THE POLLARD REVIEW

APPENDIX 11
VOLUME 1 OF 2

ReedSmith
RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH HELEN BOADEN
MR MACLEAN: If you just look at this example of the list, it starts with Vision.

A. Yes.

Q. BBC1. There is a whole host of BBC1 programmes. If you go to for example page 009 --

A. Yes.

Q. -- just as an example, one of programmes on the list is a space dive, about this fellow who recently jumped to earth from the edge of space.

A. Yes.

Q. One of the risks identified there is a commercial risk because of product prominence which is a long standing concern of the BBC. Another concern of the same programme is health and safety and a legal risk, all in the same programme. If you go on, for example, to 0.11 -- 11, "Wikileaks: programme currently in secondary development." What does that mean?

A. I don’t know.

Q. And the number of episodes and the content were yet to be agreed. You see that the transmission date was fairly vague at this stage.

A. Yes.

Q. It was early 2012.

A. Yes.

Q. And there were reputational and legal risks and looks as
if BBC lawyers, but also Clive Edwards, Steve Mitchell
and Jeremy Adams were discussing that?
A. Yes.
Q. So that was still some way in the future, that
particular broadcast, wasn't it?
A. Yes.
Q. And those reputational risks would be -- would be what?
A. On that one, I think the reputational risks are simply
if you are taking the content of Wikileaks, which you
would find very, very difficult to second source, you
clearly have a reputational risk to the veracity and
accuracy of your journalism.
Q. So the reputation is to the --
A. Journalism.
Q. -- the reputation of your journalism if it turns out to
be copied off the internet?
A. Yes.
Q. If you go to 29.019, programmes can be on this list as
it were simply because of their controversial subject
matter, for example see the last one there, South-East,
which was an investigation into two priests alleged to
have abused children in Sussex?
A. Which one, sorry?
Q. 0.19.
A. Yes.
Q. Do you see South-East?
A. The issue about this list is the person, the editor or exec responsible for whatever programme it is, it is their responsibility to decide if the risk is significant enough to go on this list. It is quite telling to me that since the Jimmy Savile issue, but more especially the McAlpine Newsnight, I know because I have checked that the number of contributions to this list has gone up dramatically, because of course people suddenly become hypersensitive --
Q. Risk averse.
A. -- to any kind of risk, and indeed you could argue, I don't know if this is true, risk averse.
Q. Right. Say that it’s, as it were, the responsibility of the programme first of all to say -- ask themselves is whatever you are doing, is that something for the Managed Programme Risk List?
A. Yes.
Q. And if it is they put it on to their list at the bottom of the chain?
A. Yes.
Q. That having been done for any particular programme, is it possible for that programme then to fall off the list, other than -- other than -- because of events overtaking it, in other words being broadcast?
Obviously once it has been broadcast there is no point having it on the list.

A. Things that could make you decide to take it off is actually you have explored a story and it doesn't take you any further, that's a possibility. If you've misjudged the risk, which can also happen when you are doing journalism, that is really also a possibility.

Most things, I think, that make certainly the News group board list, the one that I see, stay on there until transmission.

Occasionally we may hit a problem with transmission so we may get injunction or something else may happen, something in the schedule may become problematic. So you would see that sitting on the list but the transmission date would look further and further out of time as you wait for real life to catch up.

Q. I really am coming to the News group list that you see.

A. Yes.

Q. But is this right then; as a matter of course, save for something out of the ordinary happening, such as you just described, those programmes which are on the News group list will be fed into the Editorial Standards Board list?

A. Normally that would be true, yes.

Q. So if we look then -- let me just show you one more
before I leave this document. If you go to page 020, there is another controversial subject matter, which was about the ____ do you see, in English regions, which was legal and controversial subject matter. Those were the risks.

Presumably the risk of defamation action from the subject of the piece, one assumes, and then Auntie and the Miners, and that was a programme examining allegations that the BBC had been biased in favour of the Government at the time of the miners' strike. So reputational and legal risks, the reputation there was the reputation of BBC as a whole, not just its journalists?

A. Absolutely.

Q. Controversial subject matter, reputational and legal risk. It gets on the list and it has been put there by, in this particular case, Radio Sheffield?

A. Yes.

Q. So some producer in Radio Sheffield has started the process which ends with this?

A. It is both in this case. Because of course I actually happen to know about this one, the journalism was under scrutiny, as it were, the historical journalism was under scrutiny. So it had reputational risk for the journalism and therefore for the bigger BBC.
Uganda Child Sacrifice, one of the risks is taste and
decency?
A. Yes.
Q. That is just because of the particularly unpleasant
subject matter?
A. Indeed.
Q. One of the points that has been mentioned to us about
Jimmy Savile, to turn to that, was that there was
a taste problem or issue about Newsnight running the
piece. Is that something you remember discussion about?
A. No.
Q. The idea being that the man is only just dead and
buried, and therefore that was a factor in whether or
not a story might be done about him.
A. I had one conversation with Peter about -- as I have
said in my --
Q. Rippon?
A. Peter Rippon --
Q. Yes.
A. -- where I don't -- I mean, if you look through what
I said, when he first told me about the story which was
through an accidental meeting, I did actually get
through hold of the wrong end of the stick because he
said, "We're doing this investigation which might be
embarrassing for the BBC". He asked me if that was
a problem and I said it absolutely wasn't, we must
always do journalism about the BBC as if it was
a separate institution.

When I asked him what it was, he said, "Jimmy Savile
and teenage girls". And since this, I think, was about
three weeks after Jimmy Savile had died I thought it was
one of those slightly tabloid-esque stories involving
groupies.

Q. Hangers on, you mean?

A. Possibly, you often see them in the press when somebody
has died. Indeed there had been a story about Jimmy
Savile just prior to him dying, about someone claiming
he or she was their love child.

And I said, "That doesn't sound like core Newsnight
territory", but Peter went on to suggest that it was
a very different story from that. It was about sexual
abuse, it was about sexual abuse of teenage girls. So
the taste issue for me wasn't critical. The thing that
was always critical for me in this very short
conversation was that because Jimmy Savile was dead was
not a reason for lowering what I regard as BBC editorial
standards.

Q. I'm going to come to that. Can I just go back to the
Risk List for a moment? If you take bundle 2, please,
just looked at, okay?

A. Yes.

Q. "Here is our list as promised." In other words this is
the programmes list?

A. Yes.

Q. "Hope it makes sense, Sara ".

When we look at the list which is over the page, if
we go to page 70 and 71, those are the Newsnight
programmes, the BBC2 bit starts with Newsnight. Do you
see academies is the first one? By the time we get to
71 we have moved away from Newsnight, and by the time
you get to 72 we have moved away from BBC2 altogether
and we are on to BBC3.

What we don't see there, of course, is Jimmy Savile.

Why?

A. I don't know.

Q. It has obviously disappeared from the list. Does that
come as a surprise to you?

A. Um, at the time it didn't. I simply -- I mean if
I thought of it at all, I thought of it as something
must have happened, because I had already had the
conversation with Peter. But in retrospect it is -- it
is slightly surprising that it didn't go through.
I mean I -- you know, clearly in the post-mortem that
has gone on, it would appear someone was on holiday

22
during that period.

Q. Who was on holiday?

A. I think Sara may have been on holiday. I genuinely
don't know, but that's one of the things that appears to
have happened.

Q. But she says -- let me just read you what she's told us:
"I maintain and update a rolling document for news
programmes of any reports or investigations or projects
which carry a risk of any sort, be it editorial
reputational legal, et cetera."
Okay so far? Agree with that?

A. Yes.

Q. "The grid is kept in a drive which has limited named
access by certain members of the News programmes
management team".

A. Yes.

Q. "Once a week I request information from editors or their
deputies..."
I interpose in this case Liz Gibbons, yes?

A. Yes.

Q. "... In their department and they also send me entries
on the list as they occur. I update the list as
necessary during the week and use this document as the
basis for a weekly routine meeting with Stephen Mitchell
at which we discuss the content of the grid. Once
a month this list is sent to Stephanie Harris, head of
compliance, News, for her to compile the wider News
MPRL, which includes entries from other departments;
News gathering, regions and so on, and is seen by the
News group board."

By you right? You are nodding --

A. Sorry, yes, I agree, that is the way the system is meant
to work.

Q. "I believe this list is then added to a corporate list I
save the monthly programmes list and keep it in my
files. I add information to the News programmes list
but would not remove entries pre-transmission unless
I was instructed by Steve or an editor or their deputy."

Is that right? Do you know that -- how that works?

A. Yes, I know that's how it works. I'm not sure how often
that actually happens.

Q. She says:

"This is not an infrequent occurrence. Material and
programmes which are being investigated do not all make
it to air ..."

And so on.

So from what you said a moment ago, you used the
expression, "At the time", did I understand you to be
saying that you, as it were, noticed the absence of
Jimmy Savile --
A. No.

Q. -- at the end of November?

A. No, I didn't notice the absence of Jimmy Savile.

I didn't -- I just simply didn't register it. I was, looking at what's on the list, not what was not on the list.

Q. So by this time you had had this -- we will come to this conversation. You had had this conversation with Mr Rippon. You may have got initially the wrong end of the stick in the conversation, but you had had a conversation with him. I think he said on what was in effect a walk through by -- you were on the way home or --

A. Yes.

Q. -- you were just literally passing through the office, is that right?

A. Pretty much, a five to ten-minute conversation.

Q. It was a walk by rather than a meeting?

A. It was absolutely not a formal meeting.

Q. And that was at some point before -- that was at some point before the end of November?

A. Yes. I think it was 21 November.

Q. Right. So since you mention 21 November, if we take bundle A2, if I use the expression, "Vision issues", to you in relation to Jimmy Savile, would you know what

11/011
I was talking about?

A. Not really.

Q. All right. What do you think Vision issues might have been for the Jimmy Savile piece? Vision with capital V, obviously?

A. Yes, as in television, to use proper English.

Well, it could have been, as we now know, the issue of the Christmas special, or specials. It could have been television's entertainment history. There could have been many issues for Vision around Jimmy Savile.

Q. Right.

A. But I'm speculating.

Q. Okay. Look at page 276, please. This is -- if you look at the bottom, 21 November, from Liz Gibbons to Sara Beck, do you see? If you go over the page, there is Jimmy Savile on the list. If you go to 277, in the middle, okay?

Then if you go back to 276, on 22nd, Sara Beck emails Liz Gibbons about two things, one of which is the MERL:

"Just so you know, have taken Jimmy Savile off for now and will put back on when its imminent. The document goes quite far in Vision et cetera and we thought it might be best to keep off just for now."

Does that make sense to you as a step to have taken?
1 A. Not really. I mean it's -- you know, clearly I don't know what Liz was thinking of when she was writing that in.

4 Q. Clearly?

5 A. I have no idea what she meant.

6 Q. One might think that if ever there was a piece which needed to be -- that Vision ought to have known about, it would be a piece accusing somebody of being a paedophile when that person was a BBC star and in circumstances where, as it happened, the programme had, by this stage, gathered information that some of the unpleasant abuse had taken place at the BBC. So this would be a paradigm -- one might have thought this was a paradigm story to be on the Managed Programme Risk List, wouldn't one?

16 A. Yes, yes.

17 Q. So of course you can't account for what's in these two ladies' heads, I'm not asking you that. But you can't, as it were, account for this decision? It doesn't seem to add up to you, is that fair?

21 A. Well it is always -- yes, it doesn't add up to me.

22 Q. Okay. Look at the email above, the same day,

23 22 November:

24 "I know Peter [that must be Peter Rippon] and Steve, [that must be Stephen Mitchell] talked about the Vision
issues surrounding Savile, so that sounds sensible."

Obviously you were not party to that discussion.

But that discussion, we think, took place on 21 or 22
between Mr Rippon and Mr Mitchell.

A. If you say so.

Q. Which was the same day, I think, you had your brief
discussion with Mr Rippon.

A. Yes.

Q. In the evening?

A. I think the 21st -- the reason I remember it is that
looking through the diary I know that I was meant to go
to Oxford to do a lecture, or to attend a lecture, and
the meeting overran so I literally didn't have enough
time to get on the train and get there.

Q. So do you remember being put in the picture, if I can
use that expression, by Mr Rippon about Vision issues as
such?

A. I can't remember in my conversation with Peter, or if it
was a later conversation with Steve. My memory is that
it was Steve who told me we needed to alert George to
the Savile investigation.

Q. And that would be --

A. After the 21st.

Q. In a discussion with Mr Mitchell after the 21st?

A. Yes.
Q. Presumably, one might infer, having had this conversation with Mr Rippon?
A. Presumably Mr Rippon told him about it. He doesn't -- I don't think he crossed the Christmas schedules of BBC1.
Q. Sorry, what does that mean, "I don't think he crossed the Christmas schedules?"
A. Well, I don't think Steve would have known anything about the Christmas schedules of BBC1. I certainly didn't.
Q. It is, "he was across", the BBC verb of being across something?
A. I don't think he kept across the schedules. It is not one of those things in news that you spend much time on to be honest.
Q. Okay. So that discussion with Steve Mitchell was after the discussion with Peter Rippon?
A. Yes, because the discussion with Peter Rippon was the first knowledge I had, as I accidentally came upon it, that there was even a Jimmy Savile investigation going on.
Q. Right. You have worked at the BBC for --
A. A long while.
Q. -- a number of years, one might say. Did you ever meet Jimmy Savile?
A. Um-hm. I met him --

11/015
sit next to, because they are just a slightly unknowable
lot, old radio presenters. I just got on with it. They
asked me to do it, it was my job.

Q. Had you heard any dark rumours about Jimmy Savile?
A. No, I had never heard any dark rumours about
Jimmy Savile.

Q. So you simply had this slightly odd encounter with him
and --
A. A singular encounter and forgot it.

Q. Thought no more about it?
A. Thought no more about it. Had indeed entirely forgotten
it until The Times kindly reminded me.

Q. Okay. When Steve Mitchell told you about the need to
inform Mr Entwistle, wasn't that rather the point of the
Managed Risk List; that Vision would have known what
News was up to via that mechanism?
A. Yes. But I think Steve was just aware that actually it
would be a kindness to George -- the irony of this has
not escaped anybody of course -- he felt it would be
a kindness to George to tip him off early because he
would have to change the schedule if the investigation
got ahead as we thought it would. And he could start
thinking about that earlier rather than later.

Q. Tipping off early turns out to be the discussion you had
at the awards lunch --
A. Yes.

Q. -- on 2 December.

A. Yes.

Q. You see, what would you say if I said to you that it has been suggested to us that, as it were, one of the points of the Managed Programme Risk List was that it's not therefore necessary to have ten seconds or any number of seconds conversations between directors of News and directors of Vision at some event, because this mechanism is put there precisely so that Vision knows what News is doing and vice versa?

A. I would say it is a very purist version of what is actually a human industry. And having been a controller myself, when Steve said it might be a kindness to tip George off, I just thought that's perfectly sensible.

Q. Are we able to date your discussion with Stephen Mitchell?

A. I believe it was the 22nd. Because I was on holiday -- no, the 23rd because I was on holiday on the 24th and 25th, and we travelled up to Scotland on the 22nd for a seminar on Scottish independence held by BBC Scotland. We didn't travel together and we didn't have, as it were, a single moment where we could have discussed my conversation --

Q. "We" is you and Stephen Mitchell?
A. Yes. So I think it was the day before I go on holiday.
Q. And then you go on holiday on 24 November?
A. I go on holiday on the Thursday and Friday and the
  Saturday and the Sunday and I come back on the Monday.
Q. The 28th?
A. Yes. And then on the 29th I have some free time in the
  morning and I know it's one of dates I walked around to
  George's office to have the conversation to tip him off.
Q. But he wasn't in?
A. But he wasn't in. In fact he was away a lot, that
  meeting, so I knew the first time I would actually see
  him face to face, because I didn't particularly want to
  put it in an email, would be at the awards ceremony.
Q. So, as it transpires, for one reason or another -- not
  being critical, I'm just observing -- it takes ten
  days-ish from the discussion with Mr Rippon and
  Mr Mitchell and the discussion with you and Peter Rippon
  and then the discussion with you and Steve Mitchell,
  before Mr Entwistle is told anything by any of you?
A. Yes.
Q. In fact he's only spoken to, as far as you are aware, by
  you?
A. Yes.
Q. Is that right?
A. Yes.
Q. You wanted to have this discussion just the two of you, as it were, on the QT. Even on the QT from the other people around the table?

A. Yes. Just as I wouldn't have talked to Peter -- sorry, to Stephen Mitchell at the Scottish referendum debate unless I could have found a quiet moment, I wouldn't have talked to George unless I could have found that quiet moment.

Q. You think it is highly probable that you mentioned to Mr Entwistle that the subject matter of the prospective piece was sexual abuse?

A. I certainly put that in that email to Paul Mylrea. I think is probable. I genuinely can't remember, but what irritated me about the press office response was having said to them I couldn't remember, they made that a fact and that is rather different; if you don't remember that's slightly different. Common sense suggests that I said it was about underage sex or something similar. But because I can't remember I think it is unfair to say that I can.

Q. The email you are referring to -- you are quite right, that's what I'm reaching for. You emailed Mr Mylrea and Paddy Feeney who is in the press office as well?

A. I know the one it is in.

Q. This is fairly recently. This is about a month ago. At
this stage you are looking — you are seeing the line
that the BBC is putting out and what you say is, as you
remember, is at All/338 — I don't know we need to look
it up.

A. No, I remember it.

Q. You say to Mylrea and Feeney:

"Are we giving the impression I absolutely didn't
tell George about the content of the Newsnight
investigation. That's what Miriam's comments suggest."

A. Miriam O'Reilly.

Q. "If so, it is not quite true, I have always said I can't
remember, but of course it is highly probable that I did
mention that is about sex abuse, we can't rule it out.
H."

As you say, it's pretty likely that you would have
told Mr Entwistle what the subject matter was, otherwise
the conversation doesn't —

A. Make sense.

Q. — really make a lot of sense, does it.

So the purpose of you telling Mr Entwistle about
this was what?

A. Was to give him a heads up that this was coming, because
at that point we absolutely thought it was and that he
needed to think about, you know, he'd got some chunks of
the Christmas schedule he needed to think of alternative

11/020
programming.

Q. So it follows from that that you would have expected him
to do something with this information, even if it was
only go back to Vision and wrack his brains as to what
ext else he might do with his schedule if the problem
presented itself?

A. That's what I would have anticipated.

Q. What about the point, just to take a step side ways for
the moment, that even once the Newsnight story got
canned, if I can put it like that, for whatever reason
and by whomsoever, on any view Newsnight had gathered
some information which suggested, to put it mildly, that
Jimmy Savile was, or might have been, a predatory
paedophile. And it is obviously possible that that
information was going to come to you from some other
media outlet, perhaps with less fastidious editorial
standards than the BBC, and if it did that would cause
the problem for the BBC, if it had in the meantime
lauded this fellow with a bunch of tribute programmes.
In other words, a problem for Vision and the running of
the tributes didn't fall away because the Newsnight
story was canned?

A. Well, the way you've just described the Newsnight
investigation is not the way I saw it when it was
canned. So the information that I had from Steve was
that this was an investigation that had fallen because the evidence was not strong enough. So he told me that -- I mean it was a pretty brief conversation in one meeting, but he told me that it was -- they had one victim on tape, that Peter regarded her as unreliable.

And the other women, which had been mentioned to me by Steve, he said that Peter had said there was a lot of hearsay involved in what they said. So your depiction of the solidity of the evidence was not my impression of it from my conversation with Steve.

Q. Right. I understand.

One of the other things that doesn't seem to have been on really anybody's radar screen -- and I think you allude to this in your statement -- one of the aspects that has become very well publicised in the recent weeks is the aspect of some of the sexual abuse allegedly taking place at the BBC. That doesn't seem to have really been on anybody's radar to any great extent, does it?

