes, Lomax, and also, obviously, Mark Williams-Thomas.**
 12 Q. Yes.
 13 **A. But he knew about it anyhow.**
 14 Q. Yes. If you put that bundle away, you will be relieved
 15 to know I'm not going to take you through all 18. Take
 16 bundle 5, please. Go and to page 38.
 17 **A. Right.**
 18 Q. Do you know who Matthew Hall is? Is he somebody else in
 19 the press department?
 20 **A. I haven't a clue.**
 21 Q. Look in the middle of the page, A5/38, 16 January. This
 22 is an email from Goslett, do you see?
 23 **A. Yes.**
 24 Q. "Further to an article in the Sunday Mirror this month
 25 about Newsnight spiking a report on Jimmy Savile I'm
 Page 261

1 working on a related article for a magazine called The
 2 Oldie."
 3 That is Richard Ingram's magazine?
 4 **A. Yes.**
 5 Q. "Were it to run, it would appear in February."
 6 And then he asks a question?
 7 **A. Yes.**
 8 Q. And The Oldie piece was trailed by the Guido Fawkes
 9 evidence, log or website, or whatever you call it?
 10 **A. Yes, that's where I saw it.**
 11 Q. And if you look at page 49, we see it being trailed in
 12 Guido Fawkes on 8 February?
 13 **A. Yes.**
 14 Q. I think it was in fact published, if I have pieced this
 15 all together, on 9 February. Tell me if this is wrong,
 16 if you go to 88, same bundle --
 17 **A. Yes, that's it.**
 18 Q. It's The Oldie piece, is it?
 19 **A. Yes. I had to go round loads of paper shops that**
 20 **morning to find anywhere that stocked The Oldie to find**
 21 **out what they were actually saying because they're not**
 22 **online.**
 23 Q. I am sure the circulation manager will be delighted.
 24 This Oldie piece is obviously very well informed but
 25 it's not completely accurate, is it?
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1 **A. No, the thing that struck me was the Mark Thompson**
 2 **thing, that was completely new to me at that point. In**
 3 **the last but one paragraph. I had never heard that.**
 4 Q. As we now, as it were, know, that's a reference to an
 5 exchange between Mark Thompson and Caroline Hawley?
 6 **A. Yes.**
 7 Q. But later in December?
 8 **A. On the -- she says it's the -- I checked this with her.**
 9 **She says that party was 20 December.**
 10 Q. Yes, it's late December --
 11 **A. Yes.**
 12 Q. -- after several days, not to say a couple of weeks,
 13 after on your version the story was definitely dead.
 14 **A. Yes, yes. I would say the 9th, well, the 9th where**
 15 **he's -- the 9th is the death of it.**
 16 Q. The CPS confirmation that it was --
 17 **A. And then him getting my agreement not to pursue it, as**
 18 **he puts in this email to Steve.**
 19 Q. Yes?
 20 **A. That's the end.**
 21 Q. We don't get, do we, very much out of the fact that
 22 there was an exchange between Caroline Hawley and
 23 Mark Thompson a couple of weeks later, do we?
 24 **A. No, but to me it was surprising. I didn't know that**
 25 **Thomson knew anything.**
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1 MR POLLARD: Could I just ask in relation to that: was
 2 Caroline Hawley working for Newsnight at the time?
 3 **A. No, but she does stuff for us, and she would be in the**
 4 **office at the time. So, for instance, she had done the**
 5 **bogus bomb detector story with me, things like this.**
 6 **And she might even have been doing a film for us at the**
 7 **time that I was not involved in. She quite often does**
 8 **stuff for us. She would have been in the office.**
 9 Q. You and Liz MacKean had spoken to her that day, hadn't
 10 you, before she went off to the party?
 11 **A. I don't know, because I didn't know about this until**
 12 **later.**
 13 Q. You didn't tee her up to speak to Mark Thomson?
 14 **A. No, I didn't know about the party or anything else.**
 15 **I just didn't know that.**
 16 MR POLLARD: I just wanted to ask in general terms how wide
 17 spread do you think during December, say, running up --
 18 on the 20th or there or thereabouts, but late-ish
 19 December --
 20 **A. Yes.**
 21 MR POLLARD: -- how widespread do you think within the news
 22 department generally there was knowledge of the
 23 Newsnight affair, the Savile affair, if you like?
 24 **A. Up to 25 November almost no one knew, probably five or**
 25 **six of us, it was very, very tight. From there on it**
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1 starts spreading out. Obviously once it goes to Impact
 2 it's obviously -- it's one conversation away from
 3 everyone in the news. I think then what happens is that
 4 once you get to the news gathering Christmas party there
 5 are enough people there that know about it that, you
 6 know, I have been told it was a major topic of
 7 conversation. You know what it is like, something like
 8 that, people go running around saying, "You never guess,
 9 this is what happened."
 10 MR POLLARD: That was the same night you were saying as the
 11 Newsnight Christmas party --
 12 A. Yes, it's a findable date --
 13 MR POLLARD: -- so all the journalists would have it as
 14 a topic of conversation?
 15 A. Yes.
 16 MR MACLEAN: I say this article is not completely accurate,
 17 and for example --
 18 A. It is a long time since I have seen it.
 19 Q. -- in the middle column do you see just above
 20 Jimmy Savile's head it says -- a sentence beginning
 21 "First, the extreme nature"?
 22 Do you see that at the top?
 23 A. Yes.
 24 Q. A few lines down "And second"; do you see that?
 25 A. Yes.

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1 Q. "... the allegations directly involve the BBC in that
 2 the woman who gave the interview said that she and
 3 others were abused by Savile on BBC premises."
 4 That is not quite right.
 5 A. No, no, it isn't.
 6 Q. That day -- sorry, the day -- published on the 9th, the
 7 day of Guido Fawkes blog, the 8th, if you go to page 59,
 8 take it from me, 59 through to 66 and again 68 through
 9 to 73, are emails from you to your amazing.meirion
 10 gmail.com address, and you are simply forwarding, it
 11 seems, a bunch of emails we have already seen.
 12 A. Yes.
 13 Q. Why?
 14 A. It's got the link to The Mirror story on it. So I would
 15 want to keep that link to The Mirror story.
 16 Q. Why?
 17 A. Because it is about Savile.
 18 Q. Why email it to the gmail address?
 19 A. So I have a copy of it.
 20 Q. But you had a copy of it already?
 21 A. Yes, no, but I mean, I have already explained to you,
 22 our webmail system is not very reliable. If you want to
 23 access something at home you can't be sure.
 24 Q. So this is for personal safekeeping?
 25 A. Yes. I quite often do it. I quite often send something

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1 to that address as well.
 2 MR POLLARD: Did you think it would blow up big time?
 3 I mean, that was your view when you wrote the red flag
 4 email.
 5 A. Yes.
 6 MR POLLARD: Were you still expecting a detonation at some
 7 stage?
 8 A. Well, actually I was surprised how little The Oldie made
 9 in a way. I thought -- I was more interested in the
 10 Savile story getting out, to be honest, rather than the
 11 BBC side of it. And Mark I knew was dedicated to that
 12 side of it, and Mark was going ahead with that. At that
 13 point I didn't know where it was going or who he would
 14 do it for, but I was confident that he would take our
 15 story on and that the story about Savile would get out
 16 there. That was what I wanted.
 17 MR MACLEAN: Right, I see. And it ends up on ITV Exposure?
 18 A. Yes.
 19 Q. Go to 117, please. At about the same time as The Oldie
 20 there is a piece in The Mail under the byline of
 21 somebody called Emma Reynolds; do you see?
 22 A. Yes.
 23 Q. The same sort of stuff.
 24 A. Yes.
 25 Q. Mr Rippon emails you:

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1 "I am mulling now making a formal statement denying
 2 this was anything other than editorial reasons.
 3 "The allegation that we are withholding from the
 4 police is also seriously damaging. Everything we got
 5 was from the same woman the police spoke to, was it
 6 not?"
 7 A. This keeps coming up again and again.
 8 Q. If you go over the page, on the same day -- I don't know
 9 whether you have seen this before, have you? I just
 10 don't know what was in your documents precisely.
 11 This is an email from Peter Rippon to
 12 Stephen Mitchell --
 13 A. No, I haven't seen this before.
 14 Q. -- the same day, four minutes later:
 15 "The allegation that we are somehow withholding
 16 something from the police is also highly damaging. Let
 17 me just check [with you he says] that we have nothing
 18 else than what we got from the same we got from the same
 19 women the police spoke to."
 20 Your reply is quite an important document, one might
 21 think, at 119.
 22 A. Yes.
 23 Q. We can see what you say:
 24 "Danger that if you issue a statement it will give
 25 this legs. If you do issue a statement, you should end

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1 it by saying we have not withheld any information from
 2 the police and we would of course be happy to talk to
 3 them about any information we have gathered."
 4 A. Yes.
 5 Q. What was the basis for that sentence?
 6 A. I think in The Oldie hadn't it said that we had
 7 withheld? Where is The Oldie?
 8 Q. 88. Yes, in the last column, just under the capital T
 9 in bold:
 10 "... sure that the BBC had a duty to inform the
 11 police."
 12 A. Yes, that's what that is about.
 13 Q. I understand that's what it is about, but my question to
 14 you is what is the basis for you saying "We have not
 15 withheld any information from the police"? What's the
 16 basis for it?
 17 A. My view at the time was that what we had was obviously
 18 stuff -- loads of stuff on Savile, but that was not
 19 relevant because he was dead. We had the Gary Glitter
 20 stuff, but we had an unnamed girl at that point -- her
 21 view has changed since, but [redacted] couldn't identify who
 22 the girl was at that time. She thought she was from
 23 Duncroft, which would have meant she was under 16, but
 24 given that she could not identify her, I was not sure
 25 what evidential value that had.

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1 A. No, that's fair enough, yes.
 2 Q. And then you say --
 3 A. I mean, do you want me to carry on with my explanation
 4 on that or not.
 5 Q. I'm going to ask you a few questions about this.
 6 A. Okay, because it's important at the end of that I come
 7 to the explanation on that.
 8 Q. Okay. If I don't cover it all, when I finish this
 9 little topic, then by all means say what you want to
 10 say.
 11 "Factually" you say:
 12 "We did not begin this investigation until after his
 13 death."
 14 We know that's right:
 15 "We did have information the police did not have in
 16 2007 because we found another victim, [redacted] who did an
 17 on-camera interview about being sexually abused while
 18 underage by Jimmy Savile but he was already dead by then
 19 so it was not possible for the police to prosecute him.
 20 She did tell us about Gary Glitter having sex with an
 21 underage girl in Jimmy Savile's dressing room in 1974
 22 but she could not identify the girl and in any case
 23 Glitter is already on the paedophile register."
 24 What was the purpose of that last bit? Yes, he was
 25 on the paedophile register, so what?

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1 Q. Hannah Livingston thought she had identified her.
 2 A. Yes, but that had gone away again. It turned out that
 3 was wrong -- or [redacted] believed it was wrong.
 4 At that stage they thought that. By the time we got
 5 anywhere near broadcast that had gone away, [redacted] no
 6 longer thought it was [redacted]
 7 Q. And [redacted] to you was a Duncroft girl or not?
 8 A. Yes, she was a Duncroft girl.
 9 Q. So if it had been her she would have been definitely
 10 under 16 because once you got to 16 you were no longer
 11 at Duncroft?
 12 A. Yes.
 13 Q. So that would have made good the suggestion that the sex
 14 was with underage?
 15 A. Agreed. But since then [redacted] said to us -- before
 16 broadcast, [redacted] said it was not her.
 17 Q. But you didn't know -- it is a complicated question --
 18 you didn't know that police knew about the Gary Glitter
 19 allegations. In fact you had every reason to think they
 20 didn't know?
 21 A. Yes. I mean, at the time for some reason I thought they
 22 did, but I don't -- they didn't.
 23 Q. In fact you had no reason to suspect that they knew and
 24 every reason to suspect they didn't go, because you got
 25 it from [redacted] who had never been to the police?