A. Certainly when I had the brief conversation I had with Peter I did ask him if the approved school was involved and whether or not the BBC was involved, and he said
something like "No, the BBC couldn't have known
about it", which I have to say I took as the BBC was
only involved in the fact -- because Jimmy Savile was
a BBC star. He also talked about the Rolls Royce being
used and that was the image that I was left with and at
no point --
Q. So he explained that the locus, as it were, for the
Jimmy Savile was the back of his Rolls Royce?
A. He said they used the Rolls Royce. So throughout this,
until it started -- you know, the -- in fact until the
ITV Exposure programme, I was under the impression that
the connection with the BBC was Jimmy Savile, BBC star,
not BBC premises.
Q. So what did you know before Exposure on 3 October, about
the allegation about Gary Glitter having full sex in the
BBC --
A. I knew nothing about that. I knew nothing about that.
Q. You now know that in fact that allegation about full sex
in the dressing room was actually in [ll]
original web memoir --
A. Indeed.
Q. -- Which was sent to Mr Rippon on 31 October last year
right at the very beginning of the genesis of the piece?
A. Yes. He did not mention that to me.
Q. He being?
tributes being broadcast on the radio as they drove back
from interviewing [REDACTED] on 14 November?

A. No, I didn’t know that.

Q. The BBC must have been running some trailer or whatever.

A. Yes.

Q. Right, this discussion with Stephen Mitchell on the
21st --

A. No, it’s not the 21st.

Q. 22nd?

A. No, it’s not the 22nd, it’s the 23rd. I think it’s the
23rd. What you need to understand about Steve and I is
our offices are side by side and we talk a lot. So it
is often just -- it is not a formal conversation with
a set of minutes it is, you know, a kind of heads up.

Q. So he’s telling you about this on the basis of what he’s
obviously been told by Peter Rippon. Did you form any
view as to whether Mr Mitchell had got any information
from anybody else, for example the reporter or the
producer?

A. No, I didn’t. The only thing I remember him talking
about -- and I definitely remember him saying this --
is, "I’m very interested in the approved school angle,
whether or not they colluded".

Q. With Savile?

A. Yes.
Q. Did you know that Meirion's aunt had been the head of this institution?

A. No, I didn't know that.

Q. Did you know that Meirion Jones had been, as it were, plotting this story for some time while Savile was still alive?

A. No, I didn't know that.

Q. If you had known that, would that have caused your attitude to be any different? The fact that the producer wasn't -- unlike Liz MacKean who came to this as an intelligent but ignorant reporter --

A. To be honest, I would have been quite concerned about it. One of the reasons I would have been concerned is because I think it's very difficult to do impartial and objective journalism when you have an emotional connection beyond the one you might develop as you do the story --

Q. That's what I was driving at.

A. The other reason, I would say, is I had just had a very painful experience with Primark, where we lost a very serious complaint. I mean, essentially Panorama put something out on air which we couldn't demonstrate was true. Indeed it may
dead?

A. No, there's a middle conversation. Because -- and
I don't know when that happened, but I remember
a conversation where Steve says, "Peter has re-nosed the
story", by which he meant he had found another way into
it, and the thing that he was interested in was the
Surrey Police investigation into the allegations.

Q. I see. So just looking at your statement there -- it is
just important to understand -- I now see that you refer
to a catchup meeting?

A. Yes.

Q. So just looking at your statement then, so I have this
right --

A. What point is it?

Q. Paragraph 30, look at that first.

A. Yes.

Q. That's the informal conversation with Mr Rippon on the
21st.

A. Yes.

Q. That's the walk through the Newsnight office.

A. Yes.

Q. Then you go on to -- you don't actually mention there, I
don't think, the Mitchell conversation on the 23rd. So
here, paragraph 30, is the 21st with Rippon --

A. No, 29 is the first conversation. If you look at point

11/026
attitude, certainly at the outset, as being "lukewarm"
towards the story. That was Rippon's words. Did you
have any understanding about what Mr Rippon's attitude
was to the story?
A. I wouldn't have described it as lukewarm. Um --
MR POLLARD: This is on the 21st.
A. The only conversation I had with him. The fact he asked
me, in a sense, was it a problem if we embarrass the BBC
did surprise me.
MR MACLEAN: Because he should have known the answer to that
question?
A. In a way. To be fair, he is not the first and he won't
be the last editor to ask me that. It is still
surprising how it is such a kind of fundamental value
and yet editors do ask it. But I think --
Q. Nervous? Not lukewarm but nervous?
A. No, I didn't get the sense of nervousness. I think --
I think he sort of gave me the impression he knew it was
challenging because they were old allegations.
Q. Right. Can I just show you some of the contemporaneous
documents?
A. Yes, sure.
Q. Go to bundle 3, page 11. Did you know anything about
this in 2011; about Liz MacKean and Hannah Livingston
chasing after this letter? Was that a detail you were
interested in. If you look at his record in the four years, he often looked at, as it were, institutional failures.

Q. As we discussed earlier, touched on earlier, the suggestion that perhaps there was institutional failure by the BBC many years ago doesn't -- didn't focus in at this time at all?

A. No, that wasn't there.

Q. In the discussions -- at this stage, you have had a discussion, one with Peter Rippon and one with Steve Mitchell. Was there any focus in those discussions about the key being the CPS --

A. No.

Q. -- dropping the story for one reason or another?

A. No. The CPS angle came up in the second conversation with Steve.

Q. Right, I'm coming to that.

A. Yes.

Q. So can you shed any light upon how this key was identified?

A. No.

Q. Can I ask you to look at page 197.001?

A. Yes.

Q. Now, to the extent that it was reported to you either by Mr Rippon or Mr Mitchell that Mr Rippon had formed
Q. Do you know whether it was or wasn't said?
A. Clearly not, I wasn't there.
Q. Had anybody said to you that it was said?
A. No.
Q. "The bosses", the, "Bosses not being happy", if you look at 215, Liz Mackean is reporting to her friend Jackie Long that Mr Rippon had -- it's not a direct quote, but that he had indicated -- somehow said that, "If the bosses aren't happy I can't go to the wall on this one." In other words basically saying to the journalists, "There's nothing I can do about this. It's come from on high, come from above me, come from the bosses".
What do you say about that?
A. I can't really did comment on -- on a comment I didn't make.
Q. Can you think of any reason why Mr Rippon might say to his journalists --
A. Well, it has been known for editors to use bosses or editorial policy as arse-covering reasons when they actually want to make their own decision. I mean, you will be talking to David Jordan a man well versed in editorial policy being blamed for what an editor doesn't want to do, and that's how it reads to me.
Q. In other words, it's a convenient way of deflecting the
between colleagues who were having a difficult time.

And we went into an office and, um, Peter said, you

know, this is very difficult for both of us, which

reinforced the idea that this was a conversation between

colleagues.

I, of course, was at that point -- because until the

Panorama was being made, it had never occurred to me

that my conversation with Peter had had any

significant -- or could have had any significant bearing

on anything. It was only when that narrative emerged

and this narrative of the handbrake turn that

immediately I started to think: was it something I did?

Because anybody with any conscience would look into

their heart and think, "Have I inadvertently made

a difference?"

And what I was sharing with Peter was not, "I think

I said it too strongly", but, "The worry is that I may

have said it too strongly."

Q. Right. So leave Mr Horrocks to one side then. Your

account of what you said to Peter Rippon was that, as it

were, the usual rules apply to this story?

A. That's exactly what it was about. And the usual rules

apply and they are tricky because of the 30-year issue,

the fact these allegations go back a long time. So you

don't have -- you have one person's word against

89

11/030
another. You have, um, an individual who is dead so who

can't answer back. And therefore the idea of

credibility and care was really what I was getting over
to.

I have to say, I don't think it was a very forceful

conversation. I think it was a rather banal

conversation, but clearly I was, you know, challenging

myself because that's really what you have to do if you

are in my job.

MR POLLARD: So when you say, "The worry is that it was more

forceful than it might have been", you mean other people

might think that?

A. 

I subsequently discovered that. About -- you know, you

just go through in your head, "Did I miscast it, was

I more forceful than I ..."

Just, you challenge yourself. You would know that.

MR POLLARD: And this was the only conversation you had with

Peter. This was the November 31 conversation?

A. This was the only one I had, yes.

MR POLLARD: Okay.

A. You know you just, you think -- because I had just

discovered this narrative with the handbrake turn
would get because of huge numbers of our audiences who
revered and were still mourning him. We agreed on this
one.

"It has been reported that Helen said in this
meeting that the evidence threshold needed to be as high
as if he were alive. She did not say this. I am
confident I would have remembered if she had. This
would have been to set the threshold too high in my
view. In reality the level of certainty I was wrestling
with was being dictated by my assessment of the public
mood at the time not by any legal test. The potential
scheduling issues with Vision were raised on the same
terms they were with Stephen. I can't remember if it
was by me or her. I can recall very clearly -- I can
recall her very clearly telling me to be guided by the
evidence only and the implication for other parts of BBC
were irrelevant."

A. Yes.

Q. That sounds --

A. That sounds pretty much what I was saying. The
interesting thing is about -- I remember talking about
the audience, not in the sense of it's a problem, but it
is an about the credibility, and that's again going back
to the editorial standards. The year before we did the
big FIFA programme where, um, you know we were massively

92

11/032
Newsnight. What happened to the Vision issues was no longer a matter for him.

Does that sound right?

A. I think that's quite reasonable.

Q. So whatever happens to the whole Vision issue side of things, Mr Rippon has done that bit of his job?

A. Um-hm.

Q. You agree with that?

A. I do.

Q. So you have this discussion, this middle discussion with Mr Mitchell. He told me -- you say -- that Steve Mitchell told you that Peter Rippon had re-nosed the story. In other words, it would appear you were told about the fact that now the focus was on what we see from Rippon's 214 email, the key being the CPS?

A. Yes. It is interesting the word, "The key", because that isn't really the way it was described to me and I don't know -- I don't know if Peter has described it like that to Steve. Re-nosing is often just another way into it. It's another way in -- you couldn't have done the story without the abuse, so it's not a way -- it was never described to me as the key. It was simply describing as, "We are re-nosing the story".

Q. Right. This catch up meeting, what did you do with this information that you got in this middle meeting?
A. I didn't do anything with it. You mean the one about
re-nosing the story?
Q. Yes?
A. Well it is just information.
Q. So your position would be that middle meeting didn't
give you any reason to think that the story wasn't going
to go ahead, it had just been re-nosed?
A. It had been re-nosed and Peter was slightly more
comfortable with it, because it felt, I suspect, more
like a Newsnight to him.
Q. Then the next involvement you have is before Mr Mitchell
goes away the following week you get told that it is all
over for this story, it is dead.
A. Peter can't sustain it.
Q. And that was that?
A. Well, I asked him why not. But, you know, the reality
is in my job you -- you know, I have a very, very
trusted and experienced departmental head working with
a trusted editor. They are the people who have the
material. You know, you can ask some questions but in
all honesty there was no reason for me to disbelieve
them.
MR POLLARD: Could I just ask about the George Entwistle
position during this period? You had put him on notice
on December 2, at the lunch, and you had made it pretty
Q. How do you react to that? This is a BBC press officer.

A. It looks really unprofessional.

Q. Because?

A. Well, Meirion is a BBC producer. And actually I think we should have had the conversation with him rather than do this.

Q. I infer that there was a suspicion that Meirion Jones had been the source, or at least a source for The Sunday Mirror. That's presumably Meirion's suspected role. That seems the obvious inference.

If I was to suggest to you that by pretty early on in January Meirion Jones was seen as a bit of a non-person so far as the BBC was concerned, he was persona non grata --

A. No, it doesn't really work like that.

Q. Is that something you can comment on?

A. Um, the press office is clearly frustrated. Meirion, I have since learned, has a very long track record of being suspected of leaking, which again I didn't know until we got to this point. I don't think he's ever been persona non grata.

Q. You see, one thing that is very curious is that almost until -- well, until October 2012, with the exception of one short meeting with Stephen Mitchell, which I think is in September, Meirion Jones, who does after all know
more about this story than anybody else, is the one person that the BBC don't download information from?

A. I think that is because he is regarded as untrustworthy at this point. And I don't -- there is a difference between persona non grata, because he's still working and we're still trusting him to do some journalism.

Q. I understand. Maybe my shorthand is inapposite, in which case of course you are right to correct me. Of course he's still doing his job, but his job is to do journalism. But on and off -- and then of course with a crescendo of noise by August and September -- the BBC is responding to pieces in the press about the dropping of this Jimmy Savile piece. In the BBC's developing line, which we can see through these emails, the one person that they never go to to get the facts from, is Meirion Jones.

A. Well, you have to decide what you think the facts are that you want to explore.

So the allegation is a cover-up of a Newsnight investigation. So you wouldn't necessarily go to Meirion Jones to get the facts on that, since it is suspected that Meirion is the person who has decided it is a cover up.

Q. I just want to show you --

A. If you see what I mean.
Q. That's what it says. There's another similar one if you look at 52 and 53 to David Lomax. I don't know if you have seen that one?

A. I have.

Q. It is to much the same effect, isn't it?

A. Yes.

Q. So would you agree that, putting these emails from Jones together with the dripping poison from the press office about Meirion Jones, putting those together, it looks as if there has been a pretty serious corrosion of trust --

A. Massive.

Q. -- by January?

A. Yes, undoubtedly.

Q. And not just between Rippon and Jones, but more widely?

A. More widely in terms of the lack of trust. Um, but it's a sort of paradoxical thing that you can have people in the BBC who you suspect may be leaking, but you actually still engage with them in terms of their professional life, their journalism. There is a culture of leaking at the BBC.

Q. Right. Now, as I say, I wasn't going to get into the detail of the various press stories, but can I ask --

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

11/038
to do the blog because, as he puts it, "I cannot point
to many of the weaknesses in the story".

A. Yes.

Q. Which one might think is, "I cannot tell the whole truth
in a public statement."

A. Yes. Because it is very difficult in this environment
to say that you think your main victim lacks
credibility.

Q. But if you are going to publish to the world on a blog
an explanation of why the story was dropped, it's a bad
start, isn't it, if the author of the blog starts off by
saying, "I won't be able to tell the whole truth"?

A. I think you have to put this in context too, which is
ITV do a brilliant job of rolling out Exposure. They
soften people up, I thought, expertly. Do you remember
they had Esther Rantzen, who interestingly said, having
seen the five different women from five different
locations, says: I watched them, I didn't think they
wanted anything other than to tell their story, there
were no ulterior motives. Which I thought was quite
interesting in its own right.

So the press office, I know, is very anxious that we
don't say, "Actually we didn't believe some of these
women". That is the context of, "I can't put the whole
thing out". It would be seen as grotesquely
A. You are assuming that only emails tell the truth of a situation.

Q. Yes.

A. I certainly remember a conversation involving press office people, whether Peter was part of that, I don't know. I thought that happened after the film came out, but I may be confusing my dates.

Q. Peter Rippon, you have explained, didn't want to be interviewed. Did he want to put out the blog, or was that something that he was prevailed upon to do by others?

A. I genuinely -- I can't remember to be honest.

Q. He has a busy job to do, he's still the editor of Newsnight.

A. No, but this is top of his list at the moment. I can't remember whether he suggested it or somebody else suggested it. Certainly he was not averse to writing a blog.

Q. Right.

So then look at 198, which is Steve Mitchell's reply to the email we have just seen:

"This is for Helen and I and we will not be on passing."

You say as you the reference earlier at 180 where he mentioned that they might go to --
rather mealy and mealy mouthed, "Editorial reasons", which of course tells you nothing.

And the reason that a blog was decided upon -- and I can't remember whose idea it was -- was that Peter was absolutely resistant to going on any media outlets to talk about his decision.

Q. And all sorts of people were pressing for Peter Rippon and others to be interviewed --
A. Yes.

Q. -- right left and centre?
A. Yes.

Q. You see the blog. You see the reference to 191 at the top:

"This is a chain of events. I will now work on a blog".

So the only people this has been discussed with at this stage, on the face of it --

A. Yes.

Q. -- are Mitchell and Rippon originally, 8.43 and --
A. And then me.

Q. -- then you got copied in, but you are told that he's working on a blog. So it looks as if the idea for a blog must have come from Peter Rippon or Steve Mitchell, or the two of them in some combination.
A. George.

Q. -- Helen and George.

A. Yes.

Q. Now he says, "We will not be on passing." I infer --
tell me if this is wrong -- the need to on pass, or any
question of on passing the chain of events was overtaken
by the fact that the blog gets produced, is that right?

A. Yes, I think so.

Q. Mr Rippon has produced this chain of events in a very
short time period, hasn't he? He's asked at 8.43 and he
sends it at 12.14?

A. That's not really short in news terms. It's just not,
you know, people write things fast.

Q. Right, but, it is interesting, you say, "In news terms".
It depends, doesn't it, what was going on here. It
strikes me, as a lawyer, as a very short period of time
to go away and set out the facts of a complicated chain
of events that took place nearly a year before.

A. He is not a lawyer. He's a journalist. So, you know,
quarter to nine to quarter past twelve is not, um,
a lot -- it's not short in journalistic terms.

Q. It is also fair to Peter Rippon to point out that the
instruction or invitation -- however one characterises
it -- from Steve Mitchell at 8.43, was to set out
a briefing note, "As best as you can recall".
1 A. Um-hm.

2 Q. So he wasn't, one might think, actually being asked to
go away and look at it all on a root and branch basis?

3 A. It has sort of shifted, hasn't it, from: what do you
remember Peter? To being a blog without anybody
noticing, and there is a very different purpose there.

4 Q. It hardens, once the blog is produced, in the BBC's eyes
as becoming really the cornerstone of the BBC's story
and gets so presented by Mr Entwistle when he gets to
the Parliamentary Committee?

5 A. Yes, and that again happened without discussion. It
became -- it was no one's deliberate intention, because
an editor's blog is their version of something, but it
shifted, as I think events overtook the BBC as the media
storm grew and grew.

6 Q. I'm going to keep going through this but just let me
jump sideways to 16 for a moment. Can I ask you to turn
to page 52, please? What is Mr Payne's role?

7 A. Julian Payne, I think, is the deputy head of the
corporate press office working to Paul Mylrea, I think.

8 Q. So Payne and Mylrea are close colleagues and one is the
superior of the other?

9 A. Yes, Paul is --

10 Q. The superior?

11 A. -- Julian's boss, I think.

135

11/043
Q. -- when things really get hairy.

Now, we asked Steve Mitchell about why he thought this happened, and he gave some explanation in his statement about why this happened. Why do you think -- if you accept the premise that it is what happened, that is the premise of this question, why do you think this happened?

A. I think it happened because it was the only information we had. It was the only solid thing. And it was such a confusing time with, um, the world's media battering at the door making connections that felt, um, very, very challenging, you know: what did George know, what did he do? In a sense Peter's blog filled a vacuum.

Q. Now Mr Mitchell's view, if you put 16 away and go back to bundle 7 at 198:

"Thanks Peter. As discussed, this is for Helen and I will and we will not be on passing. We have talked about that:

"It is in effect the detail behind our existing public position, namely that Newsnight had focused on a very specific approach and when that did not stack up dropped the project on editorial merit. The blog will obviously have to steer away from some of the elements of witness reliability, but in essence can follow the same line."
So is that the same point about not telling the whole truth?

A. Yes.

Q. Meanwhile, page 203 -- it may be that you are not involved in this, and if so, say so -- Mr Mylrea and others are developing a line because now the business of abuse having taken place on the BBC premises is now very much front and centre, isn't it?

A. Yes.

Q. ITV are going to run that very hard.

A. Yes.

Q. And they have film of some of those involved. The BBC's line is that these -- do you see, "These were criminal actions."

Do you see that?

A. Yes.

Q. And it is in the context of abuse by Jimmy Savile, not by anybody else, but by Jimmy Savile. If you go to the first paragraph:

"A number of series ... These were criminal actions which are the responsibility of the police, who have the powers to investigate anyone involved."

Were you aware of being involved in this developing line? It is a bit curious that the BBC has --

A. No.
Q. -- decided that the criminal actions of Jimmy Savile are now for the police to investigate, where in fact the police's view later expressed is that the one person they wouldn't be investigating would be Jimmy Savile, for the obvious reason that he wasn't --

A. He's dead.

Q. -- he's dead, a waste of time. You were not involved in that. Is that because Mr Mylrea -- Mylrea's operation is what Steve Mitchell described to you as corporate?

A. Absolutely corporate.

Q. And you are News.

A. And we're News and we're also reporting on this.

Q. So when we see Mr Mylrea's side of things, we can take it, can we, that unless you or Steve Mitchell or Peter Rippon is asked a specific question --

A. Yes, I mean I'm just trying to think. Because there is a very complicating factor to this which is the new building, which -- for just reasons of newly moved, my desk is very near George Entwistle's office. So there were moments when, well, actually I had to put up a bit of a barrier and just say, "We're News, we're separate". For example Paul got incredibly cross about some of our cameras, some of our crews doing something in relation to this story --

Q. Was that doorstepping Mr Entwistle?
running the journalism, and never the twain shall meet.

I think the blog is particularly difficult and
I think it is one of those things that the BBC is
slightly struggling with because it is a new form of
communication, which is, um, I would have seen Peter's
blog as an editor's blog about his view on his story.
You might say it is right, you might say it is wrong,
but it is his view. This is the first time I have seen
that used as a corporate communication.
And it happened -- my sense was it happened without
anyone thinking it through.

NR FOLLARD: So in the past it has been part of the
journalism, if you like?
A. Yes. And I think I can say that quite consistently.
You -- partly blogs are quite new still. I mean not
very new, but the way of using them is quite new. And,
um, so in the -- I'm just trying to think of an example.
I mean Ross/Brand was interesting, because there was
a clear line. In fact I remember meeting you and saying
I had had some ice from some of the people on the
Executive Board about the way News was covering it. And
you saying the only scandal would have been if News
hadn't covered it like that, in that sense. So
understanding that wall between News covering the BBC
and the BBC corporate line is quite complicated and, if
I'm honest I think we have quite a lot of new people, both in the corporate centre press office and in other roles who do not get this. Or do not get it as much as you need to get it.

MR POLLARD: But is your view that the blog has to meet the same editorial standards as the rest of BBC's journalism?

A. Yes, it does.

MR POLLARD: Which must have given you a problem when you were, if you like, taking things out of known facts and then make sure that they weren't --

A. I was very uncomfortable, as I flagged, with the idea of "editorial reasons", because it was an euphemism. But I did understand enough. It is a complicated role being director of News because you are both a corporate citizen and you are doing the journalism. Which is why this role, this head of journalism role and the Mark Byford role was so critical.

In the end my -- since I have had it, since April, my view has been you have to try to protect the journalism first, because in the end that protects of reputation of BBC. But I was very uncomfortable with this euphemism.

MR POLLARD: Just one final question from me for the moment.

When in October -- or perhaps it was just before
October -- did it become clear to you that there was a centre -- I'm really talking about Meirion Jones and Liz MacKean -- of opinion that completely rejected Peter Rippon's version of the story? In other words, a counter version of it?

A. It became clear to me when, um, Steve had had a conversation with Meirion, Liz and Peter, and he actually, I think, used the phrase, "It's broken". You know, there is no -- there is no common ground and the level of personal vitriol had completely shocked him, I think.

MR POLLARD: That would be when? When in relation to the preparation of the blog, say?

A. That would have been after the blog. So for me the kind of real sense of it -- and I think -- I can't speak for Steve but my sense was as the chipping away at the blog by Liz and Meirion -- legitimately they had more facts on their side --

MR MACLEAN: If it helps, Mr Mitchell met Liz MacKean on 8 October.

A. I think that was about the same time as the emails from Liz and Meirion which -- George did call me in to see and said, "Look at this". And my line then was, "We need an investigation, and it should be in anticipation of a disciplinary because this is really serious."
And actually the other thing about a disciplinary investigation is that everybody knows the rules.

MR MACLEAN: And the object of the disciplinary investigation --

A. To get to the bottom of what was true and what was not.

Q. And the subject of it, the human being?

A. Well, it would have been Peter. That, I -- in those circumstances felt very harsh but at least I felt he would have -- for my mind, because I still thought --

I didn't quite realise how much he had forgotten or muddled -- in my mind that would have protected him too because, you know, you have rights, you have sort of --

you can explain things.

Q. All Mr Rippon has been asked to do is to set out a briefing note as best as he can recall, which is what he did.

A. He did.

Q. He might not recall correctly --

A. No, no, exactly. But that then, as I say, morphs into a blog and that, almost without discussion, becomes the BBC's line.

Q. Mr Mitchell said this:

"On 1 October I asked Peter Rippon to draft a briefing note for me and the director of News laying out his decision-making."
for him. Did you feel at this time that Peter was
actually getting enough support from you, from
Stephen Mitchell and from the BBC?
A. I thought he was generally getting fantastically good
support from me and Steve Mitchell. I did not think he
was getting support from the BBC. I had a very
difficult conversation with George immediately after the
ITV programme when George asked me to go to his office
and Jessica and Paul Mylrea were there and George -- and
this is not unreasonable for George to have decided
this -- he said:
"I'm going to do a public statement and I have
decided that I need to protect the BBC and BBC News
within it, and I'm going to do a statement that makes it
impossible for Peter not to resign."
And I said, um, I think that would be wrong
ethically, but I also think it won't work because
And then, you know, George is
a decent man and he sort of pulled back from it. And we
had a conversation about, um, what we could do in terms
of managing the situation, and, um, as I have
explained to you, and there were, you know, clearly we
needed to be careful. I did make clear that if you
punish editors for bad editorial judgments, you terrify
them forever more from making any kind of judgment.
And, um, the conversation ended because Paul went out to
take a call from the Daily Mail, I think, inviting
George to lunch.

So, um, the idea of the statement was dropped.

MR MACLEAN: Can I just pick you up on something you said in
that answer? You said you made it clear if you punish,
I think, said editors for bad editorial judgments you
terrify them forever.

The working assumption was, was it, that Mr Rippon
had made a bad editorial judgment?

A. By George it was. That's why he said he would do
a statement that made it impossible for Peter not to
resign.

Q. Where had that -- what was the basis of that assessment
do you think?

A. I think it was -- I do understand it. If you watch the
Exposure programme, which I thought was a really good
programme, because they had five different women, in
five different circumstances, they didn't start with the
Duncroft girls, they started with other sorts of
girls --

Q. Not all of those girls had been available to Newsnight?

A. No, but, um -- and they built up a pattern of behaviour
own decisions as an editor and will continue to do so if
necessary."

And then you explain from your perspective --

A. Yes.

Q. -- the support you have been giving him. What is that
about?

A. That was when -- the same conversation that ended with
the invitation from The Daily Mail's editor to go to
lunch with George. George was explaining to me his
thinking about preserving the institution and preserving
News and I said -- and it was not an empty gesture --
I said, um -- because I had been thinking about it
ever since the programme, "If you need me to be the
person who takes responsibility for this, I will
resign." And it was not an empty platitude, it was
absolutely meant, because in the end, as far as I'm
concerned, that's why I get paid the danger money.

Q. But the "this" that you were contemplating taking
responsibility for -- under those circumstances, the
"this" was the --

A. The editor's right to --

Q. -- poor editorial decision.

A. Well, George had said --

Q. The wrong decision?

A. It depends if you think it is the wrong decision.
Q. That is why I am pressing you about it.
A. I think editors are allowed to make the wrong decision as long as they make it honestly and honourably. If they make it through laziness or greed or viciousness, that is not acceptable. But I don't think you can run a journalistic culture where editors are not allowed to make mistakes. I also think it is dishonest -- if you think somebody has made a catastrophic and negligent mistake you need to put them on a disciplinary and sack them. I don't approve of statements that make it impossible for them not to resign.
Q. That's what I'm just pressing you on. I can understand why you might have taken the view -- perhaps you did take the view -- that to make a statement that made it impossible for Mr Rippon to resign --
A. Not to resign.
Q. -- not to resign, sorry, would be an outrageous thing for the BBC to do to Peter Rippon. I can understand why as Director of News you might say "If you do that, I'm going to resign in protest. I'm going to make it clear that I think this is an outrageous thing to do."
A. That's not what I said -- sorry.
Q. I know it is not what you said. I'm just suggesting to you that would have been, as it were, one point of view, perhaps a perfectly sensible point of view to protect...
the integrity of News and the editors that work for you.
But why should you be offering to walk the plank on
the basis of a poor editorial decision when you actually
hadn't formed any view as to whether it was -- whether
it was a poor editorial decision?

A. Well, George had formed a view and George was thinking
of a sort of behaviour that I felt I had to counter and
actually take responsibility -- you know, if somebody
had to take responsibility for this, it does not seem
unreasonable that it is me.

Q. You were willing to, as it were, go along with, accept
the view -- the view that had been formed that Mr Rippon
had --

A. I don't -- you finish and then I will chip in.

Q. that Mr Rippon had screwed up this decision. Not the
blog, not misrecording it months later, but the
fundamental decision was so bad that he was going to be
forced into a position where he had to resign.

A. I don't think that I would have framed it in those terms.
I would have framed it as an editor has to write -- you
know, make a decision. The decision we can argue about
and I would have said I actually think that it may not
have been a bad decision, but it has clearly left the
BBC in a very vulnerable place with all sorts of issues
being raised about its reputation and its editorial
integrity -- issues that actually kill me when I think about them because I have worked long and hard to try to protect the reputation of BBC News, clearly not alone. I think I could have made that gesture -- sincerely meant gesture -- and not compromised, not given the idea that Peter had made the wrong decision, but made it clear that it did happen when I was Director of News. I don't think the two have to sit together.

MR POLLARD: Why did you decide not to resign on those grounds?

A. George said he would not accept my resignation because

to accept --

MR POLLARD: He couldn't have stopped you resigning.

A. He couldn't and I did not -- I'm not going to make myself a martyr in this. I offered it, I was sincere in my offer, and when he said no, I accepted that.

But throughout this there has been -- once the Exposure programme came out it was incredibly difficult for people not to see Peter's decision-making as poor, because you know hindsight is a wonderful thing. It is incredibly hard to kind of think back to where he might have been and the material he had.

MR MACLEAN: Let me just show you a document that might help you date this conversation. If we look at A12 -- I hope we will find page 231.001 -- an email from you to
RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH DANNY COHEN
A. Of course. Of course you are welcome.

Q. -- I just haven't seen it.

A. Yes.

Q. Can I take you back to bundle 1, shortly after Jimmy Savile had died. If you turn to page 81 --

A. Can I say a bit more on why it didn't, is that possible?

Q. Absolutely.

A. The reasons were essentially as I have laid out in my statement to you --

Q. Yes.

A. -- that, at that point, the only knowledge I had of the Jimmy Savile story was the newspaper clipping in February which suggested that Newsnight had dropped the story. As I said in my introduction -- in my summary, I had no reason to doubt that Newsnight had not carried on that investigation for good journalistic reasons.

Q. Yes.

A. So there was nothing, you know, in my mind, you know you always have in these things a duty of care to the person being accused of something until, you know, there is substantial evidence against them and in my mind there was no reason to particularly do something unfavourable and, in the context of Jimmy Savile's reputation because I didn't have any firm information that was the case.

Q. Is that -- if I understood what you said earlier, you
decided not to have a series of Jim'll Fix It for
a basket of reasons, but essentially you didn't think
the show was strong enough --
A. Yes.
Q. -- that's what it basically comes to.
A. Yes.
Q. So Jimmy Savile's reputation, his, as it were, good
name, which hadn't been definitively unpicked by that
stage, was neither here nor there?
A. No, that's what I'm saying. I'm trying to explain
that's why it wasn't an issue.
Q. Yes.
A. Yes.
Q. Okay. Let me show you page 81 of bundle 1.
Jimmy Savile had died on Saturday, 29 October last year.
Sam Hodges sent an email that afternoon to Roly Keating.
*Just remind me who Roly Keating is?
A. He has left the BBC now. He acted informally as
George Entwistle's deputy.
Q. Right.
A. It may have been that weekend he was covering for George
and that's why it went to him, but I'm not entirely
sure.
Q. Right. So you see that Hodges sends an email to
Roly Keating and to you:
Q. He was --

A. He was shortly to leave.

Q. -- shortly to leave after Remembrance Day, I think?

A. Okay.

Q. Now, the reference there to "obit Jimmy Savile", as we understand it, that is a reference to formal obituary programme, which is usually, but not always, commissioned before the person has actually died?

A. That is right. We have a lot of those waiting, as it were.

Q. A lot of?

A. A lot of those films are ready for when people pass away.

Q. Do you have a lot of them?

A. Um, maybe five to seven, you know, with the Royals, probably the same with -- when you were at Sky.

\[\text{[redacted]}\] you know, there are some people in that kind of category, yes.

Q. But not many in the entertainment -- Ronnie Barker was one example that we were given, who obviously has died.

A. I think we're doing one on \[\text{[redacted]}\] I can't think of many others beyond him that we are currently --

Q. I am sure he will be encouraged by that.

A. I'm not sure he knows. His agent does.

Q. So the question of whether there should be a formal
obit, that's nothing to do with you, is it, at least
until it comes to be scheduled for being shown, is that
right?

A. No, I may have a role prior to that. So I'm shown from
time to time a list of ones that we have prepared and we
discuss whether that list is appropriate, whether there
is anyone missing, and also whether any of them need
updating. For example, say, with a member of the Royal
Family, say, actually anyone, if they -- if they have
a -- if there is life events going on, you need to keep
updating the programme, so that it is up to date if and
when it goes out.

Q. For example, if it is not too morbid, to take the
example, if you had made a programme about
him ten years ago, it would not have mentioned
and clearly it would now have to be
updated.

A. Perfect example.

Q. Let me show you page 87 which refers to the position of
controllers. This is still the 30th. You are not
involved in this email exchange, but
Nick Vaughan-Barratt emails Jan Younghusband on the 30th
at 9.30 to say:

"Some years ago we decided not to make one [i.e
an obit] for Jimmy Savile and that decision has been
agreed by successive controllers."

Were you ever party to a positive decision not to
make an obit about Jimmy Savile?

A. I don't think I was. But I couldn't be 100 per cent
sure.

MR POLLARD: How long have you been in post?

A. Two years.

MR MACLEAN: You mentioned a moment ago that you do, from
time to time, see a list of these things.

A. Yes, and I don't recollect ever discussing Jimmy Savile
as part of that.

Q. Would that discussion be with Nick Vaughan-Barratt or
his successor?

A. Yes, and Jan Younghusband. So every maybe six months
they might come to me in one of our routine meetings and
show me the current list.

Q. So what do you -- what if anything do you recall about
Jimmy Savile, vis-a-vis this list?

A. Nothing. I don't remember anything actually.

Q. Without getting into the -- putting everybody into their
own particular pigeon hole, how far down the pecking
order, if you like, would Jimmy Savile have come, in
your opinion? If I come to you on 28 October and said
"If Jimmy Savile dies in the next six months, how far
down the pecking order is he, how close is he to having

11/061
there is not that many more that are sitting waiting.

MR POLLARD: But you would quite regularly, I guess, have
a discussion about somebody who died, "Should we make
a programme about them?" You might say yes, you might
say no.

A. After they had died?

MR POLLARD: Yes.

A. Yes. That's exactly what happened, as you can see from
some of these emails. That's pretty standard that when
someone -- we had it quite recently, I think, with
someone from, you know, the army comedy of the 1970s --

MR POLLARD: Dad's Army.

MR MACLEAN: Clive Dunn.

A. Clive Dunn. So those conversations happened in the last
few weeks and we agreed that the right thing to do --
I actually can't remember. It was a BBC2 decision. We
decided it would be more appropriate on BBC2 and I can't
quite remember what they did.

Q. So if one was trying to get a sense of how much, as it
were, care and attention -- I don't mean that
pejoratively -- is devoted by the controller to the
question of who should be on this list, how much of your
time does it take up, the answer would be what?

A. 20 minutes every six months.

Q. Right.
morning anyway, you had had the idea of the Jim'll Fix
It; is that right? Go to page 101.

A. Yes. I mean, I don't recall exactly when I had it, but
in the context of that, that makes sense.

Q. So:

"Hi George, one thought I have had this morning is
to do a Fix It Special at Christmas with a loved BBC
personality taking Sir Jimmy Savile's role. It would be
homage to him and I think it would feel like a real
Christmas treat."

George Entwistle replied to that, if you go to
page 108.001, saying:

"Great idea, Danny. Please keep me posted."

A. Um-hm.

Q. But in between those two emails, in between your email
at 10.19 and George Entwistle's email at 12.46, there
was another email sent to George Entwistle and copied to
you at page 103, wasn't there, at 12.01? Do you
remember that one?

A. I don't recollect reading it at the time. I have
obviously seen it since these bundles were sent to us,
but I think -- well, I know I didn't see it at the time
and I presume, although I'm speculating, the reason
I didn't see it was I felt, as I have mentioned, that
the night before my decision had been made and I do not
I don't feel that they are still appropriate to my part of the work.

Q. So in order to know whether it was appropriate to your part of the work or not, you would have to have read it?

A. No. Because I had already decided that in terms of Sir Jimmy Savile -- you will see from the email about the night before where George and I agreed it was not BBC1 --

Q. Yes.

A. -- I didn't think that there was anything more I needed to do at this point in terms of this chain of emails about what we would be doing on Jimmy Savile in terms of obituaries or tributes.

Q. Because it wasn't going to be a One thing?

A. Yes. And that's my remit essentially.

Q. Right.

MR POLLARD: How do you know that until you have read the email? I mean, the email might have been Jan Younghusband saying "Apparently George has changed his mind and wants something on BBC1."

A. Yes.

MR POLLARD: Now he hadn't, but I'm not quite sure how you can make an assumption that an email is not worth reading until you read it.
A. Well, I think it's a fair question. We get so many emails and I don't always read cc's. I think often if it is sent to you directly you always read it; if it is a cc you sometimes don't go into every email we see because we just get so many. So I felt the night before I had dealt with it in terms of what we would be doing immediately on Jimmy Savile and I didn't see it the next day.

MR MACLEAN: Did you discuss it with Mr Dolling at all?

A. Discuss what?

Q. Discuss the Jimmy Savile position, if I can put it like that, with Phil Dolling?

A. In general or pertaining to this email?

Q. In particular on or about 31 October?

A. I can't remember to be honest.

Q. Because there is an email that you will have seen in the bundle that we sent to you from him to Jan Younghusband that same day, at 15.48, where he says: "To be honest, that is probably a good call ..." I.e they don't want an obit of Jimmy: "... better to keep to the entertainment side of his life."

Said Dolling. Which might suggest that he --

A. Sorry, could you give me the page, please?

Q. I have it in a different bundle. Let me see if I can

11/065
the story so they are beavering away on the special
oblivious. Liz G [that is Liz Gibbons] has said to
Meirion 'I'm having nothing to do with this, I don't
want to piss off Danny Cohen, it is down to Peters'."

Did you have any discussions with Liz Gibbons about
what was going on in Newsnight?

A. No. I'm not sure I've ever met her. I may have met her
once but I certainly have not had any discussion with
her on recent --

Q. Can you think of any reason why she should be concerned
not to get on your wrong side?

A. Well, there's -- I'm a senior manager. I think the
people in News on this have massively overplayed how
upset we might be with any of this information. I think
the suggestion -- my understanding of that suggestion is
that we would be disappointed to hear about this because
it would stymie our plans for the Shane Richie
programme.

Q. Yes.

A. And I don't think I would have minded in the least. You
know, if someone had said to me -- and this is "if"
because this didn't happen -- if someone had said to me
"we have serious allegations outstanding against
Jimmy Savile", I would have said, "I'm really glad to
know that. We need to look at whether we should put
MR POLLARD: Do you wish somebody had done that?