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1 A. If he hadn't been I would have been much more worried.
 2 So if we had an allegation, however weak, that somebody
 3 who we didn't know was a paedophile was a paedophile,
 4 I would have been much more likely to have taken action
 5 on that.
 6 Q. In your submission, if you go to paragraph 1.10, where
 7 you deal with this topic that we're on now --
 8 A. Yes.
 9 Q. -- you rather soften the position, don't you? You say
 10 in the second line of the second sentence:
 11 "I thought we should invite the police to talk to us
 12 about what we had to be sure. Although I didn't think
 13 we had anything of evidential value against living
 14 people."
 15 A. Yes, that's why I suggest --
 16 Q. It's not quite the same thing as what you say here,
 17 is it?
 18 A. No, it is, that's why I suggest saying we would, of
 19 course, be happy to talk to them about any information
 20 we have gathered. That's exactly why I wanted that to
 21 go out.
 22 Q. There is a difference between we have not withheld any
 23 information on the one hand --
 24 A. Okay, maybe it should have said "we have not knowingly
 25 withheld any information and we would be, of course, be

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1 happy to talk about any information we have gathered".
 2 Q. That is slightly different again, isn't it? There is
 3 difference, isn't there, between we have not withheld
 4 any information on the one hand --
 5 A. Yes.
 6 Q. -- and I didn't think we had anything of evidential
 7 value on the other? Because the latter is accepting you
 8 have information but forming a judgment about its
 9 evidential value?
 10 A. I agree, I accept that.
 11 Q. But the judgment of its evidential value on any view was
 12 not a matter for you, was it? It was a matter for the
 13 police and the CPS?
 14 A. I absolutely agree with you on that.
 15 Q. So you, if I may say so, in your statement were rightly
 16 reflecting some unease, I suggest in your position about
 17 this Gary Glitter information; is that fair?
 18 A. Yes, absolutely.
 19 Q. On reflection, would you agree that you could and
 20 perhaps should have played your hand slightly
 21 differently?
 22 A. Yes, I think so. I would agree that. I said that in
 23 the Panorama interview, that I did.
 24 Q. So on reflection you probably should have sent the --
 25 provided at least some of the information that you

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1 required to the police?
 2 A. Okay, there's a problem there and there's an
 3 explanation.
 4 Q. Right.
 5 A. The problem is that we were sort of almost supposed to
 6 pretend this hadn't taken place.
 7 Q. Pretend to whom?
 8 A. To our bosses that this would not be pursued, nothing
 9 more would be done. That this -- it was almost as if
 10 this was something that was written out of history. You
 11 have to remember that when the story broke on October 1,
 12 BBC News were told they couldn't use any of our
 13 material. Not even BBC News could use our material for
 14 the first God knows how many days that the story was
 15 running. They wanted to run our stuff. They weren't
 16 allowed to.
 17 Q. Because?
 18 A. I don't know. You are going to have to ask somebody
 19 else. But they were told they were not allowed to use
 20 us, they were not allowed to approach us, they couldn't
 21 use the interview with [REDACTED]
 22 Q. But no BBC higher up ever told you that you couldn't
 23 take material to the police, surely?
 24 A. No, they didn't, no.
 25 Q. That would be extraordinary?

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1 A. But obviously it's not me that does that. It's my
 2 editor, Peter Rippon, who would make that decision to
 3 take stuff to the police.
 4 Q. The one thing you and Peter Rippon seem to be agreed
 5 about throughout this period is that whatever other
 6 things there were between you --
 7 A. Yes.
 8 Q. -- you seemed to be agreed that you had not dropped the
 9 ball vis-a-vis the police at all; is that fair?
 10 A. Yes, because -- but partly in my case because I had
 11 a safety net on that.
 12 Q. Which was?
 13 A. Well, the safety net was that we had employed a child
 14 safety officer, former Surrey paedophile police officer,
 15 to look at our material, and he was going on with this
 16 stuff --
 17 Q. I see --
 18 A. -- and he was going to broadcast. And so the thing that
 19 made me feel most confident, because let's face it, we
 20 didn't have all that much in terms of a police
 21 prosecution, but the moment the piece went out there
 22 were going to be a hundred victims coming forward, there
 23 was going to be loads of evidence, there would be
 24 arrests, et cetera, that was the main thing that was
 25 going to give the police stuff they could really do

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1 something with. So it was the moment of broadcast that
 2 was going to make the big difference, and that was going
 3 ahead with Mark.
 4 I thought that if Mark thought that anything that we
 5 had was something that the police needed urgently he
 6 would have done something with it. He's a professional.
 7 He knows what to do with that stuff, I don't.
 8 Q. Did you or Mr Rippon ever go to the BBC editorial
 9 guidelines to find out whether they gave any help about
 10 this sort of situation and whether you should take
 11 material to the police?
 12 A. I didn't, because, as I say, my main -- my main feeling
 13 was that we had Mark doing this and that was -- you
 14 know, that was going to be how it was going to come out.
 15 Q. This is one of the points that the BBC gets pressed on
 16 later.
 17 A. Yes, no, I know that. I know that.
 18 Q. They develop a line, and the line essentially is, if
 19 I have remembered it correctly, the BBC's attitude to
 20 giving information to the police is if the police ask
 21 for information we will give it a jolly good think.
 22 A. Yes.
 23 Q. That's roughly it, isn't it?
 24 A. Yes.
 25 Q. In other words, the BBC's line is reactive rather than

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1 proactive.

2 A. That's why I asked us to put out in a statement that we

3 would be happy to talk to the police, rather than -- you

4 know, inviting them in, rather than saying nothing. And

5 that never went out there.

6 Q. You are agreeing with me, I think that the line that the

7 BBC developed was this reactive one?

8 A. Yes, no, I agree.

9 Q. And, of course, the police can only come and ask for

10 information relevant to an investigation if they know

11 there is something to investigate, chickens and eggs?

12 A. Exactly. And I don't think to be honest they would have

13 been very interested if I had gone to them with what we

14 had. Whereas, I think, once the whole thing exploded

15 there would be plenty for the police to get into.

16 Q. Take bundle 8 for a moment, but don't put 5 away. This

17 is 3 October 2012.

18 A. Right.

19 Q. This is an email from you to Tom Giles. Page 20. In

20 the context of this, I assume, but tell me if I'm wrong,

21 is that the Panorama -- this, I think, is the date of

22 the ITV broadcast.

23 A. It is.

24 Q. It is the morning of the ITV broadcast.

25 A. Yes.

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1 Q. So it may be obvious but why are you in touch with

2 Tom Giles then?

3 A. What happens over that week is on 1 October, the Monday,

4 the output editor on Newsnight wants to broadcast our

5 material.

6 Q. And that person is?

7 A. Neil. My brain is not working.

8 MR POLLARD: Breakwell.

9 A. Thank you. Sorry. He wants to broadcast. Peter says

10 no, we're not going to. It becomes obvious to me that

11 he's going to stick to the line he said the day before,

12 which is actually not even the angle that we couldn't

13 substantiate the story, is what Peter puts out to The

14 Telegraph and another paper on Sunday.

15 Q. Right.

16 A. I say I can't go along with that. If there is an

17 inquiry, House of Commons Media Select Committee or a

18 trust inquiry into this, you know, we have to tell the

19 truth, we can't rewrite history.

20 Q. So what's the short answer to the question why you are

21 contacting Tom --

22 A. So what's happening over that week is then the next day

23 they put out the blog.

24 Q. On the 2nd?

25 A. On the 2nd, which is obviously false and I'm getting

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1 more and more concerned that -- what am I doing? You

2 know, I'm trying to be inside the tent at this point but

3 I can't see -- every day gets worse. So I start -- Tom,

4 I think, texted me on the Monday night saying: what's

5 really happening here? And I start talking to Tom. And

6 he's, you know, a senior editorial figure I have known

7 in the past and we're talking all the way through that

8 week then.

9 Q. Right. So this is not -- you haven't necessarily got

10 the idea at the moment of Panorama doing anything?

11 A. No.

12 Q. But it might now be seen as the embryo for that?

13 A. Yes, I think that is exactly right.

14 Q. Page 20, you said in a mini timeline here, and it's

15 chopped off by the hole-punch, but do you see Thursday?

16 A. Yes.

17 Q. "By now we have established that several girls went to

18 the police and we have talked it out."

19 As I mentioned earlier, that's not quite right,

20 is it?

21 A. Well, they have been contacted by the police you are

22 right, that would be more accurate.

23 Q. One or two girls went to the police and then several

24 were contacted by them.

25 A. Yes, shorthand.

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1 Q. Then at 356 in the same bundle, on 4 October, you were

2 contacted by Nadia Banno, who I think is a lawyer at the

3 BBC --

4 A. She's head of litigation. This is who I was to talking

5 about before. This is when we start talking about

6 handing over all the stuff to them.

7 Q. She says at the bottom of the page:

8 "In relation to the women you interviewed did all of

9 them either appear in the ITV documentary last night or

10 have they come forward in other press reports. If there

11 are other women you spoke to who have not come forward

12 publicly, can you tell me how many there are. If it is

13 the case you are aware of other women who have not come

14 forward I think that is something we should pass on to

15 the police."

16 A. That is a mistake in there, I can see that, that's just

17 a mistake -- oh, no, it isn't. No, it isn't a mistake.

18 Q. What is a mistake?

19 A. I thought I saw a mistake by -- in what I had written

20 but it isn't.

21 Q. You are quicker than me, I'm just reading the one at the

22 bottom.

23 At the top you see:

24 "Our researcher has gone to a production company in

25 Scotland making stuff Channel 4 used in Dispatches."

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70 (Pages 277 to 280)

1 That a reference to Hannah Livingston.
 2 **A. Yes.**
 3 Q. "So I need to double check with her but I can find nine
 4 at the moment that we talked to. I have attached the
 5 original note, although I think there have been other
 6 very minor ones. We were aware of other women who are
 7 supposed to have been assaulted but they have either
 8 refused talk of what went on or never responded. At
 9 least one of the victims who wouldn't talk when we were
 10 researching has talked to the media this week since
 11 others came out. Obviously the notes are very
 12 confidential and we need to talk about this before
 13 deciding what to pass on."
 14 And then you identify --
 15 **A. Yes.**
 16 Q. -- some of those women. So that's the one you mentioned
 17 earlier, is it?
 18 **A. Yes.**
 19 Q. Of Nadia Banno --
 20 **A. Or part of it. In fact I was already -- you know, I was**
 21 **already in correspondence with her sending her stuff**
 22 **before this.**
 23 Q. Right.
 24 **A. So for several days I have been sending her as much**
 25 **material as we can.**

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1 Q. Right.
 2 **A. To the police or whatever.**
 3 Q. Some of that we haven't seen yet.
 4 **A. Right, okay.**
 5 Q. Okay. Do you still have bundle 5 open?
 6 **A. Yes.**
 7 Q. If you go back to 119, that information that you -- that
 8 paragraph I just read to you, that "we did have
 9 information the police did not have."
 10 **A. Yes.**
 11 Q. That is contrary, isn't it, to what later appears in
 12 Mr Rippon's blog?
 13 **A. Yes.**
 14 Q. So this piece of information that you provided to
 15 Mr Rippon gets lost somehow at some point?
 16 **A. Yes.**
 17 Q. He replies to you, at page 123:
 18 "Thanks, I realise it may get legs but the current
 19 line is ..."
 20 I think there must be a typo there. It must be
 21 "not" I think.
 22 **A. I don't know.**
 23 Q. Anyway he wants to do something, doesn't he?
 24 **A. Yes.**
 25 Q. And then you send an email at 127. You have done a bit

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1 of work about Mr Goslett. You gather together a number
 2 of stories about the BBC that Goslett had done in the
 3 past.
 4 **A. Yes.**
 5 Q. You say:
 6 "We know he's linked to [REDACTED] but I think he
 7 has either multiple sources or someone with access to
 8 higher level BBC gossip. I'm confident he's not been
 9 talking to anyone at Newsnight about Savile."
 10 And then at the bottom of that paragraph:
 11 "The only line he wouldn't have got from that was
 12 the Mark Thompson one. Obviously we are most aware of
 13 the two Newsnight-knocking stories."
 14 That's a reference to some of these stories further
 15 down, is it?
 16 **A. Yes, it's the -- the obvious submission about the first**
 17 **one, that is [REDACTED] and that was the [REDACTED]**
 18 **[REDACTED]**
 19 Q. Yes. Right. So the obvious suspicions about the first
 20 one -- what were the two Newsnight-knocking stories.
 21 That was The Mirror and the Oldie, is it?
 22 **A. No, I'm not sure what the other one would be. The first**
 23 **one would be the -- the first one would be the**
 24 **[REDACTED] I'm not sure what the other one is.**
 25 Q. I'm not sure I understand that.

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1 **A. Well, okay, there had been a lot of stories attacking**
 2 **Newsnight over the course of that year for being --**
 3 Q. Right?
 4 **A. -- not very good.**
 5 Q. Yes.
 6 **A. And not having very good audiences any more. The first**
 7 **one is the one I can remember and that was the one which**
 8 **said that, you know, Newsnight was in a terrible state**
 9 **and quoted a Newsnight source as saying [REDACTED]**
 10 **[REDACTED]**
 11 Q. I see, right.
 12 **A. That was [REDACTED] I don't know what the second one**
 13 **was. I'm not sure.**
 14 Q. Right, okay. And then a similar point, page 165, from
 15 you to Liz MacKean, which you were thinking of sending
 16 to Peter tomorrow. This is a particular point.
 17 **A. Yes, we have seen something like this somewhere else.**
 18 Q. Yes, so this is picking up on the Sunday Mirror, yes?
 19 Then somebody called Susan Thompson got in touch with
 20 Newsnight, is that right, by sending something to
 21 a Newsnight email address --
 22 **A. Yes.**
 23 Q. -- which you then followed up?
 24 **A. Yes.**
 25 Q. And in the end passed on to Mark Williams-Thomas.