A. Yeah. Because I -- you know, I put that programme out. Um, and I -- you see, we move programmes quite often. You know, I did it quite recently. We had a programme called Good Cop which was, I think, a three or four part drama series and quite a gritty real life thing, and when we came to, I think, the third, the final episode -- so, you know, you had given the audience all of the material already and they were hopefully into it -- in the final episode a female police officer is beaten up and that coincided -- that fictional story coincided with very close to -- do you remember that recent Manchester story where a female police officer was killed?

MR MACLEAN: Yes.

A. So we had to make a decision about whether it would be appropriate or tasteful to put that programme out, and I decided it wasn't and we delayed it. We do that kind of thing not weekly but relatively often.

Q. We saw that the Richie thing was being filmed on, I think, 19 December?

A. Yes.

Q. It wasn't -- it wasn't, or was it, a very expensive programme to make?
A. Not -- not by the standards of entertainment programming. But, you know, as I say, if someone had said to me, "We have criminal allegations outstanding against Jimmy Savile", I would have said let's hold off this programme until we know whether these allegations are proven or not.

Q. What about if somebody had said, "We've gathered some information that leads us to think that Jimmy Savile probably was a paedophile but we don't have enough to make it stand up on a news piece"?

A. Well, I think that's a very good and interesting question, and I think it comes down to a judgement about whether you think it's fair to penalise someone for which we don't -- we're not able to substantiate allegations. And I probably would want to take advice on that.

Q. From?

A. Legal, editorial policy.

Q. Let's assume Legal had said "There is no legal impediment to running this story. If you want to run it, that's fine"?

A. I think I would have had to make a judgement with my boss and Editorial Policy whether it was the right thing to do. I don't think I can tell you off the bat because what you are saying is -- what you are essentially
saying is there are a number of different things they
could have told me. They could have told me "We're
confident that he's a paedophile and we're in the
process of preparing an investigation on that"; or they
could have said, as seems to have happened, "We have
been investigating this. We can't stand it up. We have
decided we can't stand up".

If they had said to me "We can't stand it up",
I think I would have gone ahead with transmission
because I don't think it would have been fair not to
transmit a programme that the BBC couldn't substantiate
allegations against.

MR POLLARD: If they had said "We can't stand it up yet"?
A. I think I would have delayed the programme.

You know, I have noticed in some of the emails, you
know, "destroying our Christmas ratings". This was not
the programme at the heart of our Christmas. This was a
5.45 programme on Boxing Day. You know, BBC1's
Christmas story was not dependent on this 30 minutes of
teetime television.

And reading those emails, the ones about that, I'm
surprised by them because if they had asked me I would
have said this isn't a big deal. This is half an hour
at 5.00; it's not even in prime time. You know, it's
not the biggest thing in the world to us. And certainly
if somebody had said to me there are serious sexual allegations against this person, like the Good Cop one, I would have gone away and thought about it, maybe taken some advice and, depending on what they said about substantiated or not or where they were in the process, made a call on whether to delay the programme or not.

MR MACLEAN: Would you have gone to see Steve Mitchell and asked him about it?

A. No, I would have talked to George Entwistle.

Q. You wouldn't have talked to anybody in News directly?

A. No, I wouldn't, no.

Q. You would have gone up to the Director of Vision?

A. Yes, I would.

Q. And then left him to deal with either the Director General or Helen Boaden?

A. Yes.

Q. That would be the way it would work?

A. Yes, I think that would be appropriate, yes. Because I don't think it would be appropriate for me to start asking specific questions of journalists about their investigations.

MR POLLARD: I was just going to say, it just brings us back to that November 27 meeting that you had with Steve Mitchell: Obviously the reason that we're interested in it is because it was absolutely just at
RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH GEORGE ENTWISTLE
Q. Whether they knew exactly what is another matter but they knew that BBC Vision was going to do something about Jimmy Savile. So if you assume for the purposes of the discussions that Vision issues, as you say, it comprises or includes --
A. Yes, are those.
Q. -- tributes, what would you say about the dropping this off the list?
A. Well, I -- I guess are they thinking that they want to -- that they intend to address Vision issues, in the sense is that you give, in a way different to the Managed Risk Programme List?
Q. One suggestion was that the Managed Risk Programme List was not concerned with items or programmes where the risk was a reputational risk to the BBC, and therefore Savile wasn't an appropriate story to be on the Risk List in the first place at all. That's one suggestion we have had, do you recognise that?
A. In Vision, reputational risk to the BBC would one of the reasons we would have contemplated putting something on the list.
Q. Another argument or suggest that has been made to us is that the Savile story was dropped off the list in order
Q. We can see that Steve Mitchell is there, Helen Boaden, Peter Rippon and you.
A. Um-hm.
Q. So just tell us about, first of all, at what point in this event did Helen Boaden sidle up to you?
A. My recollection, I arrived -- I was ill that day and I hadn't done the work I was going to do in the morning. I had stayed in bed and I went from -- I didn't want to miss the lunch because I thought -- I understood Janice Hadlow was going to win an award and I wanted to be there for Janice's award, so I went from home -- there was a lot of talk about were we going to share a lift in, but I didn't in the end share a lift with anybody because I went from home to the lunch and I didn't -- I recall arriving not late but relatively close to the start of the thing.
There were a lot of people around. It was very busy and I -- [silence], who was the one who sent me the stuff, was introducing me to a lot of people I didn't know, people connected with women in film and television and other people around me. But my recollection is that Helen -- in the period before we sat down, Helen came up to me and mentioned the, um -- mentioned the Savile investigation.
Q. She was doing that because she had learned from
Peter Rippon and/or Steve Mitchell that Newsnight was --

A. Looking at --

Q. -- looking at this and had something in the pipeline and
at that stage her expectation was that the piece might
well be broadcast; is that right?

A. Well, I have -- I have answered this question so many
times I'm -- I'm starting to wonder whether I can't
remember some of the ways I have answered the question
or whether I can't remember the situation itself. But
my recollection is that she was open ended about whether
or not anything would come of it. That was my
recollection of that exchange.

So she didn't say "We're days away" or "This is
imminent and it is stood up and you need to know because
we're about to press the go button on it". It felt much
more like "Newsnight are looking at Savile and if
anything comes of it" -- and I have used these phrases
and I don't know whether they are absolutely right or
not, but -- "if it stands up, if any thing comes of it,
if it pans out", something like that, "then may be
implications for your Christmas schedule".

I remember saying "Thanks" and I think I might have
said thanks in an ironical way, but I didn't mean to be
discouraging. I just wanted to reflect the view

television might generally have of News' capacity for
creating problems for it. But -- which is pride in it
on the one hand and the recognition that sometimes it
creates practical problems on another.
Q. So she had at least potentially put something onto, as
it were, your plate?
A. She definitely put something on my radar, was my
feeling. I didn't feel she had put something on my
plate because I felt that she had been so clear about
the -- or I took away from the conversation so clearly,
my recollection is, the conditionality of it. It felt
to me that there was an "if". The key thing was "If we
move to the next stage" or whatever the phrase might
have been.
MR POLLARD: Any journalist would say "What are you
investigating him for?"
A. I know. I didn't. I don't recall asking her that.
I asked her afterwards when I -- when I talked about the
conversation "Do you remember me asking?" She said
"I don't remember you asking, I don't remember whether
I told you or not". So I don't have a recollection of
asking it and I agree that question has been put to me
a lot, I understand that. I have thought a lot
about it. Thinking a lot about it hasn't brought back
a memory of my asking or her telling me.

We were in a sort of thoroughfare between two
tables, people kept coming up and saying "Oh, hello" and
air kissing each other because this is television, and
it could well be that our conversation was interrupted
by another introduction. Frances was rather
industrially bringing people up to me to meet, and that
was good, in a sense, that was what I was there for.

Q. As a mechanism of putting something, whether on your
rader or on your plate, it is a pretty hopeless forum to
do it in, isn't it?

A. Well, it -- everything I say now is post hoc, ie this is
me rethinking about it now rather than thinking about it
at the time. The only way in which it seems to me that
that would have been -- would have made sense, is if it
was a -- it was the beginning of a conversation that
would have a second part.

Q. Helen Boaden, I think, explained to us that she
anticipated that you would take this information away,
back to Vision, and --

A. And do something with it?

Q. -- and do something which it?

A. Which I didn't do, so far as I'm aware.

Q. What would the -- I mean, the "something" might have
been to, first of all, get a firm grip of what the --
what was on the Vision menu, but perhaps you knew that
already, so far as Savile was concerned.

11/076
but I didn't.

MR POLLARD: You have mentioned -- I think Mr Maclean will
be coming to it -- the way perhaps you put this at the
Select Committee.

A. Yes.

MR POLLARD: You made quite a strong element at that
committee of not just, if you like, a sort of passive
"In fact, I didn't do much about it", but a positive
reason for not doing something about it, or not asking
more about it because of the danger of influencing --

A. Well, that's --

MR POLLARD: -- can you explain that?

A. Yes, it's something that's always in my mind because
coming from the News side to Television it -- it
seemed -- it has seemed to me -- I can't think of any
specific examples -- but it has seemed to me that some
of that defensiveness one perhaps detects in the
Newsnight coming off the Managed Risk Programme List,
about whether or not Television could be expected to
be -- to understand what News' prerogative were here was
an area one needed to be sensitive about, and I felt
that one of the things I -- I would especially -- could
especially bring -- or should especially bring to doing
my job in Television, with the awareness I had of News,
was to be sure that we didn't misbehave in that regard,
that we didn't try to put pressure on.

Therefore it was a consistent issue for me, this business of trying to make sure that News were given the space they needed to do stuff, even if it was disadvantageous to Television, or problematic to Television.

MR MACLEAN: But Helen Boaden was, as it were, a very experienced person in her role.

A. Yes, yes.

Q. She wouldn't have dreamt of you doing or saying something that was inappropriate and, if you had, she would have told you politely to get lost, wouldn't she?

A. I think that's right, but at the same time, I think I would have wanted to show to Helen, as a peer, that I was very much alive to the notion of not sticking my nose into her business. So it would not just have been "I will count on Helen telling me to clear off", I would want to show to her that I was alive to the dangers and she could fairly expect me to be alive to the dangers given my background.

Q. Nick mentions the parliamentary committee, if you want to be reminded of what you said, it's in various places. If you go to 17, please, the start of it is page 53. This bit really starts about 63. This is Mr Farley(?), I think, who is asking the questions. He starts at 61.
Do you see at 63, just by the top hole-punch, he raises a question of what he calls a BBC drinks party. You correct him about that.

A. Yes.

Q. Then the reference to the discussion with Helen Boaden. Then the bit that I think Nick has been on about, the lower hole-punch:

"My assumption was that, if there was anything I needed to know I would be told. Is this something I have reflected on a lot it has been made plan that I have this determination to observe the separate organisation of News and Television."

Then you were asked:

"Is this not a blind spot in the organisation?"

Then you said this, which is what I want to ask you about:

"No, because if anything of seriousness is going on then the DG can review and pass information on."

How would that happen? How would that work?

A. Well, the way -- if you sort of spool on into a world where -- I mean this is -- I through have -- I'm in danger of trying to interpret myself here because I can't for certain remember what I was thinking at this time. But I guess that if -- if you -- if -- my impression after the Helen conversation was that they
were looking at something and something might come of it. My assumption would have been that if something were to have come of it, she would have let the DG know about it potentially, because it would have fallen on to the kind of list of -- small number of list of projects that she would have mentioned to the DG in a routine, just as I had a number of things in my routine that I might have mentioned to the DG.

Q. Why would that be, because the subject matter --

A. Because Savile was a BBC star and that, just the -- Savile being who he was might have been the sort of thing Helen would have a thought Mark might have found interesting. But, even if it hadn't gone that way, even if Helen hadn't mentioned it to Mark, and I have seen no evidence that she ever did mention to Mark, you know, she might have come back to me and said "Well, it has stood up, it has panned out, this is when we propose to broadcast it, this is the kind of thing we're going to say".

At that point I would have said "Right, well, that obviously has direct implications for what we should do". I think I would have said at that point that I think this is something we should both talk to Mark about. This feels to me that Mark needs to be aware that there could be an investigation in News that could
account of what I did think. But I think I was in
a place which was "If Newsnight stand up their story
then there is a corporate issue and if they do not stand
up their story then there isn't a corporate issue".
MR POLLARD: I get the impression from you way you said that
you think those things are not now absolutely equal or
shouldn't be.
A. I think, on the basis of this, they shouldn't be and
this is something I have reflected about.
MR POLLARD: You have obviously thought an awful lot about
this in recent weeks. To put it at its simplest, how
should you and the BBC have been saved from making the
mistake of, to start with, running those Savile
programmes? I accept this is with hindsight, but there
were various bits of the system that failed, obviously.
How should it have worked?
A. I -- I have a nervousness about answering because it --
because it implies that any of these considerations were
things I had in my mind at the time, which I didn't --
well, not any of them, but the particular construction
of them.
But, you know, I have a number of reflections about
that. It seems to me that the editor of Newsnight might
have said "This isn't ready to be broadcast yet", but
I shouldn't stop it because it is palpably
A. I didn't know that. And I haven't been able to infer that from what I have read.

Q. But if that were right, then that would be an important counterweight to the view that Mairion Jones was giving you?

A. Well, absolutely. Absolutely so. I mean, I became really worried and preoccupied with whether or not an accurate understanding of what they had got on Newsnight was being communicated to the police. I made that attempt on the 2nd, to be reassured that the police had got everything.

I then asked Nadia Banno and the BBC Legal team to engage really forensically with Newsnight because I just wasn't happy -- I wasn't convinced that they had made a proper assessment of what the police ought to have and what they hadn't.

Q. So in other words on the 2nd -- so you are really focused on this now. You are the Director General and whatever ITV is going to do is about to crash over your head. So it follows from that, doesn't it, that you were not satisfied that whatever had happened in September had really got to the bottom of what Newsnight had?

A. I think the thing that was uppermost in my mind about what happened in September were historical allegations
undertakes to do it by lunch time.

One might think that for a document that becomes in
the succeeding couple of weeks a very important crutch
on which the BBC rests its version of events, that in
fact Mr Rippon is really being asked to write down what
he remembers rather than go away and conduct some
archaeological exercise to find out what the true facts
were, because there might be a difference between the
two?

A. Um-hm.

Q. Do you think that's a fair observation?

A. I think it -- I think -- I suppose it is. I suppose the
point I make is that I wouldn't -- I mean, although
we're dealing with something which is obviously some
time before, I wouldn't have expected Peter Rippon to
have to do much archaeology about an investigation of
which he was the executive producer.

Q. Even if it was 11 months before?

A. Yes. Because I would have -- I think I would have
expected him to have, you know -- a collection of emails
that related to his supervision of the investigation
that would really give him a pretty good guide to what
had happened.

Q. So the idea of producing a briefing note within
a morning -- and in fact Peter Rippon says he doesn't
our existing public position, namely that Newsnight had
focused on a very specific approach and when that did
not stack up dropped the project on editorial merit.
The blog will obviously have to steer away from some of
the elements of witness reliability but in essence can
follow the same lines."

It might be said that from the very beginning the
public statement is not telling the whole truth, because
Rippon and Mitchell are imposing on themselves some sort
of self-denying ordinance --
A. Concerning witness reliability. (Pause)
Q. The point I was making was that it looks as if Mr Rippon
and Mr Mitchell have, between themselves, agreed that
this public statement won't be telling the whole truth
because some of the factors operative on Rippon's mind
aren't going to be mentioned.
A. He isn't going to want to mention.
Q. I imagine that you didn't know about that --
A. No, I --
Q. -- aspect of the blog.
A. No, I didn't see -- I didn't see these, so I didn't.
But it -- you know, it does seem to me you can still --
he can still have written a blog in which everything was
true, which was not a blog in which he had written
everything, but he didn't write a blog in which
Steve Mitchell at 12.14. Within the hour, Paul Mylrea, to David Jordan and to you amongst others, and the focus at the corporate centre, if you like is on -- now, anyway -- the allegations of sexual abuse by Jimmy Savile including the aspect about BBC premises.

A. Um-hm.

Q. The line that is getting developed is that these were criminal actions which are the responsibility of the police who have the powers to investigate anyone involved.

If that was right, it would mean, wouldn't it, that inevitably Newsnight should have handed over material that it had a year before to the police?

A. Yes, and by the time I received that, that day, I had already asked Helen Boaden to get for me -- and she had given me -- an assurance that there was nothing in Newsnight's possession that wasn't known to the police.

Q. But you understood that that was not that Newsnight had given anything to the police, but rather that Newsnight had stuff and the police --

A. Already had it, that was what I understood.

Q. -- already that stuff from somewhere else?

A. The key question I said to Helen was "We need to be sure that Newsnight aren't sitting on anything that the police need to have", and the message that came back was

127

11/085
"Everything that Newsnight have, the police have already got".

Q. Was there ever any prospect of a criminal investigation into Jimmy Savile?

A. It seemed to me there was, because it seemed to me that -- and the police mentioned this to me the first day I spoke to them, which I think was on the 1st -- was that Savile may have had accomplices and, indeed, people have now been arrested who it is alleged were his accomplices.

Q. I see, so --

A. In other words, if Savile had been operating in a ring of any sort or with the support of people still alive, then that would make it a matter of contemporary criminal potential, contemporary criminal action, and that was something the police made aware to me when I first spoke to them on the 1st.

Q. Yes, I see. So there is a possibility of people who are still alive who may have been accomplices or some sort --

A. Or abused people alongside Savile, yes.

Q. -- some sort of collaborators with or assistors with Savile.

A. Yes.

Q. But potentially, but not really on your radar -- tell me
A. No, I -- I don't -- if I was making a distinction

between the two, I don't particular know why I was

making it. My sense was that the blog had come out of

Peter Rippon via Steve Mitchell to, um -- to the people

who posted it, and that, therefore, it was something

Steve would have had sight of and approval of.

Q. Did you, first of all, know that it had been -- some

input had been given to it by Mr Mylrea and

Paddy Feeney?

A. I -- my suspicion would have been that it would have

ended up with Mylrea and Feeney potentially after

Peter Rippon and Steve Mitchell had had an interface

with it, ie the business of fine-tuning the language for

publication would be something I would have expected the

press office to be involved in.

Q. I will show you if you want, but have you seen how that

happened in the emails?

A. I have not seen the detail of it, no.

Q. Let me show you. Bundle 7, page 86.

I have not taken you through the detail of the chain

of events and I was not particularly going to take you

through the detail of what's in the blog because we can

all read and we can all form our views on what's right

and what's wrong but if you want to say anything about

it at any stage, obviously do.
"I'm fine with this. Spoken to PR who is also content and will arrange for it to be posted."

A. I would treat that as a sign off. If it has gone to
Stephen Mitchell and he said "I'm fine with this" that
is a managerial sign-off.

Q. Peter Rippon said, I think, that he proceeded on the
basis that, like anything else, it was appropriate to
have a managerial sign-off.

Mr Mitchell took a slightly different view. He said:

"The editors' blog is a site where editors from
across BBC News explain stories and share their dilemmas
and other issues with the public. Their blogs are not
always overseen or checked by management and I do not
believe that the detailed supervision of a blog lies
within my responsibilities. Editors do liaise with the
press office when publishing their blogs. To the best
of my recollection, I saw Peter Rippon's blog when or
perhaps shortly before it was published."

Which slightly de-emphasises --

A. It is a different interpretation, isn't it? The key
point I would make is that, unusually, an editor --
a BBC News editor at an editor grade, senior manager 2,
is allowed to go to air with their own blog without
referring it upwards, because they are in that level of
the organisation where they are entitled to take
responsibility for their output. They can, in fact, do
a blog without getting it signed off. So there is --
an element of what Steve is saying is right there,

MR POLLARD: Anybody lower down the chain --

A. Would have to get an approval. That was the whole idea
of the editors' blog. It was an attempt to join a world
of self-publication and pitch it at a level where people
were considered senior and experienced enough to make
judgements go about going to air unsupervised.

MR MACLEAN: But the press office a role in the production
and publication of the blog that they would never have
had in the production and publication of the original
journalism.

A. That is correct. Because the blog is seen as a public
facing exercise in explaining how the BBC does what it
does, then the press office involvement, I think, is
appropriate in terms of, you know, consistency and
making sure that the phraseology is as good as it could
be and that kind of thing.

Q. So running the blog past the Mr Mylrea's of this world
but not having them involved in the production of the
Newsnight piece --

A. Is entirely standard.

Q. -- is entirely standard and sensible?
A. I mean you wouldn't -- I would never want the press

office to get involved in journalism, under any

circumstances. I mean, when the journalism was stable

and you were selling the journalism, either to your

audience or the outside world, sure, but it's not like

getting the marketing department involved in shaping

a piece of stuff that you are marketing, it is

da different thing.

MR POLLARD: Is the implication of that, that this is not

journalism, the blog?

A. Well, I -- I think there is a sense in which it isn't

journalism because it is about the workings of the BBC.

So, in other words, it is reflexive. Unusually -- we

don't spend a lot of time talking about what we do --

all this "we" again, "they". Arguably, they don't do

enough, and the blog was a real -- the editors' blog was

a real attempt when it was brought in to make the whole

process more transparent and give people more insight

into how decisions were arrived at but I think the

answer is it has all the same -- it must have all the

same standards of accuracy and impartiality and all the

other BBC values, but it is not journalism in quite the

same way, no.

MR MACLEAN: We have seen the blog was not the only thing

Mr Rippon wrote, he wrote the chain of vents. We have
seen that he and Mr Mitchell appeared to have agreed
that it was just not on for the blog to tell the whole
story --

A. For Rippon to express his anxieties about ['A']
yes.

Q. -- and that what you and the other people -- the senior
echelons of the BBC -- needed on the following day was
not the sanitised, if I can use that expression --
whether there were errors in it or not is a separate
question -- not the sanitised view that is presented to
the public. What the BBC needed was the warts and all
account from Mr Rippon setting out what his thought
process was, which wasn't -- that was never what the
blog was about in his mind.

A. Well, I -- I think that the BBC management were, me and
others, were entitled to rely on everything in the blog
being accurate. Now, I don't -- it could be -- it seems
to me it has -- it had all the capacity it needed to be
a proper and truthful account without -- without
necessarily containing absolutely everything had run
through Peter Rippon's mind. The key thing in the end
is -- I guess the question I would ask him is: was the
really reason that you didn't run this story, Peter,
that you didn't believe ['R']? Was that the real
reason you didn't run this story? In which case, the
blog is not accurate.

But I still don't have the sense that -- I have the sense that he has an unpinned down and almost unarticulatable reservation about [84] that endures, but he never, ever tackles that as -- if that was the main reason he didn't reason the story, I'm not sure he's even come to terms with that today, I don't know. You have interviewed him, so maybe he has.

But from my standpoint, the key thing about the blog -- the major task of the blog, as far as I was concerned, was that it was absolutely unequivocal about the fact that, for whatever reason, he had made his own decisions.

When I glanced at -- when I glanced at the blog on Paul Mylrea's terminal, the bit I glanced at was that section. Your know, I had a fleeting conversation with Peter about this. I said to him "Did you come under any pressure, Peter? Did you feel that anybody put you under any pressure to make the decisions you made", and he said "No, I didn't" and I thought I would just like to see what that looks like in the blog.

Q. That fleeting conversation was when?
A. I can't remember. On the 1st or the 2nd.

Q. You actually spoke to Peter Rippon?
A. Yes, I remember speaking to him outside -- outside the
MR POLLARD: So the DG's office, and I think at that time
Helen Boaden's office would be quite --

A. Helen Boaden's area was sort of directly outside --

MR POLLARD: Yes.

A. -- and there were --

MR POLLARD: Is Steve Mitchell's office there?

A. Yes, Steve Mitchell sits there and I think, Steve, Helen
and Peter Rippon were all there. But I think I just had
a very brief conversation with Peter at that point.

MR MACLEAN: Okay, but I don't think --

A. Is that not something Peter has remembered?

MR MACLEAN: Peter Rippon doesn't remember any statement.

I don't recall but we can check --

MR POLLARD: That was not a meeting that you had arranged --

A. No, no.

MR POLLARD: -- or he had arranged --

A. No, it was an encounter.

MR POLLARD: You said to him? He said to you?

A. I said -- as I recall, I said to him "You know, you
weren't put under any pressure, were you, Peter?"

MR POLLARD: Yes, and that was the key point you wanted to
ask him about.

A. Yes, that was -- that was -- that was -- my sense of the
function of the blog was that.

MR POLLARD: I see. So this would be, would it, after you
had seen the blog on Paul Mylrea's terminal.

A. No, I think it might have been earlier in the day. I'm finding it very hard to pin this down, though. I would have thought on the 1st or the 2nd.

MR MACLEAN: There was a lot going on in Newsnight at that time because they have they were running dummy programmes --

A. Yes.

Q. -- and there was a lot on Rippon's plate as well, at that stage.

A. Yes.

Q. When the blog got published on the 2nd, you have probably seen now, but probably didn't see it at the time that there was some pretty immediate email traffic involving Liz MacKean and Mairion Jones.

A. I have seen that now, yes.

Q. You can put 7 away, Mr Entwistle, and just take bundle 8. If you go to page 10, this is from MacKean to Jones. You probably saw this --

A. In the bundle you sent, yes.

Q. Liz MacKean expresses a fairly pithy view about one particular line in the blog, and you have probably seen -- I will show you the detail of this -- she sends an email at page 30 to Peter Rippon and to Steve Mitchell sharing her concerns about the blog --
I don't know whether you accept my paraphrase --

essentially it was off his plate by that stage, and it

was onto Mr MacQuarrie's plate.

So to what extent did this discussion, electronic
discussion, actual discussion, that Mitchell had been
having in the days afterwards --

A. Get to me.

Q. -- get to you?

A. It didn't. One of the things I'm most -- I have been

most surprised by in the bundles is the extent to

which -- that they were having a conversation about

inaccuracies in the blog in the detail they were as

early as they were, without that having been made known

any further up the system.

Q. Because the top of the system, if I can put it like

that, doesn't seem to have satisfied itself that there

were inaccuracies in the blog that needed correcting

until the weekend before the corrections were made.

A. Well, that's the point at which I would say we are

certain that there -- we became certain there were

inaccuracies and we became certain that we knew what the

inaccuracies were. Interestingly, the note that

Meiron Jones sent to me on the 5th -- which he always

says I got on the 5th but I didn't get until the 8th --
doesn't actually find fault with the blog. It says --
I'm in danger of misquoting it, but it says --

Q. Let me show you.

A. You can quote it.

Q. I'm going to show you.

A. It says one point, critically, one point:

"That's not what this investigation was about."

That's not a reference to the blog, it's a reference

to my all-staff email on the Friday night.

So when I asked Ken -- when I asked Ken MacQuarrie
to speak to Liz and Meirion, worries about the blog were
one thing that was in my mind and another one was just
this general sense I had that they didn't seem to know
what they had investigated and that we couldn't go on
trying to defend an investigation about which there was
such an enormous difference of opinion. Of course, that
went to the blog, but in my mind, it also went just to
a business of us needing to understand what Newsnight
thought they had investigated.

Q. So what were MacQuarrie's, as it were, terms of
reference then?

A. I said "I want you" -- and it was -- it was -- it was
overstated as an inquiry. I never intended it to be
an inquiry. I wanted to provide somebody for them to
talk to outside the News chain of command, about which
it was becoming clear they had doubts, so I wanted to
give them a relatively safe environment in which they
could tell the whole of their story, so that would get
to me and start to inform my judgement about whether or
not I was being given a realistic picture of what
happened on Newsnight, by the route I would expected to
get a realistic picture, ie from the editor Newsnight up
the News chain of command, or whether the scale of the
misunderstanding or disagreement to Newsnight on what
they had actually done was so distorting the thing that
I needed to think of another way of dealing with it.

Q. To the extent that it might be -- perhaps a little
uncharitably but perhaps not -- said of Mr Mitchell that
he rather just dropped this ball when he heard
MacQuarrie was floating around, he just said "Okay,
I will just put this all on the shelf", it would have
been perfectly simple, wasn't it, for Steve Mitchell,
once he knew MacQuarrie was involved, either himself to
seek out MacQuarrie --

A. Yes.

Q. -- or alternatively drop you an email or come and see
you and say "I don't know what Ken MacQuarrie's doing
George, but when he reports to you, you should you also
be aware of X, Y and Z".

A. I genuinely think it would have been useful for me to
know. As I say, of all of things that I saw in here
Rippon could be right that these two people could be
making a tremendous amount of trouble for him. So
I still wanted to keep alive in my mind the possibility
that Peter Rippon might be telling truth about what the
investigation was, or they might be telling the truth, or
none of them might be telling the truth, or they all
might all be different bits of the truth.

What I really wanted Kenny to do was to bring in
a bit of brain space that I didn't have, or time
I didn't have at that moment, and there were other
reasons I didn't want to talk to them myself, to get
somebody outside the News bell jar to start to give me
an opinion of what he thought might be going on there.

MR POLLARD: A few minutes ago you played down the
importance of the MacQuarrie intervention.
A. The only sense in which I wanted to play it down was,
again, the newspapers immediately presented it as
Entwistle has begun an internal investigation into what
happened on Newsnight. But what I thought I was doing
was asking someone I really trusted and relied on to
have a conversation with a couple of people who didn't
feel like they had necessarily be given the chance to
talk to anybody who didn't have a dog in the fight.
That's what I was thinking.

MR POLLARD: Just in general terms you will, I am sure, have
accurate is the receipt of the MacKean email on the 8th. I asked Ken MacQuarrie to go and find out what was going on that day. So I don't think I was dilatory.

I think the only question is: why didn't I talk to Meirion and Liz myself? The reason I didn't talk to Meirion and Liz myself was that I already thought "I can see this ending up in disciplinary action here". In the end, if they are -- if they are running Peter Rippon down and what this is really about is paying off a score that was started a year or so ago, then they may end up in a disciplinary procedure, or if Peter has this all horribly wrong, he might end up in a disciplinary procedure. The one thing the Director General has to always be clear and careful not to do is effectively end up beginning a disciplinary procedure themselves, because, if it then gets appealed, and just about every disciplinary action at the BBC always gets appealed, there is nowhere for it to go, it can't be appealed anywhere. It would have to be appealed to the Chairman and it wouldn't be because the system doesn't allow.

So the thing I had in my mind was "I don't have time to do this, I've got a lot of other things to do, I need somebody good to find out what's going on and tell me what's going on and I think Ken MacQuarrie is my man". There is no real gap, in DG terms, between my getting
that hint from Liz and asking somebody to go and find
out about it. I just don't accept that charge in that
instance.

MR POLLARD: Thank you.

MR MACLEAN: You sent something around, I think, on the
5th --

A. Yes.

Q. -- a note to staff?

A. To staff, yes.

Q. That led to --

A. That led to Meirion Jones sending his note saying that
was not what the investigation was about. It was about
this --

Q. I will come to that. The day after the broadcast, which
was on the 3rd, on the 4th there was a plan, wasn't
there, for you to make a statement, the effect of which
would be to force Peter Rippon to resign?

A. I don't remember that that was the purpose of the
statement. What I had in mind for the statement -- the
statement turned into the all-staffer of the Friday. So
here's what I remember about the statement.

What I was worried about was that the position we
were putting out in public didn't seem to me to be
anything like -- didn't seem to me to recognise the
scale of what was going on. I thought there was
a rather narrow point about our -- which I had myself
approved earlier in an earlier context -- a rather
narrow point about our checking our historical records
and what we discovered, and I thought "No, the tone of
this is all wrong, this is a big, big story and the BBC
needs to be able to be doing the right thing and showing
people it is doing the right thing".

That's what I had in mind for the statement.

Then -- I can't remember the precise cast in discussing
the statement, but the statement became an address to
staff the following day.

Q. One of the purposes of the statement that was
contemplated on 4 October, as we understand it, was it
was going to have the intended effect of forcing
Peter Rippon to resign.

A. Well, I don't particularly remember that. Can you point
me towards something that helps with that?

Q. Well, Helen Boaden said that she had a -- these are her
words:

"... very difficult conversation with George
immediately after the ITV programme when George asked me
to go to his office and Jessica and Paul Mylrea were
there and George -- and that is not unreasonable for
George to have decided this -- he said:

"I'm going to do a public statement. I have
decided I need to protect the BBC and BBC News within it and I'm going to do a statement that makes it impossible for Peter not to resign."

A. That's a clear enough account of the meeting. I must have been considering using the statement for that purpose, but I must admit I don't remember that.

Q. You didn't make a statement at all actually.

A. I didn't make a statement until the following week.

Q. She says that, after her intervention, you sort of pulled back from it. Do you remember that? She made some points about Mr Rippon's personal circumstances?

A. I don't. I'm struggling to remember that. I mean, I'm not saying that didn't happen. Clearly, if Helen remembers that happening, it must have happened, but I don't remember the circumstances of that discussion.

Q. She offered to resign, didn't she?

A. I don't think she said to me "You can have my resignation". It feels to me like we were having one of those conversations where you go "This is getting out of hand, what are the ways in which you get it under control and we're discussing possibilities within that, but I don't think -- I mean, I don't remember Helen saying "I offer you my resignation", and me having to talk Helen out of it.

MR POLLARD: It sounds like the conversation you don't have
many times in a lifetime and it would be pretty vivid, wouldn't it?

A. I mean there were a lot of very high emotion conversations going on at the time. I genuinely -- I think I would remember if Helen marched into my office and said "I'm going to give you my resignation" and I talked her out of it. I don't believe -- if it was discussed, it would have been discussed as one of the possibilities, or maybe Helen said "Peter Rippon is not to be put in that position and if you were to try to put him in that position, then I would have to consider my position", maybe that is how it was.

Q. I asked her about that. I said "Did you offer to resign on the basis of if you do that and force Peter out, I think that is outrageous and I'm going to resign and say what I think, as it were", and she said no, that wasn't her position. Her position was that if there was --

A. If there was a judgement that a resignation was required in News it should be hers rather than Peters.

Q. If somebody from News was going to walk the plank from this, she was offering to walk the plank.

A. It feels to me like -- that it is more likely to have been that kind of conversation, ie is this one of those situations that will be solved like that, by an act --
by an action like that.

Q. She offered her head and you said no.

A. Yes, but I really don't think -- I don't think she ever
said "You can have my resignation" and I said "Thank
you, Helen, for offering your resignation, I don't
accept it". I just don't believe I wouldn't have
remembered that.

Q. There was quite a persistent notion, wasn't there, that
forcing Peter Rippon to resign would be a good thing for
the BBC corporately, wasn't there?

A. I think there was a suggestion. The BBC very quickly
gets itself in, at times like this, into those places
where a resignation or a sacking or whatever it might be
is the way to solve a situation like this, and I don't
think it -- I don't recall the conversations ever being
of a kind which were "Right, that's a resolved upon
course of action. How will that be handled or
delivered?", until it came to my proposal that
Peter Rippon should step aside after the scale of the
problems with the blog were clear.

Q. Which was on the --

A. Weekend of 20 -- 20th, 21st.

Q. We will obviously come to that. You have mentioned
a few times the Liz MacKean email. Just let me check
that I have the right one.
A. I didn't know what the circumstances of it were

(inaudible) conversation.

Q. Okay, I wasn't -- I don't think -- I have shown you 969
which is a draft of this. Then 9/146, I'm not sure
there is any material difference in the drafting of
this, unless you tell me.

Then you get the note from Meirion Jones. Anyway,
he sends it anyway, on 5 October, which I think is
a Friday night --

A. The same night as the message went out, yes.

Q. -- just after 6 o'clock and he sends it to an email
address which means this it does not get picked up until
the 8th.

A. Yes.

Q. On the morning of the 8th, as luck would have it, you
are on The Today Programme first thing in the morning
before you saw Jones's email. So the email at page 946,
so far as you are concerned, doesn't really arrive for
three days, in a sense.

A. I think Meirion sent his to the internal communications
department, in fact.

Q. This one, when you just --

A. It's an unnecessary point. I didn't get Meirion --
I didn't have Meirion' notes in front of me until after
The Today Programme on the morning of the 8th.
Q. It just says "To George Entwistle". But there is
another one, I think, later, when he sends something to
you and then he remembers that you don't see these
things, so he sends it to MacQuarrie.

A. Sadly, there are a number of ways in which somebody
attempting to send an email to the Director General can
have their email not get to the Director General. It
could get filtered out, and my hunch was that he had
done it on this occasion and on the subsequent
occasion -- you send it as a reply to the address that
you got the statement from, and if you look at that,
that's what he's doing. He's sending it as a reply to
the all-staffer.

The all-staffer comes from an email address that
reads with my name but it is a box run by Internal
Communications, sending out my internal communications,
which means it goes back to Internal Comms and has to
come through them before it makes its way back to me.

Q. I see, it's a bit like me replying to the email I get
from Arsene Wenger every week, if I replied --

A. Who knows where it would end up.

Q. Well, who knows, but it would not end up with Mr Wenger.

A. It might in it end.

Q. It depends. Do you think there should be some sort of
hotline -- some way in which members of staff like
Mr Jones can use some method of communication so that it really does get to the Director General.

A. I think -- I think there should be -- what I definitely now think is that people should be clear that the Internal Comms address is not a direct link back.

As to the kind of how do you guarantee you will get your note in front of the Director General point, it seems to me -- and I hadn't realised this because I didn't run a filter system at Vision, and as a consequence I got far too much email at Vision -- I got between 150 and 200 emails a day at Vision -- and I had no idea of how much stuff coming into the DG's box is stuff of the "I want to take issue with you about the third contributor from the left on Radio 4 this afternoon at 3.15 pm" -- the Director General is absolutely bombarded with everything that people consuming the BBC want to complain about or comment about.

Therefore, there has to be some filtering system for the DG. So the question is: is it properly set up? In the end, it has to be there. The DG could not function on email if you had no filter. So the question is: how well is the filtering system working?

Q. So, having lived through this experience, it is a bit like, if I may say so, being a barrister, where you want
to be sent all the papers that you need to see and you
don't want to be sent all the ones that you don't need
to see --
A. That's exactly right.
Q. -- and we are all always trying to work out how to
achieve this.
A. Obviously, because I was a new DG and new to the
business of working through a filter, and new to
building up a relationship of confidence with my two
assistants, I would say that I would not have been able
to say on day one that I -- I felt some nervousness
about the notion of being behind a filter.
I discovered in subsequent weeks that were uncannily
good at working out, to use your analogy, what I should
see and not what I shouldn't and that the delay in this
case was nothing to do with the filter or the people
doing the filtering, it was to do with the fact that it
went to an Internal Comms address.
Q. I see.
A. Is it clear who MacKean sends hers to? Can we look at
that?
Q. If you go back, that was in bundle 10, wasn't it?
A. So Liz MacKean --
Q. Does she send it to George Entwistle on PA?
A. Here we go, she's sends it to George Entwistle PA at

173

11/108
09.38, and I have it in my hand at 09.44. So that is
not working very badly. Six minutes later that has gone
to me unfiltered.