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<p>1 A. Yes.</p> <p>2 Q. We have the emails, I'm not going to show you them but</p> <p>3 we agree about them?</p> <p>4 MR POLLARD: Did you bring Susan Thompson's note to</p> <p>5 Peter Rippon's attention?</p> <p>6 A. No, I don't think I did.</p> <p>7 MR POLLARD: It is a pretty astonishing thing, isn't it?</p> <p>8 You didn't think it was worth "Look, Peter, this could</p> <p>9 be the final piece of evidence".</p> <p>10 A. But he didn't want evidence. He hadn't looked at what</p> <p>11 we got. I had been told to stop pursuing evidence.</p> <p>12 That wasn't what they wanted. The fact was once the</p> <p>13 tributes had gone out we couldn't run our piece. If we</p> <p>14 ran our piece people would say "Hang on a second, you</p> <p>15 knew before you did the tributes that he was</p> <p>16 a paedophile". The BBC as an organisation -- because</p> <p>17 people keep asking the question, when these things</p> <p>18 started appearing, why didn't the BBC just say "Oh, yes,</p> <p>19 well, we are going to run it now. We can run it now".</p> <p>20 And at one level there is great logic to that.</p> <p>21 MR POLLARD: Sure, they could quite credibly have said, "At</p> <p>22 point A we judged the evidence not to be strong, we now</p> <p>23 have more evidence". That might be said to be a model</p> <p>24 of how these decisions had been taken.</p> <p>25 A. But the problem was because you had broadcast the</p> <p style="text-align: center;">Page 285</p>	<p>1 story would come out.</p> <p>2 Q. Yes, but we see from your red flag email that you knew</p> <p>3 that if it came out the BBC -- you were "confident" to</p> <p>4 use your word, which is a better word, that the BBC was</p> <p>5 going to find itself in a bit of a pickle.</p> <p>6 A. Yes.</p> <p>7 Q. But what you are saying, I think -- tell me if I'm</p> <p>8 wrong -- is that after the 9 December you in effect took</p> <p>9 the message that you had been told to down tools and you</p> <p>10 down tools --</p> <p>11 A. Absolutely.</p> <p>12 Q. -- and having sent the email to Mr Rippon, which isn't</p> <p>13 the red flag one but the very curtailed version, which</p> <p>14 you say in your is statement unlike anything you sent</p> <p>15 for twenty years or ever before --</p> <p>16 A. Yes.</p> <p>17 Q. -- you took the view that the BBC was heading for this</p> <p>18 massive car crash but you had done as much as you</p> <p>19 could --</p> <p>20 A. Yes.</p> <p>21 Q. -- in effect?</p> <p>22 A. Yes. My concern then was to get the Savile story out</p> <p>23 there.</p> <p>24 Q. But that would lead inevitably --</p> <p>25 A. Even though it would lead, I wanted the Savile story to</p> <p style="text-align: center;">Page 287</p>
<p>1 tributes, you are stuffed on that.</p> <p>2 MR MACLEAN: Well, you knew in a sense, that the story was</p> <p>3 going to come out --</p> <p>4 A. I was confident that it would come out.</p> <p>5 Q. All right, confident, via Mark Williams-Thomas.</p> <p>6 A. Yes.</p> <p>7 Q. If not somebody else, probably him.</p> <p>8 A. Yes.</p> <p>9 Q. It was going to come in out in the relative sense sooner</p> <p>10 rather than later?</p> <p>11 A. Maybe I should stop and say there was also a BBC</p> <p>12 producer round about that time as well, around about</p> <p>13 this time frame he came to me and said because of, The</p> <p>14 Oldie piece, "Have you got have stuff? Do you mind if</p> <p>15 I try it with other people?" And I said "Yep, by all</p> <p>16 means, I don't mine."</p> <p>17 Q. Who was that?</p> <p>18 A. Emil.</p> <p>19 MR POLLARD: Petrie.</p> <p>20 A. Very good.</p> <p>21 MR MACLEAN: You were confident it was going to come out and</p> <p>22 you were equally confident that when it came out there</p> <p>23 was going to be, to put it mildly, a firestorm for the</p> <p>24 BBC along the lines of --</p> <p>25 A. Yes, but my primary concern there was that the Savile</p> <p style="text-align: center;">Page 286</p>	<p>1 get out.</p> <p>2 Q. -- to your employer -- you are a member of the BBC</p> <p>3 staff, I think, aren't you? -- facing considerable</p> <p>4 difficulties.</p> <p>5 A. Yes, because you can't cover up things like that, you</p> <p>6 just can't cover up -- you know, you can't -- you can't</p> <p>7 say "We are going to cover up child abuse because if you</p> <p>8 don't it is going to damage my employer".</p> <p>9 Q. Because you didn't know when the story might come out --</p> <p>10 A. As you can see from the red flag thing, initially</p> <p>11 I thought it might come out before Christmas. I thought</p> <p>12 it might happen -- and my main thought was, is it going</p> <p>13 to come out in December or January?</p> <p>14 Q. I'm still struggling. If you know that your employer is</p> <p>15 heading for this almighty --</p> <p>16 A. And I have tried everything I can to warn them.</p> <p>17 Q. Why not -- we talked about trying to make an appointment</p> <p>18 to go to see Helen Boaden or Steve Mitchell, why not</p> <p>19 batter down Mark Thompson's door --</p> <p>20 A. I didn't know him.</p> <p>21 Q. -- keep talking to him and --</p> <p>22 A. If I had known him, I would have done.</p> <p>23 Q. He's the head of this organisation that you know is</p> <p>24 about to face these significant problems, to put it</p> <p>25 mildly?</p> <p style="text-align: center;">Page 288</p>

1 MR POLLARD: For a pretty tough, experienced operator like
 2 you, the fact is you had the blank down tools, that is
 3 as far as it is going from Peter Rippon. You had sort
 4 of inferred that that was the message from
 5 Steve Mitchell and co. But actually shouldn't you have
 6 just at least tried Mitchell, Boaden and up the chain?
 7 I mean, you gave up quite easily, didn't you, on that
 8 particular aspect of it?
 9 You fought Peter Rippon to a standstill. You
 10 reluctantly accepted his view, but shouldn't you have
 11 actually said "It's worth" I don't know however away
 12 Steve Mitchell is, you probably know Steve Mitchell,
 13 I imagine?
 14 A. Yes, I do.
 15 Q. Worth just going and knocking on his door and saying "Do
 16 you mind if.
 17 A. Okay, as we can see now, from the emails I see now, and
 18 I didn't see at the time but I believed it to be the
 19 case, Peter is saying to Steve "I have got Mcirion to
 20 agree not to pursue this". They're both on that. Steve
 21 didn't say "Why would he do that?"
 22 MR MACLEAN: But you didn't know that was what Rippon was
 23 telling Mitchell.
 24 A. That's very much what I believed was going on.
 25 MR POLLARD: Okay.

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1 A. I do think that, you know, this Emil Petrie -- going
 2 off, had a tout round again, and he found it wouldn't go
 3 anywhere.
 4 MR MACLEAN: Let's just look at Emil Petrie. 181 is
 5 Emil Petrie.
 6 A. Yes.
 7 Q. 16 February. An email to you, 17, 18:
 8 "I'm still shocked your story was squashed. Been
 9 Googling various pieces. I can't believe it's not been
 10 done."
 11 So he's incredulous this has not come out.
 12 A. Yes.
 13 Q. And you say:
 14 "I think the official line is that we didn't find
 15 enough evidence and that therefore the story was not
 16 squashed."
 17 A. Yes.
 18 Q. And he emails back and says "official line indeed".
 19 A. Yes.
 20 Q. In other words neither of you believed that that was the
 21 real reason.
 22 A. No.
 23 Q. And similarly, at page 195, Mark Lobel -- if that is how
 24 you pronounce it --
 25 A. Yes, he's a reporter on Newsnight -- or a producer on

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1 Newsnight.
 2 Q. He's a presenter on Newsnight?
 3 A. He's a reporter, a very good investigative reporter.
 4 Q. He was unfortunately [REDACTED] which is what this is
 5 about.
 6 A. Yes.
 7 Q. So Mark Lobel says he's [REDACTED] et cetera:
 8 "Official line on Savile is that we didn't have
 9 enough evidence [you say]. Telegraph and Mail had
 10 a different take on it."
 11 A. Yes.
 12 Q. I can't remember who had written I am afraid, in The
 13 Telegraph?
 14 A. I can't remember either.
 15 Q. Then I want to skip -- unless there is anything that you
 16 really think is going to help us -- to September.
 17 A. Yes.
 18 Q. In September you say in your submission -- page 24,
 19 paragraph 20.2 --
 20 A. Yes.
 21 Q. -- that you had a face-to-face meeting with Mr Mitchell
 22 at his behest.
 23 A. Yes, he came down to the office, found me and took me
 24 into a quiet corner.
 25 Q. And by this stage The Sunday Times was sending letters

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1 to the BBC saying --
 2 A. The Sunday Times?
 3 Q. -- "We're going to run a piece".
 4 A. Oh right. Oh, yes, it's in that stuff you gave me on
 5 Friday night. I haven't read it properly.
 6 Q. You might not have known about that.
 7 A. No, I didn't know about that.
 8 Q. But The Sunday Times was sending something.
 9 A. Yes.
 10 Q. At about this time, I think, there was a letter from
 11 ITV.
 12 A. 7 September was the letter from ITV, I didn't know that
 13 specifically but I did know on the 11th that they were
 14 about to go.
 15 Q. You knew that from what source, from Mitchell?
 16 A. From Mark.
 17 Q. From Mark?
 18 A. Williams-Thomas.
 19 Q. I see. So all through this period you are in contact
 20 with Mark Williams-Thomas?
 21 A. Yes. When I say, all through, at all times. He also
 22 doing stuff for Newsnight in the middle of this period.
 23 Q. So you are fairly abreast of what he's doing?
 24 A. Not in detail. But I know -- I know that broadly he's
 25 doing a piece which is half our stuff and half other

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1 stuff broadly.
 2 Q. Having seen it, as we have, we can see that there is
 3 some additional -- some other different stuff?
 4 A. Yes, I'm saying half ours and half --
 5 Q. Yes, a fellow from the --
 6 A. De'Ath and all those people.
 7 Q. Whatever it was.
 8 A. Yes.
 9 Q. Why did you understand Mr Mitchell to have suddenly
 10 sought you out on 11 September? What was the purpose of
 11 that?
 12 A. I don't know. I now think -- I assume they must have
 13 got -- it must have been because they had got that
 14 request from Exposure on the Friday, on the 7th.
 15 Q. So this --
 16 A. I haven't got an exact date for when he came to tell me.
 17 It's about that time. I couldn't tell you for sure.
 18 Q. There was no email exchange between you?
 19 A. No, nothing.
 20 Q. You say in paragraph 20.2 that:
 21 "He seemed to be aware how strongly I had felt that
 22 not broadcasting it would be a serious make."
 23 Tell me if I'm wrong, presumably you inferred he got
 24 that from Mr Rippon?
 25 A. Yes.

1 time --
 2 A. Yes, yes, sure.
 3 Q. -- it was a surprise that he should have been informed
 4 at the time?
 5 A. I was surprised at that, yes.
 6 Q. Right.
 7 A. Maybe I shouldn't have been, but I don't know enough
 8 about structures.
 9 Q. Right.
 10 A. It was the first time I had heard his name mentioned in
 11 the whole thing.
 12 Q. Apart from what you say here, what else did Mr Mitchell
 13 say?
 14 A. We talked -- I mean, the reason I put the thing in about
 15 the Olympics, a couple of paragraphs earlier, is because
 16 we talked about that in the course of this. So that's
 17 the thing at 19.14.
 18 Q. Yes, about the Azerbaijan and the boxing, yes.
 19 A. So I said to him, I know that when we have the Olympics
 20 thing you resisted that pressure, I know that.
 21 Q. Did you tell him that your friend Mr Williams-Thomas was
 22 going to --
 23 A. Yes.
 24 Q. -- really -- did you basically tell him what was coming
 25 in the ITV documentary so far as --

1 Q. "He told me that there was no high up decision to pull
 2 the film and that George Entwistle had been informed at
 3 the time, which was news to me, but that no pressure was
 4 put no news from other parts of the corporation."
 5 A. Yes.
 6 Q. Just pausing there. He was telling you that this was
 7 a news decision?
 8 A. Yes.
 9 Q. And only a news decision?
 10 A. Yes.
 11 Q. And so, forget for the moment whether it was right or
 12 wrong, who took it in news, it was nothing to do with
 13 Vision?
 14 A. Yes.
 15 Q. And it was nothing to do with Mr Thomson at the top of
 16 the tree either?
 17 A. Yes.
 18 Q. So the waters lap up to but no further than
 19 Helen Boaden?
 20 A. Except at the same time he tells me that
 21 George Entwistle was informed, which was a shock to me,
 22 I'm surprised at that.
 23 Q. In his capacity as director of Vision?
 24 A. Yes, but by now he's director general of the BBC.
 25 Q. When he said George Entwistle had been informed at the

1 A. So far I knew, yes.
 2 Q. Did you at this stage download to Mr Mitchell --
 3 A. Remember, the documentary as such was not very anti-BBC.
 4 Stuff that was anti-BBC was the stuff they did at the
 5 last minute that went out on the Wednesday lunchtime
 6 news on the 3rd. The actual documentary was actually
 7 quite neutral about the BBC.
 8 Q. Leave to one side what ITV was doing. Did download to
 9 Mr Mitchell at this stage all the points that you'd made
 10 to yourself in the red flag email about quite what a
 11 catastrophe --
 12 A. No. No, I started to. I started to and he said, you
 13 know, "I know how seriously you felt about all that,"
 14 and so on and all that.
 15 Q. That's a different point. Just focus -- I understand
 16 that he says to you "I know how strongly you felt about
 17 running this piece".
 18 A. Yes, and about the consequences if we didn't.
 19 Q. Right. That's the bit I'm focused on at the moment.
 20 Because how strongly you felt in 2011 is, in a sense,
 21 neither here nor there.
 22 A. No, no, no, no, very much so. And, you know, what --
 23 how bad you thought it would be if you didn't.
 24 Q. So what was the nature of the decision about the car
 25 crash that you thought the BBC was facing if this --

1 A. I was ready to launch into all that and, as I say, he
 2 stopped it by saying "I know how seriously you felt
 3 about that, the dangers, you know, if we didn't".
 4 I can't remember the exact wording you about it was to
 5 that effect.
 6 Q. Presumably you said "What are you going to do about it,
 7 Steve, to try and head it off"?
 8 A. No, I didn't. I didn't. You know, I --
 9 Q. Why not?
 10 A. It was a very strange conversation. I couldn't work out
 11 at the end of it what the point of the conversation was.
 12 It was one of those.
 13 Q. So he went away. What did you think he was going to do
 14 or say?
 15 A. I didn't know. I didn't know.
 16 Q. Did you feel more or less reassured about what was going
 17 to happen after this conversation?
 18 A. I felt confused. I didn't know -- usually you when you
 19 have conversation like that and you understand -- you
 20 might accept or not accept what somebody is saying, but
 21 you know what the point of it was. I didn't know at the
 22 end of it what the point of the conversation had been.
 23 I know that's not a very satisfactory answer, but that's
 24 how I felt. I just went "I don't know what that was
 25 about".

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1 Q. In your submission you jump -- not a criticism, just an
 2 observation -- from the 11th to the 28th.
 3 A. Yes.
 4 Q. I can't find anything to ask you either between 11th and
 5 28th from the documents. So what happened? Things were
 6 just -- ITV was just ticking along?
 7 A. Yes. I mean, I suppose I thought that once we got --
 8 once we got to the point that we knew that they were
 9 going to air it on the 3rd I thought, I suppose, that we
 10 would probably at least try and preempt it on the first
 11 with what we had.
 12 Q. It gets trailed in the Sunday papers, doesn't it?
 13 A. Yeah, it starts running from about Friday, Saturday,
 14 Sunday --
 15 Q. It's heavily trailed.
 16 A. -- by Sunday it's very heavy and BBC News picks it up
 17 and stats reacting to it with news pieces on the Sunday.
 18 Q. And you had a conversation with Mr Rippon on the 1st,
 19 which is the Monday?
 20 A. Yes.
 21 Q. We see that from 21.3 of your statement.
 22 A. Yes.
 23 Q. Then if we take bundle 7, I think you can put 5 away,
 24 I have a few points I want to ask you about 7 and 8 and
 25 then I think we are essentially done, more or less?

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1 A. Okay.
 2 Q. Bundle 7, page 10. Now, you mentioned this earlier.
 3 This is Mr Breakwell, we see at the bottom of the page.
 4 A. Yes.
 5 Q. He wants to run -- well, he's musing as to whether
 6 Newsnight should do something that evening?
 7 A. Yes. He's actually much more enthusiastic. He's had
 8 a long conversation with Liz that morning.
 9 Q. Liz Gibbons?
 10 A. No, Liz MacKean. He's actually very keen to go with
 11 something.
 12 Q. Mr Rippon is hostile to that. He says it would be
 13 bizarre to jump on ITV's wagon. And you sent him the
 14 email at the top of the page in which you refer to
 15 a bizarre decision to drop the story.
 16 A. Yes.
 17 Q. And you talk about Mr Williams-Thomas and so on.
 18 A. Yes.
 19 Q. And then you say -- you recite some of the emails:
 20 "I don't know what happened to change your mind, and
 21 I thought that was a bizarre decision but I accepted you
 22 had decided to drop the story for editorial reasons
 23 because ultimately you are the editor and it is up to
 24 you to make the calls."
 25 He replied, over the page:

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1 "What disturbs me about the story is all the
 2 briefing and leaking that is going on about what really
 3 happened that is inaccurate and damaging."
 4 He thought you were at least one of those behind all
 5 of these, did he?
 6 A. Yes, he must have done.
 7 Q. "The truth is I was always conflicted about the
 8 editorial strengths of the story, as were Liz and
 9 Shaminder, who I discussed it with ..."
 10 That should be "at length".
 11 Is that an account that you recognise, that Liz and
 12 Shaminder were conflicted?
 13 A. Um, my understanding was that Shaminder was in favour of
 14 it, and Liz was against. That was my understanding.
 15 But I -- I did not have any detailed conversations with
 16 either of them.
 17 Q. "As you will recall, when you first mentioned it I said
 18 I did not think it was a Newsnight type story. When as
 19 is your job you pushed and discovered the police
 20 investigation and the woman claiming the police had
 21 dumped it because he was too old I was interested again.
 22 My response you mentioned when you confirmed the police
 23 investigation was outside interest. However, in the
 24 final judgment when you were told in terms that the old
 25 sick man as alteration was not true and we could not

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1 establish any clear institutional failure, I decided on
 2 balance it was not editorially strong enough for us to
 3 run."
 4 **A. Right.**
 5 Q. That is the same error, isn't it, that the woman -- the
 6 key woman as he refers to in some of the emails -- had
 7 been to the police, her story had not proceeded -- her
 8 allegation had not proceeded because Savile was too old,
 9 but that was just wrong, because [REDACTED]
 10 allegation --
 11 **A. Yes.**
 12 Q. -- had never been to police at all. And that would
 13 appear to be a key confusion in Mr Rippon's mind?
 14 **A. Yes. Yes.**
 15 Q. Then "Should I talk to him first?"
 16 **A. Yes. It should be said that none of my emails had ever**
 17 **leaked at any point during this.**
 18 Q. So this is from Mr Rippon to Mr Mitchell?
 19 **A. Yes.**
 20 Q. So this is a draft. This is what he would like to say
 21 to you?
 22 **A. Yes.**
 23 Q. And Mitchell says "I would talk to him, email Stephen
 24 more prone to leak."
 25 The inference is you would leak it. If he wrote
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1 down --
 2 **A. Plainly.**
 3 Q. Sent you something in writing you would pass it on to
 4 somebody else.
 5 **A. Yes. It has to be said that no email he had ever sent**
 6 **me had ever leaked anywhere, or Steve Mitchell.**
 7 Q. On a similar vein, in your witness statement, your
 8 submission, at 21.6 --
 9 **A. Yes.**
 10 Q. -- referring to this very day, 1 October --
 11 **A. Yes.**
 12 Q. -- a point you touched on earlier:
 13 "On the same day BBC News correspondents and
 14 producers were told not to contact myself or Liz MacKean
 15 for information or material on Savile, which meant they
 16 had to start from scratch."
 17 You are sure about that?
 18 **A. Yes, absolutely.**
 19 Q. How do you know that that instruction was given?
 20 **A. I talked to them all later on, on Thursday night, when**
 21 **it looked like David Jordan was going to order Peter to**
 22 **hand over stuff on the 4th.**
 23 Q. To?
 24 **A. To the news. They told me what the situation was.**
 25 MR POLLARD: Who had told them that?
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1 **A. David Sillitoe, Torin Douglas.**
 2 MR POLLARD: Who had told them not to contact you?
 3 **A. I don't know whether it was Fran Unsworth or not.**
 4 **I don't know. You would have to check with them who had**
 5 **told them not to. Or whether it was Peter Rippon had**
 6 **directly told them not to contact us. I don't know is**
 7 **the answer.**
 8 MR MACLEAN: Let me just get this right. Everybody knows
 9 that ITV is going to broadcast something on Wednesday.
 10 **A. Yes. We are sitting on stuff that could be made into**
 11 **a very decent three or four-minute news piece, a very**
 12 **decent ten-minute piece even at that notice.**
 13 Q. And in the end, some of the BBC News outlets, including,
 14 I think, the 10 O'clock News, start to report the fact
 15 that ITV is going to a documentary?
 16 **A. Everyone reports it, yes. It is reported everywhere.**
 17 **But they're not allowed to use our material.**
 18 Q. But what you're saying here is the BBC --
 19 **A. Or even talk to us for contacts or anything.**
 20 Q. It seems a bit odd to me.
 21 **A. It seemed absolutely bizarre to me.**
 22 Q. What did you understand the reason that had been given
 23 for this?
 24 **A. Never explained why that should be the case.**
 25 Q. There was no enquiry at this stage --
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1 **A. No.**
 2 Q. Nothing was -- as the journalist --
 3 **A. Remember Newsnight then didn't cover the Savile story.**
 4 Q. For several days, for more than a week.
 5 **A. Ten days. For ten days it didn't cover the story, which**
 6 **is utterly bizarre when it was dominating the news.**
 7 Q. And some people in Newsnight were very hostile to that?
 8 **A. Some of them were revolting, which is what eventually**
 9 **happened on the 11th.**
 10 Q. When Liz MacKean did a piece?
 11 **A. Yes.**
 12 MR POLLARD: Could I just ask, if you said this: that draft
 13 that Peter wanted to send to you --
 14 **A. Yes.**
 15 MR POLLARD: -- that he sent to Stephen Mitchell, and Steven
 16 Mitchell says "I will talk to him".
 17 **A. Yes.**
 18 Q. Did he then come and talk to you in those terms?
 19 **A. I had a talk with him. But I can't remember whether**
 20 **that talk was the talk I had before that -- at 10.45**
 21 **I must have had that talk after that. I had a talk with**
 22 **him and gets some very strange things in there like you**
 23 **are saying to me it was quite odd, really, he is saying**
 24 **[REDACTED]**
 25 **[REDACTED]**
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1 MR POLLARD: That's fine.
 2 MR MACLEAN: We know that Mr Rippon published his blog on
 3 the 2nd.
 4 **A. Yes.**
 5 Q. Do you know -- maybe you don't -- that he also wrote
 6 something called a Chain of Events. It was a kind of
 7 precursor of the blog?
 8 **A. Is that something I have seen or not?**
 9 Q. I don't know, I'm just asking whether you know about --
 10 **A. If it was in the Friday night bundle, I might not have**
 11 **seen it properly.**
 12 Q. I don't think it went to you at the time.
 13 **A. Okay.**
 14 Q. If you look in bundle 7 at page 203. You might not have
 15 seen this before, it's an email from Mr Mylrea to
 16 David --
 17 **A. I haven't seen this.**
 18 Q. -- Jordan. Jessica Cecil, who I think works in?
 19 **A. George's office, DG.**
 20 Q. DG's office. Then to Mr Entwistle, his PA. To Sarah
 21 Jones and Nadia Banno who I think are both lawyers?
 22 **A. Yes.**
 23 Q. "Latest Savile draft":
 24 "Latest draft obviously depending on check on Met
 25 issues."
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1 Obviously the police.
 2 Then you can see what is said. It is dealing with
 3 the:
 4 "We deeply regret anything of this sort could have
 5 happened at the BBC".
 6 Just pausing there, in your discussion with
 7 Mr Mitchell in September, was he aware or did he
 8 indicate in the conversation that he was aware that your
 9 investigation had produced these allegations of the sex
 10 with what might have been an underage girl in
 11 Jimmy Savile's dressing room?
 12 **A. I honestly can't remember. I'll be honest, I can't**
 13 **remember that. I would not want to impute any knowledge**
 14 **to him that, I don't -- you know, I'm not sure about.**
 15 Q. Okay. In this line that's being developed by the BBC,
 16 it says:
 17 "These were criminal actions which are the
 18 responsibility of the police who have the powers to
 19 investigate anyone involved."
 20 Now if that was right, it would follow, wouldn't it,
 21 that Newsnight's material ought to be handed over to the
 22 police?
 23 **A. But we are by that stage already doing that. We're**
 24 **doing that. I am handing over everything by that stage.**
 25 **I'm getting everything ready to hand over to the police.**
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1 Q. My point is that if that is right that these were
 2 criminal as allegations which are the responsibility of
 3 the police, that was equally true in November 2011 as it
 4 was on 2 October 2012?
 5 **A. Well that's true, yes. Yes.**
 6 Q. The line that was developed at page 216, it gets
 7 tweaked, this line. It's the same thing that they are
 8 producing. They are just fiddling about with it. At
 9 216 it becomes:
 10 "They are allegations of a serious criminal nature
 11 which only the police have the proper powers to
 12 investigate."
 13 Do you see that?
 14 **A. Yes, I do.**
 15 Q. If that was right, then the material that you and
 16 Liz MacKean and Hannah Livingston had gathered should
 17 have been provided to the police not then but 11 months
 18 earlier?
 19 **A. Yes.**
 20 Q. But then, at 341 we come to this point that I touched on
 21 earlier. If we look at the bottom of the page:
 22 "Helen Deller to Paddy Feeney."
 23 Paddy Feeney is -- I shall know who Paddy Feeney is?
 24 **A. I haven't a clue.**
 25 Q. I will find out. I think he's in the press office.
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1 MR POLLARD: Top communications man, I think, for the BBC.
 2 MR MACLEAN: He would no doubt be appalled by the
 3 description of "in the press office", he's higher than
 4 that.
 5 You see at the bottom:
 6 "These are procedures in place regarding requests
 7 for the release of material gathered in our
 8 investigations."
 9 Then at the top of the page:
 10 "Hi Steve.
 11 "I know Paddy has spoken to you about Savile and
 12 helping the police. This is our standard line which
 13 I think strikes a balance. There are procedures in
 14 place regarding requests for the release of material
 15 gathered in our investigations."
 16 So that's the reactive rather than proactive point
 17 we were on earlier?
 18 **A. Yes.**
 19 Q. To what extent did you have any role in these developing
 20 lines --
 21 **A. None.**
 22 Q. -- that the BBC was --
 23 **A. All I'm doing is handing over all the material we'd got**
 24 **so that the police can have it. So I'm make sure we**
 25 **have done copies of everything. I'm going through**
 Page 308