Q. I see. So what happened then at that page is that it
goes to George Entwistle and PA and then
Amanda Churchill --

A. Which means I would not have seen it in my inbox or on
my BlackBerry, but the minute Amanda Churchill sends it
to me.

Q. She pings it to you.

A. I see it in my email and on my BlackBerry.

Q. Because she has filtered that and decided you need to
see it?

A. Yes.

Q. Back to Mr Jones then, with his email, he sends his
email on the 5th?

A. Yes, 18.11.

Q. Now --

A. I think this is the first opportunity Meirion Jones has
had, or at least the first opportunity he thinks he's
taking to address the issue of whether the blog is
incorrect or not with me --

Q. Yes.

A. -- and he doesn't. He says one note -- from which
I might fairly have inferred there was one really
A. Yes.

Q. "I remember you warning me about him."

A. Texts to go down in history.

Q. I'm not sure that's how you spell "panjandrum" anyway and I always thought it was a "grand panjandrum" but we've been told that that is a reference, flattering or otherwise, to Lord Patten; is that right?

A. I don't know.

Q. But the suggestion is that -- probably slightly less amusing but perhaps more relevant -- at 411 and 412 there are some texts which might be thought to indicate a slight reluctance on the part of Mr Mylrea for you to go on today but the implication being that you hadn't been given any choice.

Sorry, you should look at 419, which is the one I have really been looking for, for the last 30 seconds, from Helen Boaden:

"Have emailed you an extra important fact for GE tomorrow re Newsnight. Hope it goes as well as it can."

A. It was: "GE or LP would have stepped in".

Q. "LP" is obviously Lord Patten -- more clearly Lord Patten.

A. That's not my recollection. I know that the day that the Today programme appearance was being discussed I was at a wedding lunch in Oxford and I remember having
a number of telephone conversations during the day with
Paul, I think, Myriam. I -- my recollection would have
been that Paul judged that we'd reached the stage where
it was appropriate for me to do The Today Programme and
my feeling would be that I was offered advice that it
was the right thing to do and took that advice and
agreed to do it. Obviously, I have not seen all of
these texts so if there is something going on behind it
of this sort then it is news to me.

MR POLLARD: What were you doing and saying to Lord Patten's
office at this point?

A. Precisely that weekend? I can't -- I can't remember.

MR POLLARD: Between the period of, say, the ITV programme
or before it?

A. My recollection is that I got in touch with Patten on
the 1st October to talk about my conversation -- the
conversations I was having with the police --

MR POLLARD: Right.

A. -- to say that I thought that it looked really serious
and that I wanted to be absolutely clear that I had
established the right lines between us and the police
and that a matter of criminal investigation was
something I wanted to be clear ended up in the hands of
the right authorities and, you know, I had really

interesting conversations with the police on 1 October
into my head here is what he has in email 1, and that
the rather vague stuff in his -- in his, um, reply, on
30 May 2010, it is hard to know what he means by that
and what I would have taken from it.

Then on the subject of Jan's -- I mean, I suppose at
some point you have to say "Well, what is in
Jan Younghusband's mind when she sends me that one which
I don't recall reading? She doesn't believe -- she
doesn't believe there's no, um, possible case for making
an obit about Savile or she wouldn't have asked me if
I wanted to make one or not.

So in other words, whatever she thinks she knows,
whatever she thinks she knows, whatever she has got from
her conversations with Nick Vaughan-Barratt, which is
apparently -- unbeknownst to me -- what is, I suspect,
driving this analysis, she doesn't think it is something
that means that an obituary of Jimmy Savile is going to
be inappropriate, or she would not send a note to me
saying "Shall we make an obit?" Surely that must be
needs to be taken into account.

MR POLLARD: What does seem to be very strange after that is
then to make a series of Christmas tribute programmes.
I mean, especially if the Louis Theroux programme, which
would appear to be the only thing that gave a slight
sense of the other side of it, was not shown after you
MR MACLEAN: It is absolutely right to point out that you
produced all of these emails for us. I think it is only
fair we should recognise that you have done that.

I mentioned earlier when Danny Cohen brings up the idea
of the Fix It special and I said "great idea" and you
said "Do you have an email for that?"

A. All I meant is do you have a reference because I know
that's what I said.

Q. Yes, it is 108.001 in bundle 1. That's the one,
I think, that the Field Fisher Waterhouse account refers
to at the end when they say that you sent an email at
12.46. This is the one --

A. Yes, yes. In timing terms, yes.

Q. "Sent from my iPhone". So at 10.19 on that Monday,
I think, you get the Danny Cohen one:

"One thought I've had this morning ..."

A. Yes.

Q. You reply to that at 12.46, and in between is the
Younghusband email --

A. Jan sends me her one.

Q. -- at 1.03.

A. I was much less inclined to -- it is a disrespectful
thing to say to Jan slightly, but the truth is I did not
always open all Jan's emails, because she tended to get
behind in email trails, she didn't necessarily
(inaudible) because she was out of the office a lot and
Danny was my direct report and I always -- and I always
engaged very directly with stuff to do with BBC1 because
it was utmost in my mind, I suppose. But that said,
I -- for whatever reason, I don't remember reading
the -- the Younghusband email.

Q. Leaving aside these emails and which ones were read and
not read, you have worked at the BBC for a long time and
we have heard people telling us different stories about
what they had heard about Jimmy Savile?
A. Yes.

Q. If I came up to you on 29 October and tapped you in the
shoulder in the park that day, while he was still alive,
and said "What do you think about Jimmy Savile, what
have you heard about Jimmy Savile?" what would you have
said?
A. The answer is I have never, ever, until all this
unfolded, heard anything specific by way of
an allegation about child sexual abuse or sexual
misbehaviour, anything of that kind. I just don't --
I mean, Jimmy Savile is not somebody I ever worked
with --

MR FOLLARD: Did you ever meet him?
A. I have never met him. He just wasn't in my mind --
uppermost in my mind at any time in my career --

206

11/114
Q. If you still have bundle 11 and go over the page from where we were at 190 to 191: is that the sum total of what Mr MacQuarrie produced for you?

A. Sorry, 11?

Q. 191. The one you have just shown us is in this bundle at 221.

A. Yes, that looks about right.

Q. So this is what Mr MacQuarrie produced. If you go to 237 in the same bundle, he sent it to you on the 10th, or Sarah Jones did on his behalf --

A. Yes.

Q. -- to be precise. You saw it that evening, or at least you indicated you would read it that evening and call Kenny in the morning?

A. Yes.

Q. Which presumable you did?

A. I think I did, yes.

Q. So the morning then would be the 11th. So what has to happen now from the 11th onwards, before the blog gets corrected?

Before you answer that question, does it have something to do with the fact that on the 11th --

I think it is on the 11th -- you establish this gold, silver and bronze command structure which we see at page 368?
think the way Kenny was treated, the way the notion of
Kenny doing some work on Newsnight had been treated
externally and the controversy it had created
internally -- that controversy being News regarding it
as immensely insulting to them that somebody outside the
division had been brought in to look at any proceeding
inside News -- all of that was pushing me towards a view
that the only way I was ever going to be able to get an
account of what had happened on Newsnight that would be
brought into by the entire culture was to give it to
somebody outside the organisation.

Q. So what --

A. And I was much more preoccupied about that, although
obviously it links to the blog thought because it is all
about reliability of the account. So I felt that week
what I did was two things: I established the fact that
we were going to need reviews plural and that the way
I was going to be able to do anything about the blog was
to make sure that the legal team did a forensic analysis
of all the underpinning documents and thus were able to
give me a non-emotional account of what had been wrong
with the blog.

Q. That is a long and useful answer but two things out of
that. This resistance to MacQuarrie going in from News:
did that come from the journalists, did that come
from Jones and MacKean and people like them, or did it
come from Mitchell and Boaden and the management
or both?
A. No, I wouldn't -- I had made sure that Mitchell and
Boaden did not object to the notion of Kenny talking to
Liz and Meirion in the first place. You know, that
would have been bridge one to cross. No, it was my
sense of the cultural howl around of asking somebody
from elsewhere in the BBC to do that job.
Q. Right.
A. So the way I see it, and you know one of the things
I look back at and am critical of myself about is the
time it takes to get from my conviction that I can't
rely on the accounts I have got as a way of correcting
the blog to the moment where I have enough information
to do it. Now, I guess what I might have done is tried
to drive the document-gathering process harder in that
period.
Q. The second thing that came out of that answer a moment
ago was that I think it follows from what you've said
there that you can't have formed a view at this stage
that the legal department of the BBC had got a grip of
what the facts were in whatever they had done in
September?
A. What they had done in September was, to my
understanding, was a historical look at what was known. They had done the work on all the personnel files to look at historically whether Savile had been -- that was my sense of what had been done then.

Q. All right.

A. The legal department became very actively engaged in understanding what had happened on Newsnight at the point where I panicked about whether the team on Newsnight knew they had given anything to the police or not -- everything to the police or not. So the initial point of engagement between BBC Legal and Newsnight was me saying to them "I need better assurance than I'm getting about whether everything that should have gone to the police has gone to the police."

And a lot of information started to come in at that point which then proved useful in the business of trying to work out exactly that had happened editorially.

Q. You said the initial engagement between BBC News, and Newsnight. I think you meant BBC Legal, did you, and Newsnight?

A. Did I say News?

Q. You said News.

A. I meant Legal.

Q. You must have meant Legal?

A. I meant Legal.
Q. Mr Jones says he hung about for some time, he says, waiting for you to emerge from a lift?
A. This is the approach on the 16th?
Q. Yes. He said he wanted a few minutes of your time and you told him that that was not possible?
A. He said -- I think I came out of an office rather than out of a lift and he said, "Can I have an urgent off-the-record conversation with you?" And I said "No, you can't". And what I meant by that was I couldn't have a conversation with him that would be off the record, because anything he told me as the Director General which was germane to the situation we were in I would have to use, and I didn't -- I didn't -- to be frank, I didn't trust him to have an off-the-record conversation with me.
Q. So why not have an on the record conversation with him?
A. Well --
Q. Why not say, "Come in and have a chat but it's all ..."
A. Well, the way I dealt with that was I went straight back to my office, rang BBC Legal and said "Phone Meirion Jones now. He clearly has something to tell me. Please find out what it is, rather than me having to do it myself and running the risk about whether he thinks it is in confidence or not, or the basis on which the conversation has taken place. It is clear that he has
something that we ought to know, please phone him now”,
which they did on the 16th, “and get him to tell you
what it is.”
And they phoned him and he said “I’m not sure I’m
prepared to have that conversation with you” and it
didn’t happen that day.
Q. Did you have a slightly wider concern about speaking to
Mr Jones that, um, what you said to him might find its
way into the newspapers?
A. Yes.
Q. So that was another reason not articulated to Mr Jones
for giving him the brush off?
A. I didn’t articulate any reasons to Mr Jones. I just
said “I am afraid I’m not able to do that”.
But obviously what I think would have been
irresponsible would be to cut myself off from the
possibility that he had something important to say and
I took an immediate action to try and get him to say the
important thing to as neutral a bit of the organisation
as I had available to me, which was litigation. And my
understanding is that he didn’t -- he declined to have
that conversation on that day, although subsequently he
did produce that document for me ahead of the Select
Committee which was useful.
Q. Before the Committee, yes.
A. There was another thing in my mind at this point: I was
doubtful about whether what he would tell me would be
accurate or not. The reason I was doubtful about that
was that he had already, according to my intelligence
from BBC Litigation, given them an account -- and this
was in the process of finding out what Newsnight had got
in relation to getting it to the police -- in which
there was only one taped interview.
I had been told there were noted -- a noted
conversation between Meirion and somebody in litigation
in which he said "There is only one interview on tape".
So when I, on the night of the 12th, said "There is only
one interview on tape", I was taking that from
Litigation's account of an interview with Meirion.
So when afterwards he said -- he sent me a note
correcting me saying "We had another interview on tape"
my immediate thought was in that case why did you tell
Litigation you only had one interview on tape?
Q. Did you think that Jones was, to put it bluntly, playing
games with the BBC and deliberately trying to trip you
up by this stage?
A. I don't think that view ever formed that brutally in my
mind, but I definitely was worried about whether I could
rely on the accounts I was getting from him.
Q. Newsnight dealt with this story for first time on
A. This is the one I mean. I was surprised to get this
after having finished my press conference that night.

Q. So you did a press conference on the Friday --

A. On the 12th, yes.

Q. On the Friday evening?

A. Yes, where I said, because it was my -- because it was
my firm belief that there was a single taped interview
and that belief was firm because it had been reported to
me by Litigation as, you know, a proper noted
conversation with Meirion about what he did and didn't
have.

Q. Do you remember which -- who did that interview with him
in litigation? Was it --

A. I think it was Nadia Banno.

Q. Right. We, at least for the moment, have not seen that.

A. Right.

Q. It may be important. So he then sends you this email
and I think this is the one which he sends to
Mr MacQuarrie, isn't it, when he remembers that you
won't see this email --

A. That might be right.

Q. -- there and then, and he sends you a copy of the
script.

A. Yes.

Q. Did you read the script?
A. No, I didn't read the script, not at that point. I read the script later on.

Q. By this stage, you didn't know who to believe and who to trust, is that --

A. That's right, and I didn't think that -- yes, I -- I was absolutely firmly of the view by Friday night, because I had announced there was going to be an independent review of what happened at Newsnight that I no longer thought there was a single individual who could give me a fair account of what it had all been about and, um -- but I remained hopeful and all the interim indications I got from the legal team, as they pulled the documentation together, the scripts, interview notes, emails and so on, that I would get a sense -- more of a sense of what had happened on the show, as that sort of evidence base was built up, the following week, which it was, through to the 18th.

Q. At some point we have -- the select committee starts to loom on the horizon. You went to the Select Committee, I think, on the 23rd. So there is another week yet.

If we go to bundle 13, page 2, I think it is. This one, the cover page --

A. Page 27

Q. -- right at the beginning. It is either 1 or 2.

A. Yes, yes.
wrong and goes, giving Panorama a scalp. GE then goes
into Select, saying he backed his editor as you would
expect, turns out he was wrong, sad but he did the right
thing and we all move on."

Now --

A. News to me, Ed.

Q. Keep your finger there and take 16 as well, and turn to
page 52. This is now the 22nd. Two days later, the day
the blog corrections have been made and the day before
your Select Committee appearance. This is Payne to
Mylrea. Again, assume that is the case:

"Think I'm going to need to be hard today that PR
blog was the basis for all our position on this, only
way to protect GE, et cetera. Would be good to know if
they had any corroborating views besides just that."

What would you say to the suggestion, putting those
two pieces of evidence together, that by the weekend of
the 20th to the 22nd, the inference is that the BBC was
quite happy to push Mr Rippon off the deck of the ship
in order to save --

A. I would say that that is a conversation going on in the
communications community whose job it is to think about
things like that. I don't think it reflects where
I was.

Q. Did that conversation in the communications community
perhaps have an influence on the way that you presented
yourself before the committee, perhaps in contrast to
the view you had expressed in the Today interview on
8 October?

A. No, the key difference between me on 8 October and me on
23 October is by 23 October I had chapter and verse on
how much Rippon had got wrong about his own
investigation, whereas on the 8 October, I still
believed and definitely hoped that I could rely on his
description of his own investigation.

That's the key different about my position after
that weekend is the legal department had given me
a document which I think is -- it is in the mixture
someone -- a sort of analysis of all the inaccuracies
and I thought, "Well, I relied on you as I believed
I could and should have been able to and wasn't able to
because you didn't understand your own investigation".

MR POLLARD: Do we have that specific note?
MR MACLEAN: Are you thinking of a table --
A. Yes, there was a table.

Q. -- which sets out extracts of the blog and then
comments --
A. Yes.

Q. We do, yes. That's what you have in mind?
A. Yes, that's exactly what I have in mind.

245

11/125
the statements right.

A. Yes.

MR POLLARD: I just want to ask you briefly how you remember that weekend and in particular just ask you about the involvement of the Trust and Lord Patten --

A. Yes.

MR POLLARD: -- at that stage, and how closely you were liaising with him about fixing things?

A. Well, my feeling, on reflection, is that I wished I had phoned him a day sooner than I had to let him know.

I think I called him on the Sunday morning.

MR POLLARD: That's right.

A. But I was absolutely convinced I was going to have to repair -- fix the blog on the Saturday morning. I would say Saturday morning was the point that I knew what was wrong with it. I was convinced it would have to be fixed and I had very nearly got to the point of how I was going to fix it, which actually took a little bit longer to get to, and I had been -- by and large, I had tried to be incredibly conscientious throughout about making sure the Trust knew what stage I was at with various things. I wish I had phoned them a day sooner.

Q. Was that telephone calls or emails to the Trust to keep in touch?

A. Generally speaking? Mostly telephone calls with
RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH LIZ GIBBONS
there had to be a clear line of command on a story of
this nature.

Q. Was one of the reasons that you didn't want to get
involved in this that you didn't want to trample on the
toes of BBC1?

A. Not remotely. I had 101 other projects to be exacing at
that time, including a very controversial one with
The Guardian.

Q. And you didn't want Newsnight to be running a story that
would be seen to piss off BBC1?

A. No. That had absolutely no impact on my view. It
wasn't even an issue when I came back from holiday, when
I expressed my concerns.

Q. You probably know why I'm asking you that question?

A. Yes, I do.

Q. You have seen the email from Liz MacKean to one of her
friends, a Mr Hughes, a little bit down the track on 6
December where she says:

"Having commissioned this story Peter Rippon keeps
saying he's lukewarm about it. He's trying to kill it
by making impossible editorial demands. When we rebut
his points he resorts to saying it was 40 years ago ... he
hasn't warned BBC1 about the story so they are
beaverimg away on the special oblivious. Liz G has said
to Meirion, 'I'm having nothing to do with this."
I don't want to piss off Danny Cohen, it is down to Peter."

So she's recording in her email to her friend what Meirion Jones appears to have reported to her about what you said to him. So what do you --

A. That's not remotely true.

Q. What did you say so Meirion Jones?

A. I don't remember any conversations with him in the course of the investigation. I remember him coming up to me around the time it looked like the CPS line was not going to stand up, expressing concerns that it would look like a cover up and I said I didn't think it would, because it wasn't.

Q. Can you account for why Meirion Jones might have said this to Liz MacKean?

A. No.

MR POLLARD: It just seems a bizarre thing, doesn't it, to pluck out of the atmosphere? I can understand all the reported conversations about he doesn't want to run it, he won't listen to the evidence or he has things up his sleeve. But to suddenly suggest that you had made a reference to Danny Cohen, clearly something involving BBC1 -- you had no conversation, no mention about Danny Cohen or BBC1?

A. No, I have never even met Danny Cohen.
RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH CAROLINE HAWLEY
that be understood and applied. So could you, for the
record, just confirm you received the document and
understand it?
A. I have received it. I understand it, I think I sent you
back the signed copy.
MR SPAFFORD: You did. Thank you very much, great.

Questions by MR MACLEAN

MR MACLEAN: Can I just ask you about your involvement with
Newsnight, as at November/December last year?
A. At the time there was no involvement. I had worked on
Newsnight before. I had worked with Meirion Jones on an
investigation about bogus bomb detectors being sold to
Iraq and other countries. So I knew Meirion quite well.
I knew Liz a little bit from working with her
a Newsnight. I had just been in Libya. We had done
some filming and we were hoping Newsnight was going to
use it, so I was down in the offices talking to
Newsnight on the day of the Christmas party.
Q. To which bit of the BBC were you attached at that stage?
A. I'm a World Affairs correspondent. So I work in the
World Affairs department, World Affairs unit.

Q. So you are liable to pop up on any News programme?
A. Yes.

Q. So you had a conversation, I think on the day of the
party?
1. A. Yes.
2. Q. With Meirion Jones or Liz MacKean or both?
3. A. I don't remember. One or both of them.
4. Q. One or both. Before that conversation started, what, if anything, did you know about Newsnight and Jimmy Savile?
5. A. Nothing.
6. Q. Did you -- it was on your radar screen that he was dead?
7. A. I think it must have been.
8. Q. Were you in the country, I don't know? There was a lot of coverage when he died.
9. A. I think I must have been aware of his death, yes.
10. I think I probably was in the country.
11. Q. Did you have, yourself, any view about Jimmy Savile?
12. A. No. I mean I'd obviously watched Jim'll Fix It when I was a kid, but that was about it.
13. Q. So you didn't know that Newsnight was doing anything, or had been doing anything about Jimmy Savile until the day of the party?
14. A. I don't think I did, no.
15. Q. In the little very, brief statement, that you have given us, you say you had spoken earlier that day -- and that day, we can see from the invite, is 20 December --
16. A. Um-hm.
17. Q. -- with the Newsnight journalists involved in the investigation into Jimmy Savile and they were upset that
the story had been dropped.