1 everything.
 2 Q. You saw the blog obviously when it came out, and you
 3 make some trenchant criticisms of the blog.
 4 A. Yes.
 5 Q. As you set out in your submission, which if you don't
 6 mind I will not go through because we have read them,
 7 and we have those points.
 8 A. Yes.
 9 Q. Liz MacKean described it slightly more graphically,
 10 didn't she?
 11 A. Yes.
 12 Q. If you take bundle 8, page 10, the blog was published on
 13 the 2nd. It is in these bundles on endless occasions
 14 but you can see the final version of the blog is at
 15 page 10. Do you see that?
 16 A. Yes.
 17 Q. Liz MacKean emailed you rather early in the morning.
 18 A. Yes, we were both having some quite early mornings at
 19 that point.
 20 Q. Suggesting that the blog was, to say the least, rather
 21 inaccurate; yes?
 22 A. Yes.
 23 Q. And in particular the suggestion that:
 24 "We are confident all the women had we had spoken to
 25 had gone to the police."
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1 Can you offer any explanation for how that came to
 2 be the position as articulated in the blog?
 3 A. I think he actually persuades himself that something is
 4 true, and I think he did that -- very early on he
 5 created that idea in his head, probably not long after
 6 the film was dropped. And then that then persists. The
 7 fact that in February I email him saying that's not
 8 true, that, you know, I tell him on the Monday it's not
 9 true, that Liz says it too, he creates a picture in his
 10 mind and that is then -- he's not consciously lying, if
 11 that's what you are trying to get me to say, I don't
 12 think he is.
 13 Q. I'm not trying to get you to say anything, I promise
 14 you.
 15 A. I think he creates something in his head and then
 16 whatever you say to him that stays there.
 17 Q. Right. Sorry, it's my mistake, I should have shown you
 18 one more thing in the previous bundle?
 19 A. Right.
 20 Q. It's my mistake. Keep that one hope. If you still have
 21 7 there and go to 345, please, I'm going to show you an
 22 email you won't have seen at the time and may not have
 23 seen at all, actually. It's the one that follows on.
 24 Do you see the one in the middle of the page "Hi Steve",
 25 we just looked at that one. This is Mr Mitchell's reply
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1 do you see at the top?
 2 A. I have not seen this before, no.
 3 Q. Let just read it together at the top:
 4 "If we need it that's fine, Helen, and for briefing
 5 Paddy and I were discussing the fact that the request
 6 for material from Newsnight was unlikely as the new rape
 7 allegation that had sparked the BBC offer to cooperate
 8 with the Met only emerged today and is not one that
 9 Newsnight was aware of when they were pursuing the
 10 Savile story. Finally of course we have already said
 11 that the polices were aware of the allegations by the
 12 women that Newsnight talked to, so would have been able
 13 to talk to those women themselves."
 14 That is almost all completely wrong, isn't it?
 15 A. Yeah, it's factually wrong, but to be fair on Steve, he
 16 might not know it's wrong, depending on what he was
 17 told. But it is factually wrong.
 18 Q. Now, the two people who were best placed to know what
 19 the investigation had were you and Liz MacKean.
 20 A. Yes.
 21 Q. Now, we have seen that by a couple of days later --
 22 I took you to something, I think, on 16 October, and you
 23 said, no, no, it was earlier, the 4th Nadia Banno and
 24 so on --
 25 A. Yes.
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1 Q. -- the lawyers saying "What did you have? Give us all
 2 the stuff".
 3 A. We are handing stuff over to the lawyers. We're copying
 4 in Peter with what we're doing.
 5 Q. With the exception of the September discussion with
 6 Mr Mitchell, by this stage what direct interrogation, if
 7 you like, had been made of you and Liz MacKean by the
 8 senior management as to what material you really had?
 9 A. None.
 10 Q. You had no involvement in the blog?
 11 A. No.
 12 Q. Did you know the blog was coming before it emerged?
 13 A. No, I didn't.
 14 Q. Why do you think that that is, that the producer and the
 15 reporter on the piece were apparently deliberately kept
 16 out of loop?
 17 A. Because on the Sunday they had put out a thing saying
 18 that our story wasn't substantiated. On the Monday I'd
 19 said that's not true and I wouldn't go along with it.
 20 Q. On Monday the --
 21 A. 1st. And Liz would have been saying similar things
 22 verbally to Peter. So plainly if they asked us they
 23 were going to get an answer that would not be helpful
 24 for them.
 25 Q. Right. Just leave 7 to one side and go back to 8 if you
 Page 312

1 would, please. We looked at page 10, Liz MacKean's
 2 rather graphic emails.
 3 **A. Yes.**
 4 Q. If you go to page 38, she takes it up the following day
 5 with Rippon and Mitchell and copies you.
 6 **A. Yes.**
 7 Q. And we can see what she says. Pointing out that the
 8 blog was wrong about the women having spoken to the
 9 police.
 10 **A. Yes.**
 11 Q. And then Mr Rippon replies to that at 41, to
 12 Liz MacKean, copied to you and Stephen Mitchell saying
 13 that's not what you had told him on Monday, ie Monday
 14 the 1st. He said:
 15 "We were confident all the women had been spoken to
 16 by the police."
 17 **A. Yes.**
 18 Q. He also said the Glitter claims were something a police
 19 investigation could ..."
 20 There is obviously something wrong with that as
 21 well, "could use"?
 22 **A. That makes sense.**
 23 Q. "... and that other allegations against another person
 24 were not serious anyway."
 25 **A. Yes.**

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1 Q. How much of those two sentences do you accept?
 2 **A. The first sentence is absolutely the opposite of what
 3 I told him, but, as I say, he just would not listen to
 4 that ever. The second half is a characterisation of
 5 what I would have said to him.**
 6 Q. So by this stage you have moved from not having anything
 7 of any interest to the police to nothing of evidential
 8 value to an acceptance that the Glitter claims were
 9 something a police investigation could in fact use?
 10 **A. No, I don't quite get that.**
 11 Q. That's what he said. It is nothing -- maybe it's
 12 nothing. I thought there was something missing.
 13 MR POLLARD: Yes.
 14 MR MACLEAN: I see. Yes, I think that is right. It is
 15 chopped off.
 16 What Mr Rippon is saying is that you said -- he says
 17 you said you were confident all the women were spoken to
 18 by the police, and you say that was completely wrong you
 19 didn't say that at all?
 20 **A. Yes. And I send him an email saying that.**
 21 Q. But you accept that you said the Glitter claims were
 22 nothing that this investigation could use --
 23 **A. Words to that effect. Words to that effect.**
 24 Q. And the same about the other person which were never
 25 going to be mentioned anyway?

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1 **A. Yes, yes.**
 2 Q. Okay. And then your account of this conversation is --
 3 it might save you turning up the bundle -- let's just
 4 look at page -- keep that open at bundle 12. I want to
 5 look at two things at once, here. If you go to page 58
 6 of bundle A8, first of all --
 7 **A. 8?**
 8 Q. Yes.
 9 **A. Okay.**
 10 Q. This is your response to the email we have just looked
 11 at.
 12 **A. Yes.**
 13 Q. You say the first half of this is wrong ie "We were
 14 confident all the women" et cetera:
 15 "I have always said we have more than the police did
 16 on Savile and most of the women we talked to had not
 17 talked to the police although some had."
 18 I'm not sure --
 19 **A. No.**
 20 Q. -- that last bit is quite right, is it, if we go back to
 21 the 7 out of ten?
 22 **A. Yes, the numbers are the other way around.**
 23 Q. But anyway you take issue with his main point.
 24 **A. Yes.**
 25 Q. Mr Mitchell wants it sorting out, doesn't he, if you go

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1 to page 46?
 2 **A. In the same bundle.**
 3 Q. Same bundle, yes. So this is just before the one we
 4 have just looked at, when Mitchell having got the one
 5 from Peter Rippon is saying "That's not what Meirion
 6 told me on Monday", it says "It is important you guys
 7 sort this out".
 8 He says:
 9 "Can you agree on the crucial point that was being
 10 used internally and externally that you had no evidence
 11 that the police didn't already have? Clearly if that is
 12 not the case it has serious implications both to the
 13 women making the allegations, the police investigation
 14 and yourselves. As Liz also highlights we need to be
 15 sure that Peter's version of events is also accurate.
 16 If despite what was said yesterday you now all say that
 17 we've been sitting on evidence for several months that
 18 the police are unaware of this will need to be fed into
 19 the centre where they are trying to defend the BBC's
 20 reputation. You will notice I have not copied the
 21 producer in to this correspondence."
 22 That, of course, was you?
 23 **A. Yes.**
 24 Q. Which is an illustration, is it, of the mistrust that
 25 existed between you and him or at least on his part?

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1 **A. Or on his part. Now, he has an explanation for that,**
 2 **which is something to do with his computer.**
 3 Q. Right. We will take that up with others.
 4 **A. It has to be said, I immediately sent him a reply saying**
 5 **"I have noticed that you haven't copied me in on that".**
 6 Q. Yes. If we go to page 61, I think that might be.
 7 That's the one you have in mind; yes?
 8 **A. Yes.**
 9 Q. "I noticed you didn't copy me in."
 10 So how did you become aware of it? Liz MacKean sent
 11 it to you, presumably?
 12 **A. Yes, I saw it.**
 13 Q. She showed it to you or she sent it to you --
 14 **A. Yes, well --**
 15 Q. So you notice you hadn't been copied in and then you
 16 make those two points; yes?
 17 **A. Yes.**
 18 Q. But are you still resisting the notion that the
 19 [redacted] aspect was anything that could result in
 20 a prosecution of anyone who was alive. Events now would
 21 appear to suggest that's not right, wouldn't they?
 22 **A. Possibly.**
 23 Q. They could result in a prosecution.
 24 **A. Again, what I didn't go on to say there was that I felt**
 25 **to a large extent covered by the fact that [redacted]**
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1 [redacted] and it was going to make far more of an impact for
 2 the police once it came out.
 3 Q. At page 57, in response to Liz MacKean you sent this
 4 email to Stephen Mitchell and Peter Rippon:
 5 "Already talked to Peter about this. It is
 6 inaccurate. Our on-camera interview for instance he
 7 talked about oral sex with JS, and [redacted] having sex
 8 with an underage girl. Had never talked to police."
 9 Next paragraph, 3rd line:
 10 "However, I'm of the belief that on the important
 11 point of whether we are withholding any information that
 12 would be of use to the police I think we are clear.
 13 I was of the belief that another woman had told the
 14 police about [redacted]"
 15 Where did that come from?
 16 **A. I don't know. I was wrong to think that, I think.**
 17 Q. It's not reflected in any of the documents, I don't
 18 think.
 19 **A. No, I think I was wrong to think that. I remember**
 20 **a discussion where I was saying -- with Liz where I said**
 21 **I thought that one of the others had told the police**
 22 **about [redacted] but going through the evidence now,**
 23 **I don't see any trace of that.**
 24 Q. And we touched on this earlier, going back again to
 25 page 53 in the same bundle --
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1 **A. Yes.**
 2 Q. -- Rippon to Liz MacKean and Stephen Mitchell copied to
 3 you, they talked it through with you:
 4 "Let's meet ..."
 5 Ie Liz let's meet:
 6 "He and I [that's you and he] agree on the
 7 fundamental point that we do not have anything that
 8 would help a police investigation."
 9 And that was one thing you were always agreed about,
 10 because you took the same view on [redacted]
 11 **A. Yes, [redacted]**
 12 [redacted]
 13 [redacted]
 14 Q. That is why, if you go to page 88, that point then gets
 15 passed up the line to Mr Mitchell:
 16 "Meirion and I have discussed this. We agree we
 17 never had any information about anyone alive that the
 18 police should have been told about."
 19 Which is, as we've seen already, inconsistent with
 20 the line that the BBC is putting out at the same time?
 21 **A. Also it is a bizarre idea that you brief the press**
 22 **office to stop saying that but you don't change that in**
 23 **the blog.**
 24 Q. Yes. And then you say -- you -- Mr Mitchell agrees with
 25 this at page 91.
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1 In that same bundle 8, page 200, there is an email
 2 from you to Fergal Keane --
 3 **A. Yes.**
 4 Q. -- who is one know to be a well known BBC journalist.
 5 **A. Yes.**
 6 Q. On 4 October. Mr Jordan had been on the radio, I think,
 7 by this stage, hasn't he?
 8 **A. Yes, the Today programme.**
 9 Q. You say, at the end of your email:
 10 "After hearing David Jordan, not his fault he know
 11 nothing about it, he wasn't involved. Defending
 12 management lies this morning, I'm really considering my
 13 options."
 14 **A. Yes.**
 15 Q. So you thought that the BBC management was lying, did
 16 you, misleading the world by what Mr Jordan was saying
 17 on Today?
 18 **A. Yes, absolutely, absolutely. But I wasn't accusing him**
 19 **of lying. I thought he had been misinformed.**
 20 Q. He had been fed a line which he had duly parroted --
 21 **A. Regurgitated.**
 22 Q. -- which was not true.
 23 **A. Absolutely, that's what I thought was going on.**
 24 Q. You in fact had taken steps or did take steps to send
 25 something to Mr -- sent a script, didn't you, to
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1 Mr Jordan?
 2 **A. I go and see him at 12 o'clock first and have a meeting**
 3 **with him where I take in a load of emails with me. For**
 4 **some reason he thinks they are on my phone, and they**
 5 **weren't, they were on paper, but I go in with them and**
 6 **say "Look, this is what happened," in the belief that**
 7 **he's going to change line now that he knows that it's**
 8 **false.**
 9 Q. He's on that radio, that morning, the fourth, is that
 10 right?
 11 **A. Yes.**
 12 Q. If we go to page 420 of bundle 8 in the afternoon you
 13 email him --
 14 **A. The script.**
 15 Q. -- the original script?
 16 **A. Yes.**
 17 Q. And you point out what's in it.
 18 **A. Yes.**
 19 Q. And he says "Thanks very much, I will now reflect on
 20 what you have told me". By that time you had
 21 a conversation with him that you refer to in
 22 paragraph 23.3?
 23 **A. I had one at 12 o'clock.**
 24 Q. Where did it get to thereafter, as far as Mr Jordan and
 25 you were concerned?

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1 **A. Well, I then sent an email to George the next day.**
 2 **I didn't go back to David.**
 3 Q. The next day being --
 4 **A. The 5th, the Friday.**
 5 Q. Yes. If we go to bundle 10. We will take a short
 6 break.
 7 (5.08 pm)
 8 (A short break)
 9 (5.15 pm)
 10 MR MACLEAN: Bundle 10, please, page 95. You mention that
 11 you would had sent Mr Entwistle an email.
 12 **A. Yes.**
 13 Q. I think this is it, isn't it, in the middle of the page,
 14 on 5 October?
 15 **A. That's the first one, yes.**
 16 Q. And this was after the blog --
 17 **A. The statement.**
 18 Q. -- and it was after the statement to everyone which we
 19 see at the bottom of the page?
 20 **A. Yes.**
 21 Q. This is everyone -- that's all BBC staff.
 22 **A. Yes.**
 23 Q. Yes. And we've got -- you won't have seen, probably --
 24 many documents which are the gestation of this statement
 25 which eventually gets published.

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1 **A. Yes.**
 2 Q. You send them they have this email saying:
 3 "One note the investigation was into whether
 4 Jimmy Savile was a paedophile. I know because it was my
 5 investigation. We didn't know that Surrey Police had
 6 investigated Jimmy Savile, no one did. That was what we
 7 found out when we investigated and interviewed his
 8 victims."
 9 **A. Yes.**
 10 Q. You got a reply on 8th, which was -- this is over
 11 a weekend, I think.
 12 **A. Yes, it's this thing that apparently his emails go into**
 13 **a box with people who work Monday to Friday, or**
 14 **something.**
 15 Q. So you didn't get a reply until the Monday.
 16 **A. Yes.**
 17 Q. When he had asked Ken MacQuarrie to get in touch to
 18 discuss it. I think this is right that the reply you
 19 get comes after Mr Entwistle had been on Today, is that
 20 right?
 21 **A. I can't remember.**
 22 Q. Had he been on Today on the 8th?
 23 **A. I can't remember whether he was on the 8th or not.**
 24 **I can't remember.**
 25 Q. We can check.

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1 **A. Yes.**
 2 Q. We can check that, but I think he was. I think, but
 3 anyway for your purposes it doesn't matter.
 4 **A. Yes.**
 5 Q. Now, page 129, I think I would like to show you this
 6 one.
 7 **A. Yes.**
 8 Q. You have seen in?
 9 **A. I have either seen this or something similar. Yes**
 10 **I have seen it.**
 11 Q. You have seen it?
 12 **A. Yes.**
 13 Q. So Mr Rippon to Richard Thurston who is the -- the hole
 14 has gone through it inevitably, but he works in News
 15 Group?
 16 **A. He's head of news HR.**
 17 Q. He says he couldn't run the story because "It looked
 18 like I was undermining all the women involved";
 19 "I couldn't really explain all the reasons why I
 20 didn't want to run it because it would like I was
 21 undermining the women involved which would not have been
 22 wise."
 23 He's talking there about what he said publicly in
 24 the blog, but was that something that he said to you
 25 privately at the time as a reason not to run the story?

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1 A. Well, I mean, there were things where he said he didn't,
 2 you know -- how could we trust their testimony, that
 3 sort of stuff, but then he didn't actually watch any of
 4 their testimony or read it. So he had no foundation
 5 for --
 6 Q. He must have read at least?
 7 A. The script, he read the script.
 8 Q. The script, because as you pointed out earlier, he
 9 copied some of it into one of the emails?
 10 A. He can't make any judgment from reading the script.
 11 Q. Well, you can make a judgment. It might not be a sound
 12 one -- it might not be a sound basis.
 13 A. Yeah, I mean -- anyway he would want to see a big chunk
 14 of that personally. You know, you're not even able to
 15 observe them by reading the script or hear their voice.
 16 Q. Yes. Look at an couple of pages back at 127, also on
 17 the 8th, from Peter Rippon to Liz Gibbons. You have
 18 seen that email before?
 19 A. I saw it on Friday.
 20 Q. Precisely:
 21 "If Panorama do try to come to us. I will throw
 22 a lot of shit at him. He was so personally involved
 23 I became concerned about some of his behaviour, looking
 24 ...(Reading to the words)... not his job, et cetera."
 25 A. Yes.

1 Q. "Since he had already [REDACTED]
 2 [REDACTED]
 3 [REDACTED] it made me nervous about his story."
 4 You are the he in that?
 5 A. Yes.
 6 Q. Let's take it in stages. What do you say about the
 7 second sentence? At the time, in 2011, did Mr Rippon
 8 evidence any -- evidence to you any concern about some
 9 of your behaviour?
 10 A. No.
 11 Q. I don't know who actually booked the editing suite --
 12 A. I think that is important. I would like to deal with
 13 that on the record.
 14 Q. I was going to suggest I couldn't see the importance of
 15 that, but --
 16 A. No, no, it is very important, I think.
 17 Q. Okay.
 18 A. So on -- where are we? Let us find it. We have emails
 19 from Liz Gibbons saying that is she has booked the
 20 editing before this. I'm just trying to find that.
 21 I think that's really rather important.
 22 Q. That will be at the end of November some time?
 23 A. Yes, I'm trying to find the actual -- Right, Monday
 24 28 November.
 25 Q. Um-hm.

1 A. Liz Gibbons says:
 2 "Okay have put two days' editing in the boxes for
 3 Savile, 6th and 7th. Let me know if you need more."
 4 Q. Your point is that she does it not you.
 5 A. She does that.
 6 Q. And that's what you would expect, is that right?
 7 A. Of course that's what you would expect. She is sent the
 8 budget as normal, so she knows what we were doing by the
 9 production coordinator. All of this stuff is just
 10 completely untrue.
 11 Q. Right.
 12 A. I mean, they are almost delusional. That is bollocks.
 13 I'm almost certain and also it's up to me to book suites
 14 not him, Liz. She has booked suites for the edit and
 15 says so in as many words.
 16 Q. Well, she's responding to what -- well, let's take it --
 17 I mean, 128, there has been this piece in The Sunday
 18 Times.
 19 A. Yes.
 20 Q. Liz Gibbons says Peter Rippon should be asked for
 21 a retraction. Edit suites were never booked.
 22 A. Yes.
 23 Q. And then Peter Rippon --
 24 A. Peter Rippon by now is claiming -- this is part of his
 25 thing, he's claiming there is no script, even though

1 last year he's referring to the script and sending bits
 2 of it to people.
 3 Q. Yes.
 4 A. He's claiming that no edit suites were booked. He's
 5 just -- you know, there is a sort of alternative reality
 6 that is being put forward here which Liz is going along
 7 with.
 8 Q. Right.
 9 A. And then we come to the:
 10 "If Panorama do try to come for us I will throw
 11 a lot of shit at him."
 12 Which is what he's done. Refusing to cancel filming
 13 with car and told not to --
 14 Q. The lot of the shit that he threw at you, you say, [REDACTED]
 15 [REDACTED]
 16 A. I think that's some of it, yes. But I don't know as
 17 a fact that he was behind that, but it looks like it.
 18 This refusing to cancel filming with car. That was
 19 on the Friday, the Rolls Royce. If he had wanted to
 20 cancel it, he could have done. He sits -- you know, he
 21 sits where I am, the desk that can cancel filming is as
 22 far away as Nick is. He can just walk across -- if he
 23 had wanted to cancel it, he could have walked across and
 24 cancelled it. It's not a question of refusing to cancel
 25 it. You don't -- you don't have that choice. So this

1 is all --
 2 Q. This is all --
 3 A. He talks about clouded judgment, well, you know, yeah,
 4 maybe there is some in here.
 5 Q. Okay. I get the drift, I think.
 6 A. [REDACTED]
 7 [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]
 14 [REDACTED]
 15 [REDACTED]
 16 [REDACTED]
 17 [REDACTED]
 18 Q. [REDACTED]
 19 A. [REDACTED]
 20 Q. Right. I want to look at something that may be more
 21 directly material, which is an exchange with Mr Mitchell
 22 on 8 October.
 23 A. Yes.
 24 Q. Page 157.
 25 A. Yes.