A. Yes.

Q. And then you move on to the Mark Thompson conversation which obviously I'm coming to.

A. Yes.

Q. Is there anything else? Can you fill in any more about the conversation with the Newsnight people?

A. I mean that's my problem. I don't even remember whether it was with Liz or Meirion or both of them. Um, and in retrospect, knowing now, which I didn't know when I sent the statement, that the party was on 20 December I think that they must have been upset -- particularly upset that the Christmas tributes were going ahead, despite what they had uncovered.

But I don't think I had full detail -- I didn't have full detail of what they had uncovered. It was a brief conversation, I hadn't seen any of the material, I hadn't seen their scripts. It was a fairly brief conversation while I was trying to do something else in the Newsnight office and rushing around and --

Q. Did they tee you up to speak to Mark Thompson?

A. No, they didn't.

Q. Did they say, "We want you to buttonhole the DG"?

A. No, they didn't.

Q. They weren't going to the party themselves?
A. They weren’t at the party, I don’t think. It was mainly for people who had covered the Arab Spring.

Q. So it was a big thank you for your contribution to some of the biggest news stories of the year, Mr Thompson says in his invitation.

A. Yes, and I had been in Libya and Bahrain that year.

Q. So they weren’t --

A. They weren’t there, they --

Q. They weren’t saying, "Bend his ear".

A. No, it is really difficult to remember exactly what was said when. Um, I -- I think they were -- they had the feeling that Peter Rippon had been lent on from on high. Later that day I had the opportunity, by coincidence, to meet with on high at the party, so I raised it with him.

Now when I say -- I should be clear that "on high" I -- they didn’t specify, they didn’t say, Mention Mark Thompson and they certainly didn’t say, "Raise it with him at the party".

Q. I know it is difficult to remember these short conversations, but what your statement doesn’t say is that when you spoke to Mark Thompson you had any discussion about the tributes. All that you talk about in this paragraph is the Newsnight investigation.

A. Yes.

Q. You don’t suggest here that you had any discussion with
A. Above him, yes.
Q. But no details?
A. No.
Q. So where is this party?
A. Take place?
Q. Rooms 4 and 5 on the 6th floor. How salubrious a surrounding is this?
A. Quite a bland room, with no mulled wine and mince pies, as I have seen reported.
MR POLLARD: No mulled wine?
A. No mulled wine, no mince pies.
MR MACLEAN: It is from 6 to 8, so it is a pre-dinner drinks party?
A. Yes.
Q. So not substantive -- not much food, nibbles or something?
A. I can't remember. There may have been nibbles. A lot of people standing around.
Q. And you were speaking to Mark Thompson anyway about something else when the conversation lulled, is that right?
A. Yes. I was with a group of people. You see it shows how fallible your memory is. I thought I was with somebody else and then, since this has all come to light, two people have come to me and said, "I was there
at that conversation", and I thought I was with someone
else entirely. It just shows how little you remember.

Q. Who are the people who place themselves at that
conversation?

A. Allan Little. He remembers Mark Thompson saying there
is a firewall between him and this kind of
decision-making.

Q. In News?

A. In News. And Hannah Barnes, who works in current
affairs, who rang me the day of The Times story and said
something along the lines of, "I'm glad you said that
because I've been thinking about this".

Q. And this was The Times story --

A. The Times story in which I'm quoted as contradicting
Mark Thompson's version of events. Although I had just
been in Baghdad, to be honest I had not really followed
what had been happening.

Q. This was fairly recently, The Times story?

A. This was The Times story, I think I gave it to you as
part of --

Q. Is this the one with Helen Boaden and Jimmy Savile on
the front page --

A. Yes.

Q. -- big picture, recently?

A. Yes.
Q. Yes?
A. Yes.
Q. Right. So we can date that.
A. Yes.
Q. Who was the person that you thought you were with that it turns out you weren't?
A. Well, I thought -- I thought I was with Jacky Martens, who is a producer on the 10 O'Clock News, but I must have been with her at a different part of the conversation or for a different part of the event.
Q. Right. So part of your recollection, as it were, of this discussion has been assisted by what these other two people have subsequently said to you about it?
A. Well, Allan remembers the word "firewall". I don't remember that. I remember him just saying, "That's not the kind of decision I would be involved in taking. That kind of thing doesn't cross my desk." But I'm remembering that vaguely. I think Allan probably has a more forensic memory than I do.
Q. That kind of discussion about a firewall, that sounds as if you were talking about the Newsnight story not being run --
A. Yes.
Q. -- rather than any BBC1 tribute programme?
A. Yes. Yes.
Q. You were focusing on --

A. Yes. My recollection of the conversation, the main thing I remember is me asking why was it dropped, and him saying, "Nothing to do with me". In just the broadest sense.

Q. Did you get the sense that this was all news to him, he had never heard of this story? Or he knew about it and he was saying, "It's nothing to do with me"?

A. Or was he saying, "I don't know anything about this at all"?

Q. I formed the impression that he didn't know about it.

A. But that it was news to him?

Q. Right.

A. Which is what Hannah said to me as well. She thought it was news to him as well.

Q. She said that to you recently?

A. Yes. Because she called me up the day of The Times article.

MR POLLARD: So you must have been -- to get any conversation going at all, if this was new to him, you must have been sort of setting the scene for him?

A. I think I must -- if I came away with the impression, which I did, and -- and -- and I'm not quite sure what it it's based on -- that he didn't know about it, in
A. Yes.

MR POLLARD: -- before the drinks thing. To put it simply, how hot up were they about this? This is probably a week to ten days after the story has finally been dropped. Still pretty steaming?

A. They were -- they were angry. They were angry enough for me to think that if I've got the opportunity to ask someone about it, I will, because I know them, I've worked with them before.

MR POLLARD: Did you tell them that you were going to the drinks thing?

A. I can't remember.

MR POLLARD: So they didn't -- they didn't say, "If you get the chance --"

A. No.

MR MACLEAN: And they didn't say, "That sod so-and-so has spiked this programme", or this is -- you know, "We've been done over by..." whoever.

A. I don't think they named anyone.

MR POLLARD: But presumably they were -- they were not pleased with Peter Rippon for having taken the decision, were they?

A. They were very unhappy that the decision had been taken to drop it.

MR POLLARD: Yes, yes. Okay.
RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH PETER HORROCKS
Then we talked about what went wrong, the programme list I told you about earlier. We went around the table and asked everybody to identify the risks BBC News needs to manage currently because we can't wait for all of you to take however long it will take to wind through all of this and tell us what we have to do. We have to create the space for that to happen, I needed to push in the way I have described.

ALAN MACLEAN: Can I ask, I meant to ask you earlier but the moment had passed. You mentioned the Helen Boaden discussion with Peter Rippon which --

PETER HORROCKS: The Rippon one or the Entwistle one?

ALAN MACLEAN: The Rippon one. In your timeline you got this from her and not from him, I think?

PETER HORROCKS: Yes, although I do also have some of this indirectly from Peter as well.

ALAN MACLEAN: Taking the timeline from her account, she gave him a view about the importance of evidence even though he was dead. I remember you saying Helen speculating whether Peter may have taken too strong a state, she may have been forceful in her view. Do you remember what she says and how --

PETER HORROCKS: I don't, if I had remembered it more clearly I would have tried to recall that and put that in the statement. I don't think that the accounts that
Helen gave me herself and I subsequently heard
indirectly from a representative of Peter Rippon were
necessarily at odds with each other and in the
description I heard of Peter Rippon's view of it,
certainly at the time that was given to me, the time it
was given to me it was a proper editorial conversation
that he did not regard it as being inappropriate. It
was possible for him to have interpreted as
an instruction or a very strong recommendation in terms
of an editorial course of action and I don't know
whether Peter absolutely feels it was the right thing to
do or it was something he wanted to subsequently
challenge.

I would simply observe, as I said, with
Meirion Jones not being spoken to by BBC management,
I don't know what further conversation happened about
the significance of that and the ability to discuss and
challenge openly is something I think could be part of
that. I explained he was an editor, he was not in
a strong position and as confident as he might have
been, that was a factor, plus Helen has a clear and
strong personality and she acknowledged herself she
expressed herself forcefully.

ALAN MACLEAN: You don't find that even surprising or
improper?
RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH MEIRION JONES (1)
A. No, I have talked with him before this.

Q. So you've talked with him --

A. I have talked before that, definitely.

Q. I infer from the first line of your email that you had discussed with Rippon and MacKean the fact that there was this web memoir?

A. Yes.

Q. So in layman's terms -- I am sure I have the journalism lingo wrong -- this looks like, as it were, your pitch to Peter Rippon to do this story.

A. Yes, exactly.

Q. Is that fair?

A. Yes, that is absolutely fair. I had a con -- I mean, I'm guessing that I've had a conversation with him around about the time that I've sent that email to Tom, either just before or just after. More likely just after. He may have been busy for half an hour. I couldn't get in to see him at 11.30. I sent this to cover my back, almost, to say "Look, here's an option", in case Peter says "I don't -- I don't fancy this".

I then have a chat with Peter. Peter is enthusiastic, but rightly says "Can you send me the autobiography", and, of course, that's what I then do and it's the right thing for Peter to do at that time. He wants to get -- have something in front of him to
Q. So the idea for his role at this stage in the production of this story was what?

A. Er, he was -- we put £500 in the budget for him to look at all the evidence and come to an assessment for us. I mean, we're not experts on child abuse. I mean, obviously, I've done a lot of stories about paedophiles in the early 2000s, but you want somebody who is a child protection professional, as he is, and who is, you know, a police background and who has dealt with these sorts of abusers as well, like Jonathan King, to go through that stuff and give you an assessment. Also to, um, as he's ex-Surrey Police, he might be able to help us if there is a police -- there really was a police investigation or not.

Q. Let's just look at that point. If you go over the page to 209 --

A. Yes.

Q. -- 20 minutes or so -- 15 or 20 minutes later, you email him. He had suggested he might be the reporter, but you had a reporter, and we know that is Liz MacKean.

A. Yes.

Q. "In confidence we now know that Surrey Police investigated Savile and interviewed many of the girls around 2009/2010 but they told them he was too old so they weren't going to press charges."
What was the basis of that?

A. Well, I mean, first of all, you need to remember these are emails firing back and forth. These are not carefully thought out legal documents or whatever. So "know" is very loosely used there. "Believe" would have been better.

Q. Right.

A. We're being told by the girls -- women as they now are --

Q. How many?

A. Hm?

Q. How many.

A. By that stage I'd say -- I wouldn't know how many by that stage, ultimately I think -- let me have a look. Ultimately, I think, something like seven -- six or seven of the women.

Q. We'll come to that. Ultimately you approached 60, you got 10 responses and they said basically --

A. At this stage --

Q. We'll come to that, but at this stage --

A. Well, okay. At this stage I'm not dealing with that bit of it, but I would say probably about three or four women had probably told us that by that stage, by the 4th.

Q. And you had obtained that information from
Hannah Livingston to you and Liz MacKean. You see she makes that point about a third of the way down the page. Do you see "So far the only woman", and she names her [!] A. Yes.

Q. Hannah makes some other observation:

"What we know for certain ... Jimmy Savile used to visit Duncroft."

Well, you've known that for decades. A photo of him with girls at the school, and you knew that he used to visit.

"Duncroft was an approved school."

Well, again, you'd known that for years.

Then she says what definitely needs confirming was the presence of a police investigation, and you were in touch with the reporter chap that is obviously --

A. Mark.

Q. -- mark Williams-Thomas. And then a few of the girls have referenced a letter they received from the police saying there would be no further action taken against Mr Savile because of his age.

So she splits the aspect of the police into the two points that you made earlier, namely whether there was an investigation at all, and then if there was one --

A. Yes.
Q. -- whether it was not proceeded with because of his age, and whether there was a letter, and that assumes some importance, doesn't it, later in the story?
A. Well, maybe. We will see.
Q. Well, it does, doesn't it? We can see from the -- it does assume, rightly or wrongly, some importance --
A. Well, I -- I would say it doesn't assume any importance in the story. It does assume an importance in reasons given for dropping it. But it doesn't assume any importance in the story.
Q. So --
A. It's not an important element.
Q. It's not an important element --
A. No.
Q. -- in the story --
A. No.
Q. -- that the investigation was or might have been dropped because Savile was older and infirm?
A. It is there, and we've got it in script and so on in case we find that's true. But plainly, without that line it would still become the biggest story of the year.
Q. Why is it in the script if it's not an important element?
A. Because it is there as something we would have hoped to
get, we might get. In all probability -- if you want to
jump to that script, we can talk about that line. The
way it would have been scripted, I think in the end,
would have been: the girls say the prosecution was
dropped -- the girls say they were told the prosecution
was dropped because he was old and infirm, but the Crown
Prosecution Service say it was because there wasn't
enough evidence. And they completely reject that.

Q. We will come to the script.

A. Yes, I know.

Q. Some of the Friends Reunited material --

A. Yeah.

Q. -- which she mentions at the bottom of the page, you had
looked at that, you had been following that for some
time.

A. Yes, no, absolutely.

Q. It's true, isn't it, that some of that material
definitely did suggest that the police had said that
Savile was too old to prosecute; yes?

A. Yes, absolutely.

Q. We can see that, for example, if you go a little bit
later in the bundle and pick it up at 299. This is the
Friends Reunited material, isn't it?

A. Yes.

Q. Yes?
A. Yes.

Q. So we see there is one from [§1] there. I'm not going to go through all of these --

A. No, no.

Q. -- but if you go to 303, [§1] -- and that is the same [§1]. I think, that Hannah Livingston has been speaking to, isn't it?

A. I will check. Let me check.

Q. Do you see the one --

A. Yes, I am sure it's --

Q. "I was interviewed by the police was anyone else? He was a perv and he is too old, they said, to prosecute."

A. Yes.

Q. "I will join any campaign to name and shame because the police won't do it."

So one infers that the "they" is the police?

A. Yeah, no, absolutely.

Q. Now, you can put bundle 1 away, please, and take bundle 2. You said earlier when you came back from America.

A. Yes.

Q. I can't remember when you did -- but you say you didn't really get your hands on this until the 14th again, which was the interview with [§1]?

A. Yes. Essentially from October 31 I'm putting maybe
that point. But at that point you are told you have
a budget, you have a transmission date. There is a big
board on the wall of the Newsnight office with all the
films that are going to be coming up over the next
month. It is signed up there for 7 December. Editing
is booked by Liz Gibbons. You know, all that stuff
starts to happen, and it's a real thing there. It's not
just a hope -- hoped for thing, it's a real thing which
you are then -- you are pulling the sync at the
interview, you are pulling together your script, you are
pulling everything together now.

Q. Right, okay. By whom is it commissioned?
A. By Peter, clearly. He says "Prepare for transmission.
Excellent, prepare for transmission".

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

Q. We will come to that, because we're not quite there --
A. But there are still -- obviously there are still hoops
we have to jump through and so on. You know, things
could go wrong, we might have legal problems, there are
all sorts of things that can go wrong.

Q. Yes. Let's just go back to the chronology then,
bundle A2, at page 8. These are emails between
Hannah Livingston and Liz MacKean. We can obviously
Q. "MWT come up with anything?"
A. Yes.

Q. So the corroboration he's looking for is corroboration from the police?
A. Yes. But the police -- that there has been a police investigation to corroborate what's being said by the women.

Q. And the 14th, as we established, was the day that [AI] was interviewed.
A. Yes.

Q. Would it be fair to say that most of the women that this investigation had spoken to were suspicious and very manipulative?
A. No, sorry, say that again.

Q. Would it be faire to say that most of the women that this investigation had spoken to were suspicious and very manipulative?
A. Some of them were -- were suspicious. The only one who appeared very manipulative to me was [AI].

Q. So you wouldn't agree that most of them were very manipulative, or extremely manipulative?
A. No, no. Not from my -- my judgment of them, no.

Q. Can we go to page 310? You recognise this email, which is from you to Mark Williams-Thomas?
A. Yes, much later on.

Q. Much later on.

A. Yes.

Q. These are the Duncroft photos and Friends Reunited and so on, and then you quote again from the self-published account which [MN] wrote.

A. Yes.

Q. And there's a long quotation from it.

If you go to page 310 in the middle of the page, do you see "I knew about it because ..."?

A. Yes.

Q. "... Duncroft's head Maggie Jones was my aunt [and so on]."

And you explain you kept an eye out for Duncroft content:

"We've messaged a large number of Duncroft girls and have talked to a dozen -- half of whom give detailed and convincing accounts of abuse by Savile and his friends who give names of others who they say were abused."

And then you say at the end:

"It goes without saying that most of these girls are intelligent and emotionally damaged, but with a criminal background and suspicious and extremely manipulative which makes them particularly difficult to deal with or get them to trust us."
Q. So the question I put to you a moment ago, came from your own email.

A. Yes, no, but I --

Q. But you disavowed it.

A. Yeah, but if you look at that there's a long -- there's a long list there of different things. So most of these girls are intelligent, some of them aren't, emotionally damaged, criminal background, suspicious, extremely manipulative. This is a list of some of the features these girls -- I would not -- or women.

I would not individually, if you picked that out, say "most of them were extremely manipulative". Do you understand the distinction I'm making? This is a list of things which between them are there.

Again, this is not a legal document that I have written. This is just a very quick note that I've slammed out to Mark Williams-Thomas, and at the end of it I'm saying, you know, it goes without saying these girls are intelligent, emotionally disturbed, damaged, you know, criminal background, some of them didn't have a criminal -- you know, suspicious, extremely manipulative. I'm just giving a list of the sort of problems that we're having with them.

Q. But these factors of emotional damage and criminal
background and --

A. Yes, yes.

Q. -- manipulative nature, if correct, would be all the
more reason why the editor of one of the BBC's major
news programmes should be most anxious to ensure that
there was corroboration.

A. Oh yeah, totally agree. Totally agree with you.
Absolutely agree. Yeah, 100 per cent. But what I'm
trying to say is that if you are asking me is my
judgment that most of the women we talked to are
extremely manipulative? No, they weren't. Some of them
were.

If you are asking, you know, were they intelligent,

probably half of them were intelligent? You know, more
intelligent than average.

Emotionally damaged? Almost all of them were.

Criminal background? Perhaps half of them were.

Do you see what I mean, I'm saying these -- they are
all -- I'm not making the same judgment about all these
factors.

Q. We know that Hannah's view, anyway, was that [...] --
I know she didn't speak to [...] , that's an
important aspect, you've made that point --

A. She's the key witness, we always have to remember this
throughout this.
Q. I understand, but so far as Hannah was concerned, was the most sorted and, in your judgment, she wasn't as it were --
A. Later on, much later on.
Q. -- wasn't very sort?
A. Much later on. No, I mean, she's saying sorted because (11) is giving her detail and all sorts. Most of these women are being very "I don't really want to talk about it. I don't remember. It's a long time ago".
(11) is sorted in that she is saying "I do remember this". She gave us loads of contacts. She's the most sorted. However, as time went on, I came to feel that she was also the most manipulative.
Q. Okay. Let's just jump back a little, please, to page 83 of the same bundle. There's there is an email from somebody called Anna Adams to you on 15 November.
A. Yes.
Q. Who is Anna Adams?
A. She's a very good investigative reporter who was with us on attachment for a bit.
Q. So she's working for the BBC at --
A. On attachment for Newsnight.
Q. -- that stage?
A. I did the story about Azerbaijan with her and buying the
was critical to standing up the story with [R1] in
the can was getting the details of the police
investigation.