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1 Q. It starts, I think -- the exchange really starts with
 2 your email to him on 5 October at 158.
 3 A. Yes.
 4 Q. Right?
 5 A. Yes.
 6 Q. Actually it starts at 163 with his email to you --
 7 A. Yes.
 8 Q. -- saying:
 9 "I meant to ask, did we really inform our
 10 interviewer that the Newsnight film was not going ahead
 11 as she alleged in the ITV doc?"
 12 That is a point that [REDACTED] had made on ITV.
 13 She had a grievance about, I think, how she had been
 14 treated by the BBC and by you in particular, which you,
 15 I think, put your hands up to in part at least.
 16 A. Yes. No, no, no, no, no. I mean, basically what --
 17 I mean, if you want to know what happened there was
 18 I don't remember at the time but I apparently informed
 19 her by text saying "You were right, I was wrong,
 20 bugger", and that was the text I sent to her.
 21 Q. And that that was a reference to her saying that when
 22 you left having done the interview, she said the BBC
 23 will never run this, they will block it?
 24 A. Yes.
 25 Q. And you said, "No, no, no, that's not right, I promise

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1 you, and it turns out --
 2 A. Absolutely. The only thing I can say in my defence is
 3 that she was about to [REDACTED]
 4 [REDACTED] I didn't want to ring her up and get
 5 her really upset on the phone in a long telephone call
 6 because I knew that would be what would happen, and
 7 I left her the opportunity then of ringing me if she
 8 wanted to. But, no, it's not my proudest moment.
 9 Q. Right. You sent Mr Mitchell the email at page 158.
 10 A. Yes.
 11 Q. You were going off to Panorama, and you say:
 12 "I understand you still think I was the briefing the
 13 papers, I haven't."
 14 A. Yes, and I give a logical argument that there are --
 15 I've got stuff which were I to leak it would very easily
 16 destroy their case.
 17 Q. And you sent the script, you tagged that on to the end
 18 of the email.
 19 A. Yes.
 20 Q. And then he replies on the 8th.
 21 A. Yes.
 22 Q. And he's still -- he's complaining about the briefing.
 23 A. Yes.
 24 Q. And complaining about some of the language you are using
 25 about the BBC trying to pretend things and not telling

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1 the truth.
 2 A. Yes.
 3 Q. Serious allegations. And he needs to decide how best to
 4 deal with what you have alleged.
 5 A. Yes.
 6 Q. And then you emailed back saying everybody has had
 7 a hard time including him and you and Peter Rippon.
 8 A. Yes.
 9 Q. And you say at the end you are not accusing anyone of
 10 a cover up, but you are essentially saying "I told you
 11 so".
 12 A. Yes.
 13 Q. And you deal with this in your statement at
 14 paragraph 24.7. I think -- yes, you set out -- you set
 15 out that email?
 16 A. Yes.
 17 Q. Right. And then we have the one that we mentioned
 18 earlier about your email to Mr Entwistle saying he still
 19 wasn't briefed properly.
 20 A. Yes.
 21 Q. That we looked at. We don't need to spend any time on
 22 that, and we've discussed your attempt to speak do
 23 Mr Entwistle on the 16th.
 24 A. Yes.
 25 Q. I don't want to spend any time on it because I'm trying

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1 to wrap this up, but we know that you provided a brief
 2 to Mr Entwistle via Mr Horrocks, I think, for
 3 Mr Entwistle's appearance at the committee.
 4 **A. Yes.**
 5 Q. Which you provided on the Sunday evening.
 6 **A. Yes.**
 7 Q. I just want to show you one document from that,
 8 bundle 16, page 1.
 9 **A. Yes.**
 10 Q. Which you might not have seen before.
 11 **A. Right.**
 12 Q. At the bottom of the page, page 1, it is your email to
 13 Mr Horrocks on the 21st. Do you see?
 14 **A. Yes.**
 15 Q. "Peter, as suggested, I have for the purposes of
 16 briefing the DG ..."
 17 **A. Yes.**
 18 Q. Over the page we can see that is your --
 19 **A. Yes.**
 20 Q. It goes over several pages.
 21 **A. Sure.**
 22 Q. Some of it taken from the red flag email.
 23 **A. Yes.**
 24 Q. Then I just want to look at Mr Peter Horrocks's email to
 25 Mr Entwistle on the Sunday:
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1 "Attached is an email prepared by Meirion Jones
 2 intended to be of assistance. I should briefly explain
 3 how this document came about. On Thursday you formally
 4 asked me to take on responsibilities as acting Director
 5 of News re Savile."
 6 Now, that would have been the 18th, I think. Is
 7 that right?
 8 **A. Yes. The 18th. Yes, 18th.**
 9 Q. The 18th:
 10 "I soon understood that ever since the Newsnight
 11 investigation was dropped no BBC News manager had sat
 12 down with Meirion or Liz and asked them to give their
 13 account of what happened."
 14 Is that true?
 15 **A. Yes.**
 16 Q. "I also realised that no BBC manager had asked them to
 17 give their account in their own words."
 18 Is that true?
 19 **A. Yes, except for the verbal conversation with**
 20 **Ken MacQuarrie on Tuesday the 9th.**
 21 Q. That was after the balloon had gone up?
 22 **A. Yes, yes.**
 23 Q. "But in discussion it soon became clear that they would
 24 be more than happy to cooperate and they rapidly agreed
 25 to do so."
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1 So, you explain then in the document that went to
 2 Mr Entwistle --
 3 **A. Yes.**
 4 Q. -- for example, why the blog couldn't be defended.
 5 **A. Yes.**
 6 Q. See for example page 7.
 7 **A. Yes.**
 8 Q. As you say at page 94 in the same bundle, an email to
 9 Mr Horrocks, I think the following day, you say by this
 10 time the blog had been changed or a correction has been
 11 made to the blog; is that right?
 12 **A. Modified.**
 13 MR POLLARD: Which page is this?
 14 MR MACLEAN: 94. 16/94.
 15 **A. Essentially three new items have been added at the top**
 16 **of it, none of which addressed the main problem.**
 17 Q. You say this is a half hearted change the key witness
 18 had not been to the police and that undermines the whole
 19 blog.
 20 **A. Yes, absolutely.**
 21 Q. For reasons that we discussed, that the police
 22 investigation was nothing to do with [REDACTED]
 23 allegations so why it ran into the sand was neither here
 24 nor there, so far as she was concerned.
 25 **A. No, exactly.**
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1 Q. That's the thrust of, isn't it?
 2 **A. Yeah.**
 3 Q. Yes. And Mr Entwistle published another of his
 4 statements to everyone on page 98, on the 22nd.
 5 **A. Yes.**
 6 Q. You took issue with the corrections at page 112 --
 7 **A. Yes.**
 8 Q. -- saying that the correction doesn't deal with the most
 9 glaring inaccuracy.
 10 **A. Yes.**
 11 Q. And we can see what you said.
 12 **A. Yes.**
 13 Q. Those, Mr Jones, were all the questions that I wanted to
 14 ask you.
 15 I think Nick has one or two, and then we will give
 16 you an opportunity to say anything else that you want
 17 to.
 18 Questions from MR POLLARD
 19 MR POLLARD: Thanks for that. Yes, a couple of slightly
 20 more general questions, if I may. Not in necessarily
 21 any logical order.
 22 Can you just tell us a bit more about your view of
 23 your aunt's role in this, and you obviously acknowledged
 24 right from the start, as soon as you set the story
 25 rolling, her involvement here and your personal
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1 involvement from childhood and so on.
 2 What was your thoughts about contacting her as part
 3 of the story, or reflecting her role in it?
 4 **A. It was -- I mean, obviously it's a difficult one for me.**
 5 **Initially I had to think do I go -- do I do this story**
 6 **or not? I had to think would I do this story if she**
 7 **wasn't my aunt, and I thought, yes, I would do the story**
 8 **if she wasn't my aunt, therefore I should do it.**
 9 **The initial story -- and that might well change at**
 10 **an later stage, but with the initial story that we put**
 11 **out the key was to put out that Savile was a paedophile.**
 12 **I was trying to avoid libelling living people like, for**
 13 **instance, [REDACTED] and to get that story out,**
 14 **which would be a big story in its own right, I wasn't**
 15 **trying to deal with other people in that context. That**
 16 **was something which could have been done as it**
 17 **a follow-up story, and I think it should have been done**
 18 **by somebody other than me at that stage.**
 19 **MR POLLARD: Was she at that stage -- or is she --**
 20 **interviewable?**
 21 **A. No, not really. She's in her 90s. The Mail did**
 22 **a interview with her the other day, in which she said**
 23 **she met me earlier this year with my mum. I have not**
 24 **seen her for seven years. She's not -- she's not really**
 25 **in an [REDACTED]**

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1 **What we did with Panorama was we sent down**
 2 **a reliable producer to go down there and make her own**
 3 **judgment about whether she was interviewable, et cetera.**
 4 **She had a chat with her, and that was where we left it.**
 5 **But I had nothing to do with that. I deliberately sort**
 6 **of said "Look, I will have nothing to do with this.**
 7 **I don't want you to give this number out to The Daily**
 8 **Mail and everyone else, but you go down there and make**
 9 **your own decisions".**
 10 **MR POLLARD: Did you actually form a judgment at any stage**
 11 **during the process of this story about whether your aunt**
 12 **knew what Jimmy Savile was doing at Duncroft?**
 13 **A. No, I mean, I think my feeling is that she was like**
 14 **a lot of other people from the Royal family to, you**
 15 **know, the people who ran a load of these hospitals and**
 16 **so on who were partly swept along by his celebrity and**
 17 **glamour and all this, and partly by the fact that**
 18 **everyone else accepted him as okay [REDACTED]**
 19 **[REDACTED]**
 20 **[REDACTED]**
 21 **[REDACTED]**
 22 **[REDACTED]**
 23 **You know, at the same time I'm aware that my parents**
 24 **were there saying "This isn't right". So some people**
 25 **were able to see that, and they were saying [REDACTED]**

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1 [REDACTED]
 2 [REDACTED]
 3 [REDACTED] **That's how**
 4 **I put it.**
 5 **MR POLLARD: I just want to ask you a little bit about**
 6 **Newsnight as a programme and Peter Rippon as an editor,**
 7 **if you like, say, during that period of 2011, before the**
 8 **Savile story --**
 9 **A. Yes.**
 10 **MR POLLARD: -- happened. We have heard quite a lot of**
 11 **opinions about Peter Rippon's style as editor and his**
 12 **experience. I know you said you have no sort of**
 13 **hostility towards him --**
 14 **A. Right.**
 15 **MR POLLARD: -- no hostility as an individual. What was**
 16 **your honest opinion of him as an editor at that time?**
 17 **A. I think being editor of Newsnight is a really tough job.**
 18 **That and Today are probably the two toughest jobs in the**
 19 **BBC. We are lucky we have had really strong people who**
 20 **have done that job, like Peter Barren whose party it**
 21 **was. I think you have to be really exceptional to do**
 22 **that job without it killing you. And I'm not sure that**
 23 **he ever adapted to television from radio. And I think**
 24 **he wanted to get out of that. And I think a better**
 25 **managed BBC would have given him opportunities to do**

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1 **that.**
 2 **He's not a bad person. You know, despite the fact**
 3 **he says he wants to throw shit at me and all this sort**
 4 **of stuff, he's not a bad person, but it needs**
 5 **exceptional talent, I think, to do that work and**
 6 **exceptional hard work, and exceptional attention to**
 7 **detail. [REDACTED]**
 8 **[REDACTED]**
 9 **[REDACTED]**
 10 **[REDACTED]**
 11 **MR POLLARD: In your opinion, did, if you like, his personal**
 12 **style of editing or managing or executive producing**
 13 **contribute to some of the problems with the Jimmy Savile**
 14 **story?**
 15 **A. Well, I suppose it depends whether you think it was**
 16 **an honest journalistic decision or not. If it was**
 17 **an honest journalistic decision and it was taken without**
 18 **reviewing the evidence, then obviously that is a serious**
 19 **problem about the journalism.**
 20 **If you don't think that, then he didn't need to**
 21 **engage with the evidence. So I will probably leave it**
 22 **at that.**
 23 **MR POLLARD: You were still convinced that it wasn't**
 24 **a reasonable journalistic decision?**
 25 **A. Absolutely. Absolutely convinced, yes.**

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1 MR POLLARD: Just a couple of other specific things. I was
 2 interested in the Clunk Click clip showing the two girls
 3 with [REDACTED] in the Jimmy Savile studio, what was
 4 the response both for you and Liz MacKean and Hannah,
 5 and separately Peter Rippon, when that was uncovered?
 6 **A. We thought that was amazing, because at that --**
 7 **I suppose that was what I was going to do with the flip**
 8 **chart, all that sort of stuff, the way that all these**
 9 **different things started coming together and**
 10 **corroborating each other. And, yes, we showed that to**
 11 **Peter and he was excited by that at that time.**
 12 MR POLLARD: Was that regarded as a big leap forward in the
 13 story?
 14 **A. Yes, it was. Because, you know, the chances of that**
 15 **tape surviving were really slim from the 1970s. Most of**
 16 **that sort of stuff has gone. They, I think, went to**
 17 **about six or eight recordings. I think three of those**
 18 **survived, which is remarkable. And, yes, immediately**
 19 **seeing them in proximity, it got you a long way with**
 20 **their story. Once you put them in the same room as**
 21 **these people, it doesn't take it very much further to**
 22 **believe that they could have ended up in the dressing**
 23 **room with them.**
 24 MR POLLARD: And you identified in the end both of the
 25 girls, [REDACTED] was one, and was it [REDACTED] was

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1 the other or was it, or was there some doubt about --
 2 **A. You would need to check that one with Hannah, I think,**
 3 **or maybe Liz might know that. But, yes, we found**
 4 **several. We found in a number of Duncroft girls there.**
 5 MR MACLEAN: Was the confusion that the girl was not [REDACTED]
 6 [REDACTED] or that [REDACTED] wasn't the girl involved in
 7 the incident?
 8 **A. I cannot now remember. I'll be honest, I can't**
 9 **remember. I'm pretty sure that [REDACTED] was on the**
 10 **video. But I think the question was that [REDACTED] didn't**
 11 **think that she was the one anymore, although**
 12 **subsequently for ITN she said that she did know who she**
 13 **was, and that may be that she has talked subsequently to**
 14 **other girls and between them they have worked out who it**
 15 **is, I don't know.**
 16 MR POLLARD: Do you think the BBC were briefing against you?
 17 If so, was that internally and/or externally?
 18 **A. They were certainly briefing externally. On a big**
 19 **scale. I mean, you saw that thing about dripping poison**
 20 **from earlier in the year from the press office. They**
 21 **were doing that right through that period.**
 22 MR POLLARD: Is --
 23 **A. And not just against me, against the rest of the team as**
 24 **well, you know, like the idea that Hannah was a work**
 25 **experience girl and all this other stuff.**

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1 MR POLLARD: Are you convinced that neither you nor any
 2 other member of your small team was actually feeding
 3 information to external journalists? Because quite
 4 clearly some of the stories in the -- well, you might
 5 argue as soon as the Miles Goslett enquiry of 21
 6 December, but certainly some of the stories in January
 7 and February, were incredibly accurate about the process
 8 that had been followed and what had been found. The
 9 suspicion must be that somebody who had been working on
 10 that story had given some details rather than just
 11 somebody who had may be heard of it secondhand within
 12 television centre?
 13 **A. I mean, it's possible. I'm sure I didn't. I am sure**
 14 **Liz didn't. [REDACTED] Um, I don't know**
 15 **what --**
 16 MR POLLARD: Do you think [REDACTED]
 17 **A. I don't know. I'm not going to accuse anyone because**
 18 **I just genuinely don't know. It may also be that [REDACTED]**
 19 [REDACTED]
 20 [REDACTED]
 21 [REDACTED]
 22 MR MACLEAN: [REDACTED]
 23 [REDACTED]
 24 [REDACTED] Whereas from --
 25 **A. [REDACTED]**

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1 MR MACLEAN: [REDACTED]
 2 [REDACTED]
 3 [REDACTED] isn't that right?
 4 **A. I can come up with reasons [REDACTED]**
 5 [REDACTED] you
 6 know.
 7 Q. [REDACTED]
 8 **A. [REDACTED]**
 9 [REDACTED]
 10 [REDACTED] But let me say something later on, in my
 11 case, on Monday the 1st, about lunchtime, my phone went
 12 red. Somebody had given my number out to every
 13 journalist in Fleet Street.
 14 MR POLLARD: Monday the 1st?
 15 **A. Of October this year. Over that first week I was not**
 16 **dealing with the press and so on, but I was constantly**
 17 **having people ringing me you may and saying "Is this**
 18 **line true", and so on, and that was being pumped out by**
 19 **the whole BBC machine. There came a point where**
 20 **I started saying "No, it's not true". I didn't leak any**
 21 **document. I didn't leak any emails. I didn't do**
 22 **anything like that. But then it really changed for me**
 23 **on the Saturday, 20th October, with this**
 24 **[REDACTED] story, which was completely made up,**
 25 **that I had hidden the tape et cetera, and it had come**

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1 from BBC [REDACTED] because I heard them trying to move
 2 it around that in the BBC the preceding days. I ended
 3 up on the Saturday with my 19-year-old daughter being
 4 harassed on the doorstep by a Sunday Times journalist
 5 following up on a tip they had been given by BBC
 6 [REDACTED] on a false story, and at that point, you
 7 know, I didn't respond to Miles Goslett, whatever,
 8 I found the story in the paper the next day, I then rang
 9 up Miles Goslett. From then on I had to ring people up
 10 if they rang me to check what was the latest thing that
 11 was being thrown at me. I found myself in a really bad
 12 position there.

13 I think another thing that needs to come up here is,
 14 in a situation like this where the whole BBC machine is
 15 being used to put out a demonstrably false line, how
 16 that happens, and how they treat anyone who is trying to
 17 say -- tell the truth about what is going on as the
 18 enemy, you are the enemy of the BBC. You know, I'm
 19 there precisely because I feel the opposite way about
 20 the BBC.

21 MR POLLARD: Two more questions. One is about
 22 Mark Williams-Thomas.
 23 I imagine ITV must have been working on the story
 24 since, I'm guessing, the first couple of months of 2012,
 25 perhaps even earlier. [REDACTED]

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1 [REDACTED]
 2 A. [REDACTED]
 3 [REDACTED]
 4 [REDACTED]
 5 [REDACTED]
 6 [REDACTED]
 7 A. [REDACTED]
 8 [REDACTED]
 9 [REDACTED]
 10 A. [REDACTED]
 11 [REDACTED]
 12 [REDACTED]
 13 [REDACTED]

14 MR POLLARD: Did you have any doubts about helping
 15 Mark Williams-Thomas perhaps when it became clear that
 16 there would inevitably be an element within that
 17 programme that was going to be critical about your
 18 employer?

19 A. It is very difficult. Obviously, I would far rather
 20 have put that story out myself and when Emil started
 21 floating around I thought if he could get that out that
 22 would still be better than it going you elsewhere. But
 23 at the same time I felt my main loyalty was to get that
 24 story out there. So, no, I wasn't involved in the
 25 production of it or anything like that in any way, but

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1 I was very happy that Mark was going ahead. Or
 2 I probably thought that somebody else would probably get
 3 there first, but I thought that Mark would do it in
 4 a responsible way and would be decent with the victims
 5 which is, you know, really important.

6 MR POLLARD: One final question, which is really just an
 7 oddity of the whole thing. Can you explain how the
 8 forged letter came into being and how it turned up? Am
 9 I right in thinking it was the only copy of this
 10 supposed letter that ever did turn up, was it not? Was
 11 that an element in the credibility of [REDACTED] being
 12 undermined.

13 A. Yes, no -- I mean, yes. I mean, the forged letter never
 14 turned up while we were there. It turned up a year
 15 later in the Mail. I am told standard procedure would
 16 have been for the CPS or the police -- one of those --
 17 to send out a letter from the people that they
 18 interviewed from Duncroft. I'm also told that they
 19 actually talked to dozens of people from Duncroft, so
 20 a lot of people would have got a letter. Most of them,
 21 I can imagine, would have just thrown it away. Either
 22 just because they did or out of anger or whatever that
 23 nothing was happening. So I am sure the letters
 24 existed.

25 I'm also confident that they would not have said

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1 that he was too old. The only person who claimed to
 2 still have it was [REDACTED] I think it made her powerful,
 3 the fact that she claimed to have it, it gave her
 4 control, and I think ultimately when the Mail came back
 5 to her -- and I suspect probably offered her a brick of
 6 cash for the letter -- she delivered them the letter.
 7 That's what I would suspect.

8 MR POLLARD: Okay. That's all the questions I have.
 9 There are a couple of things you wanted to say.

10 A. I will keep it very, very short.
 11 Two things really that strike me -- actually, it
 12 doesn't relate to me, so that's all right.
 13 Okay, the one thing that does relate here is an
 14 email from Peter Rippon on 3 October. This is PRI263.
 15 Peter says --

16 MR POLLARD: What's the date?
 17 A. 3 October 2012, 17.19, Peter Rippon to Paddy Feeney.
 18 MR MACLEAN: Sorry, what was the time?
 19 A. 3 October 2012, 17.19. The top page is Anna Bolton
 20 News. On the top of page 17.21, Paddy Feeney to
 21 Peter Rippon.
 22 MR MACLEAN: Page A8/179. It's that one?
 23 A. Yes. You have underlined something different to what
 24 I wanted to say.
 25 Q. You tell me which bit to underline then.

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1 A. I think the -- he says:
 2 "She was our investigation ..."
 3 About [REDACTED] It is absolutely clear that [REDACTED] is
 4 the key witness and the absolute core person and that
 5 she didn't go to the police. So he knows that for sure
 6 by the end of the Wednesday, and yet he keeps up --
 7 keeps that blog up.
 8 MR MACLEAN: Yes, I see.
 9 A. And sends that to Helen Boaden as well.
 10 MR POLLARD: The point is that's an acknowledgment that she
 11 can't have gone to the police, she can't have talked to
 12 the police --
 13 A. Two things. She's the core of the whole investigation,
 14 she's the key witness. And, two, she had not gone to
 15 the police. And yet up goes the -- that stays up as the
 16 blog for the next however it is long.
 17 MR SPAFFORD: Anything else you want raise?
 18 A. I will leave it at that.
 19 MR SPAFFORD: Can I just raise one point with you about
 20 confidentiality. Today at lunchtime when you were
 21 downstairs in your room, were you on the phone to
 22 Liz MacKean?
 23 A. Yes.
 24 MR SPAFFORD: Can you tell us what you were discussing with
 25 her, did it cover anything discussed in this morning's

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1 interview?
 2 A. Let me think. I talked in generalities. I didn't talk
 3 about anything specific.
 4 MR SPAFFORD: Did you discuss anything raised this morning
 5 in the interview?
 6 A. It's very difficult to think. It was a very bad line.
 7 What did I say? I think I said -- I said I didn't talk
 8 about anything specific, but I think I said I had been
 9 questioned about the CPS -- the CPS line. That's what
 10 I said.
 11 MR SPAFFORD: Why did you do that, given the confidence
 12 agreement that you had signed, which makes it very clear
 13 that you are not to discuss anything discussed in
 14 interview with anybody?
 15 A. Er, well, obviously I -- I misinterpreted that, and, you
 16 know, I made no secret of it. I made the phone call
 17 where everyone could hear me.
 18 MR SPAFFORD: Okay, just --
 19 A. I didn't conceal that call or anything like that.
 20 MR SPAFFORD: I know, but we went through this process of
 21 confidentiality agreements with you and with your
 22 lawyers.
 23 A. Okay.
 24 MR SPAFFORD: And one of the vital parts of that is you are
 25 not to discuss with any person under any circumstances

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1 anything that is discussed in interviews.
 2 A. Right.
 3 MR SPAFFORD: And you have done that. Could you please
 4 confirm that you will not do that again --
 5 A. Yes, of course I can.
 6 MR SPAFFORD: -- under any circumstances.
 7 A. Yes, of course I can confirm that.
 8 MR MACLEAN: Can I just add that I hope you understand why
 9 it is important to this process that you don't do that.
 10 Because when X and Y have spoken to each other, and
 11 a tribunal is trying to make a judgment about what they
 12 are saying --
 13 A. Yes.
 14 MR MACLEAN: -- it doesn't help either X or Y if they don't
 15 come along and tell their own story. It is extremely
 16 important and it's not doing any good to yourself and
 17 whoever you speak to, apart from anything else.
 18 A. I didn't talk about anything specific at all. I didn't
 19 talk about any emails or anything like that.
 20 MR SPAFFORD: But you won't do it again.
 21 A. And I won't do it again.
 22 MR POLLARD: Meirion, thank you very much for coming. It
 23 has been a long day. I appreciate what you have had to
 24 say, thank you.
 25 Thank you ladies as well.

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1 MR SPAFFORD: Thank you very much. We appreciate it.
 2 (5.55 pm)
 3 (The Tribunal adjourned)
 4 I N D E X
 5 MR MEIRION JONES (called)1
 6 Housekeeping1
 7 Questions by MR MACLEAN2
 8 Questions from MR POLLARD336
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