A. Actually, yes -- well, actually what she's really after
here is the letter. If you look at what she's really
after, she is after the letter.

Q. Exactly, because the letter is the letter which was
going to say, so it is hoped, that the reason the police
didn't take it further, or the CPS, or whoever it is in
the prosecuting authorities, was that Savile was old and
infirm?

A. No, that's -- it's much more basic than that. At the
moment we can't confirm that there has been a police
investigation. If we can get the letter, it doesn't
matter actually what it says about old or infirm. If we
get the letter, we get a case number and we get an
officer, and we can immediately get confirmation from
the police that they investigated and took it seriously.
That's what we're after there. It's much more
fundamental. It's about getting the letter.

Sure she mentions the stuff that's on the website
there and so on, but it's the letter. What's stopping
us on 16 November from broadcasting is that we do not
have confirmation of the police investigation.

Mark Williams-Thomas has approached Surrey Police, they
all the girls who said there was a police investigation.

So it also had a great negative check for us that we
would then have said "You know what, they are all taken
out of it. We now have to have huge doubts about the
whole story".

So it was more than just the building blocks. There
was also there a great sort of negative check in there.
These are checksums if you like that we could use.
Whereas on the other hand if they came back and said
they had talked to all those people, then that hugely
improved our story and suggested that they were telling
the truth.

MR FOLLARD: Sure. But just to pick up on the points that
Alan has been making -- and I know you realise this --
it is clear that on many occasions when information was
exchanged about the story to whoever it is, between you
or to Mark Williams-Thomas or whatever, there was
a repeated emphasis, or a repeated mention of the letter
that says no action because he was old and infirm?

A. Yes.

MR FOLLARD: So it wasn't that it was, if you like, just
a passing element; it does crop up in almost every email
about "How are we getting on?"

A. No, but when we are talking to Mark Williams-Thomas, why
are we talking to Mark Williams-Thomas? We're talking

11/155
to Mark Williams-Thomas because we're giving him
everything we can to try to track down a police officer.
You know, we need a police officer's name, a case
number, something like that, that he can get into,
You know, he has two jobs in this. The main job
obviously is looking at the evidence and so on, but at
this stage his job is to try and get confirmation from
Surrey Police that there really was an investigation and
that letter will give us what we need.

MR POLLARD: Sure. Right, okay.

Sorry, we slightly ran over our time. Shall we take
a break?

MR MACLEAN: We need to give the shorthand writers a break
every so often.

MR SPAFFORD: Back at 10 to then.

A. Lovely.

Just organisationally, I was just going to say
I think it might help if I had a flipchart and some pens
to show you something at some point in terms of where
we're going, in terms of where we are going with
evidence, if that would help after the break.

MR MACLEAN: Let's see if we can find a convenient moment --

A. No, no, no, at a convenient moment.

(11.40 am)

(A short break)
Q. So is this right then: what you are saying is that once
you find out that there had been the police
investigation --
A. Yes.
Q. -- allied to [REDACTED] --
A. Yes.
Q. -- that was enough?
A. Yes. I mean, obviously we had other corroborations, like
the Clunk Click, the other girls. We had a whole load
of other stuff.
Q. Why keep pursuing the business of the letter then? Once
you know that there has been a police investigation --
A. Afterwards --
Q. -- why does that matter?
A. I am not interested in the letter after that. It's not
something of particular interest to me. It's still
there on the list of things and so on. It's still there
that if we got it, great, you know, that's fine. So far
as I'm concerned, we're basically over the line now.
Q. Right. So you send this email to Peter Rippon. Over
the page, 25 November, fewer than ten minutes later --
A. Yes.
Q. -- he emails back saying "Excellent. We can then pull
together the TX", that is transmission, "plan"?
A. Yes.
A. It could be.

Q. Then Mark Williams-Thomas and his background --

A. Yes.

Q. -- in the Jonathan King investigation. And then this:

"Mark Williams-Thomas approx what I expect him to
say, not actually recorded yet"?

A. Yes.

Q. Had you discussed something along these lines with
Williams-Thomas?

A. Yes, exactly. Been talking to Mark saying "If this
happens, this is what we are going to write".

Q. What you wrote then was:

"In the last five years Surrey Police have been
investigating allegations of sexual assault on minors by
Jimmy Savile in the 1970s. They passed the file to the
Crown Prosecution Service but it 2009 the CPS decided
that Savile was too old and infirm to face a trial and
dropped the case. I have to say [you are anticipating
Mark Williams-Thomas saying] I don't think that that is
acceptable and why was it all hushed up"?

A. Yes.

Q. So the story here is that there was a hushing up --

A. No, no, we don't know any of that.

Q. But that's the story that you're hoping to put out,
isn't it?
A. Yes, yes. That is the strongest version of that bit of the story. But, as Mark Williams-Thomas, as you say, showed when he put out the same story without it, it became an international -- well, mainly a huge national story.

You know, we don't know at that stage. All we know for sure at that point is that the police have investigated. At some point around about now, quite soon, we become aware that they investigated it and took it seriously enough to go to the CPS. We don't even know that at this stage.

Q. Now did you send this version of the script to Mr Rippon?

A. I'm not sure. I send one to him on the 29th, I think.

Q. Let's look at that one. 143, it is called "Very rough Savile"?

A. Yes.

Q. So 143, on the 29th, you send it to Liz MacKean, Hannah Livingston, Liz Gibbons, Peter Rippon and Roger Law, the lawyer?

A. Yes.

Q. "Just a very rough script to give you an idea what we're saying, not finally written."

A. Yes.

Q. "Could put a defence in there or leave it as a
A. Yes, yes.

Q. "Not sure yet with any statement from police or CPS"?

A. Yes.

Q. So the defence that is contemplated is not a defence of Jimmy Savile, nor is it a defence of the BBC. It's a defence of the position of the police or the CPS --

A. No. No, that's not the case.

Q. That they decided not to go ahead because he was too old and infirm and it was hushed up?

A. No, that's not the case talking. We haven't got the statement. We don't even know that it has gone to the CPS at this stage.

Q. I understand that, Mr Jones. I'm not asking you about what you understood.

Just looking at this script, it starts off by saying Savile wasn't proceeded against because he was too old and infirm, it was hushed up, and it ends with prospective defence from the police or the CPS justifying that position. And that's what the whole story was about?

A. No, no, no, no. That's completely untrue. Look, it doesn't start with what you think it starts with. It starts with the tributes to Jimmy Savile, doesn't it? Isn't that where it starts, that he's a hero, he's a wonderful person. That's the start, isn't it?
The end is "pay off over Savile pics, voice quotes from the girls saying he was a paedophile". So it starts with the tributes to him as this wonderful person but then says he had another side. It's centred around a series of allegations of sexual abuse from girls at this former approved school. That's where it starts, doesn't it? Does it say before that CPS or Metropolitan Police? It doesn't.

Q. The sting of this story is about the police and/or the CPS acting inappropriately --

A. You said it starts and ends with that. It doesn't.

Look at the start. The first two paragraphs are saying he's a paedophile. He had a reputation as a wonderful person: he's a paedophile.

It ends with the pay off over Savile pics with the quotes from girls. The quotes, as you will see in the next edition of the script, are them saying he was a paedophile.

Q. This is a story which has been set up with Jimmy Savile being a paedophile and then --

A. Right.

Q. -- asking questions and inviting answers from the CPS and the police with the allegation against them being that they have inappropriately not proceeded against Jimmy Savile?
A. As I think I said at the start of this, that Mark Williams-Thomas would have changed to from "they passed the file to the Crown Prosecution Service but in 2009 the CPS decided that Savile was too old and infirm to face trial and dropped the case", that would have changed to:

"The girls say the case was dropped because he was too old and infirm, but the Crown Prosecution Service say there was not enough evidence to prosecute him".

And that's what it would have been in the final version. At this point we haven't talked to the CPS. We haven't even got confirmation from the police that they passed the file to the CPS. It's written in this way as a sort of maximalist way of doing it.

Q. What it has nothing to do with is the BBC being, as it were, under pressure for having allowed this abuse to happen on BBC premises, has it?

A. It has a whole chunk on the BBC.

Q. It mentions it as part of the factual background. But let's look at 158 --

A. Yes.

Q. -- Hannah Livingston emails you having got this script that you've just sent her we've just been looking at --

A. Yes.

Q. -- and she says:
remark but nothing memorable?

A. No, definitely not.
Q. Is that fair?
A. Yes, that's true.
Q. Had you formed any view at this stage of whether
Mr Rippon had formed a view as to the credibility of the
sources for the story?
A. No. I mean he'd read the script. He can see that he
had read the script. He sends bits -- on the 29th,
about that same time, he sends an email to
Steve Mitchell which has a chunk of the script in it.
They are talking about the issue of my aunt.
Q. Is that the one at 1977?
A. Yes. Yes, exactly.
Q. So what did you get out of -- first of all, you only saw
that email --
A. Yes, I only saw that Friday --
Q. -- for the first time last week?
A. Friday night, yes.
Q. So you wouldn't have seen that at that time?
A. No, but it accords with what I thought at the time,
which was that there were no real problems at that
point. At sort of 2 o'clock on the Tuesday afternoon,
there were still no problems.
Q. Right. So the answer to my question about whether you

145

11/163
morning.

A. Yes.

Q. "Having pondered this overnight I think the key is
whether we can establish the CPS did drop the case for
the reasons the women say. That makes it a much better
story. Our sources so far are just the women and the
secondhand briefing. Have we exhausted all chances of
getting the letter."

The secondhand briefing is the reference to what you
had told him that Mark Williams-Thomas had told you

A. I assume that's what he's saying there.

Q. -- yes?

A. Yes.

Q. So how did this email strike you when you received it?

A. I think I say in my statement that I was absolutely,
like, shaken by it. I wasn't expecting it. It was a --
it just appeared to be bringing in a bar that hadn't
been there before.

Q. You say that there might have been a conversation with
Mr Rippon and yourself the night before --

A. Yes.

Q. -- but you can't recall --

A. No, this has the feel of us having had a chat the night
before.
a full and frank exchange of views, had there, between Rippon, you and MacKean?

A. One thing I should may clear is that some of the papers say there were violent rows. There were not violent rows.

Q. You say you argued in your statement?

A. Yes, we argued, but there was no -- you know, there was no shouting and screaming on either side.

Q. She says in this email:

"Must tell you story when we next speak."

I think that's about -- well, I think that is this story.

"MR" that is obviously Mr Rippon "in an absolute spin."

A. Yes.

Q. Used in the old fashioned sense:

"He's already done the surrender gesture."

Do you know what that is?

A. Yeah, no, that rings a bell, very much so. Sort of -- it's sort of -- you know, it's like sort of, you know, you're arguing with him and rather than arguing back, he's sort of going, you know, it's not just something --

Q. Yes.

A. Do you know that I mean, it's that sort of -- I mean when I read that, it immediately -- which I only saw the

11/165
other week, it immediately brought that -- that idea
into my head.

Q. So a gesture of powerlessness.

A. Yes. Yes. Sort of -- yes --

Q. Is that fair?

A. -- and distances. Powerlessness and distancing as well.

Q. And then Liz MacKean says:

"... and told me [ie Rippon] and me and Mei if the
bosses aren't happy I can't go to the wall on this one."

A. Yes.

Q. Do you remember Mr Rippon saying that?

A. I can't swear on the words "if the bosses aren't happy",
The phrase that stuck on my head was "I can't go to the
wall on this one" in that context.

Q. Who would be driving Mr Rippon to the wall?

A. I assumed at the time it would be Helen and Steve.

Q. Why?

A. Because they are up the chain of command from him.

Q. I know they are up the chain of command, but why would
that mean they -- is that the only reason they would be
the only ones driving him to the wall?

A. Well, even though I can't remember him saying "bosses",
I had an impression of plural and they would be the next
two up the chain.

Q. Picking up on the word "chain", if you go to page 220 --
Q. If you go to paragraph 9.4, page 13.
A. Yes.
Q. This is in the wake of the Mr Rippon's email, pondering overnight. You say:
    "We argued, I couldn't see how anyone could think that the first ...(Reading to the words)... investigated by the police for paedophile offences on the first on-camera interview with one of his victims was anything other than a very strong story. I said if we pulled the story we would be accused of a cover-up to save the Christmas specials and to protect the BBC's reputation."
    Did you say that to Mr Rippon, as it were, in terrorism?
A. I'm not very good on the Latin.
Q. To, as it were, one might say, cajole, or one might say bully, him into running this story?
A. Making a very strong point why we should run the story.
Q. You go on to say:
    "Peter Rippon seems to be implying his bosses were pressing him to drop the story and he was not prepared to confront them. He said 'I'm not prepared to go to the wall on this one'."
Is that how he implied -- when you say he implied his bosses were pressing him the implication came from his words, is that right, or was it something else?
A. No, I took that implication. He didn't say in as many words to me "My bosses are pressing me to drop this one", but he gave that impression that it was a decision out of his hands and above him. It was an impression that he gave.

Q. Did he say who he had spoken to or communicated with?
A. Not to me, no.

Q. Did you ask him who he had spoken to or communicated with? Did you say "Come on, Peter, who the devil is saying this"?
A. I don't think I did, actually. I just sort of assumed that that was the situation. I don't think I did challenge him on that. I think Liz had a conversation with him on that but I don't think I did.

Q. Is this X or Y, in which case I will go have a word with them. That would be the natural thing to do.
A. The problem in the BBC is you can't do that. And that's one of the fundamental problems of the way the BBC is managed. If you try — for instance, during this crisis halfway through it I went up to George and said —

Q. Well, I'm coming to that.
A. You know, they say, "No, we can't talk to you". It's like the 19th Century army, you can only go to your commanding officer, and even if there is a fire and you are trying to ring the alarm bell, you are not allowed
whatever and, you know, we'll talk him around and you
know -- you know, essentially either he or his bosses
will decide that it has to run.

Q. So over the page, 275, you reply within half an hour-ish
and say:

"I don't think that's a good idea, let's chat."

And you did chat.

A. That's probably a bit of a stronger phrase than it
appears in print.

Q. You say in your statement, your submission, at 11.4, you
have just referred to this email we have just looked at.

A. Yes.

Q. "I don't think it's a good idea, let's chat":

"We had a conversation where I strongly argued the
story we had was incredibly strong."

And so on.

A. Yes.

Q. Who else was present in that conversation, do you
remember?

A. What day of the week, was it? Thursday. I don't know
whether Liz would have been there or not, she didn't
usually work Thursday. It's probably not, it's probably
just me and Peter.

Q. I think this is still the same conversation, isn't it,
down at 11.7 --
(3.35 pm)
MR MACLEAN: Can you, please, go to page 52 and 53.
A. Yes.

Q. This is an email exchange you had with David Lomax. He
used to work for the BBC; is that right?
A. Yes, he's still a freelance for us occasionally. But --
yeah, he used to be Newsnight.

Q. So this was an email from you being sent outside of the
BBC?
A. Yes, I am afraid it was. I don't think of him as being
outside of the BBC because he doesn't work for anyone
else.

Q. At the bottom of 52 you say:
"Confidentially I'm trying to get an expose of
national treasures, so Jimmy Savile, on air at the
moment. We have uncovered the police investigation of
his sexual assaults on vulnerable 14 and 15-year-olds
and some of them agreed to speak to us, but for some
reason BBC bosses think it might wreck their Jim'll Fix
It Christmas special so they are trying to block it
without sending an email saying 'cover it up'."

That's a rather specific allegation, but it's one
for which, I think, you agreed with Mr Pollard a little
earlier, you had no evidence at all --

A. Yes.

239

11/170
Q. -- is that right?
A. Yes, I would say that's true.
Q. So that was not a terribly responsible thing to be doing, was it?
A. I didn't have firm evidence for it. I believed it to be the case at the time. Going back very briefly to the previous one, I will tell you why I will did this. There was quite a good reason for me to send that one to Mary Wilkinson, which is that she was still well connected at a very senior level.
Q. I was going to ask you actually, the next question was, what was the purpose of sending this one to Mr Lomax?
A. Yes. Yes, and, er -- (Pause).
Q. Maybe it was just born of frustration, I don't know.
A. No, but it doesn't start about that. It starts about something else. He must have -- has he sent me an email? I don't know if he has or not.
Q. He sent you Christmas greetings, I think, at 53, at 11.08; do you see?
A. That's what happened.
Q. He sent you Christmas greetings, a little prematurely, but still there we are. And you reply.
A. And I think maybe I'm also vaguely thinking about maybe he has told me that story vaguely before, as well.
About Savile, and the cameraman.
police. We had been led to believe that there had been
a recent investigation into the allegations that these
were dropped. However, we could not gain sufficient
information to stand this up."

This goes to the point I was on just before we broke
about people who had been acquitted and so on?

A. Yes.

Q. You said that what was different here was that, if you
like, Savile had been investigated because of complaint
X or possibly X and Y, but [R-] was Z?

A. Yeah, exactly.

Q. That's the burden?

A. And went further.

Q. And went further. Now, this line that gets worked up --
and we've got, as you can see, quite a lot of pieces of
paper here, I could show you quite a lot of them which
have this line in it.

A. Yes.

Q. But the drafting of this statement, I think, was done
without any recourse to you at all?

A. God, yes. No. No. Absolutely not, no.

Q. So if we go to 137, this is Mr Rippon's reply to that
e-mail we have just looked at. Have you seen Mr Rippon's
reply before?

A. I saw it on Friday night.
Q. We'll ask him.
A. Yes.
Q. You weren't doing any briefing, were you?
A. No, absolutely not.
Q. Do you know anybody who was?
A. No, I don't. The --
MR POLLARD: Had you had any conversations with
Miles Goslett before he contacted the Beeb on December
21?
A. No, the first conversation I had with him was when he
[redacted] two weeks ago
for the Sunday Times, which said that I had hidden the
interview with [redacted] .

MR POLLARD: Right.
A. What happened was The Mail rang me --
MR MACLEAN: When are we now?
A. October 21 is when that story came out.
Q. Can we come to that?
A. Sure. But that was the first time and I talked to him
because he'd written -- he had put his name on an
article.
Q. In The Sunday Times?
A. Yes.
MR POLLARD: I would just say that my reading of 265 is
clearly Peter Rippon is saying somebody is leaking to

11/173
Q. Is that not a compliment?
A. Apparently, not, no. So there was quite a lot of acrimony.
Q. What is your relationship with James Hardy?
A. I don't have one.
Q. Have you ever met him?
A. I've talked to him on the phone once, I don't know, I mean, you know, there are endless people in the press office. There are hundreds.
Q. Have you ever done him a bad turn?
A. No.
Q. Look at 267, please. Look at the bottom first of all, take it in stages. This is Helen Deller and she's putting down -- I have seen more of these than I care to remember, she's putting down as we're on the record, on the log, what she's done, do you see, from Helen Deller, see previous log, Nick Owens Sunday Mirror ask, if we go over the page she's just recording who she has spoken to to get the position down on the log?
A. Yes.
Q. Then if you look a bit further up, there is another
A. They obviously suspect I'm the source of the story.

Q. And suspicion was misplaced, was it?

A. Absolutely false. Totally false. Yeah, no, I didn't talk to -- I didn't talk to any journalist about this until the Exposure thing broke.

Q. That's the ITV story?

A. On 28/29 September this year. Absolutely nobody before that.

Q. Apart from people in the Mr Lomax category and people like that?

A. Yes, Lomax, and also, obviously, Mark Williams-Thomas.

Q. Yes.

A. But he knew about it anyhow.

Q. Yes. If you put that bundle away, you will be relieved to know I'm not going to take you through all 18. Take bundle 5, please. Go to and to page 38.

A. Right.

Q. Do you know who Matthew Hall is? Is he somebody else in the press department?

A. I haven't a clue.

Q. Look in the middle of the page, AS/39, 16 January. This is an email from Goslett, do you see?

A. Yes.

Q. "Further to an article in the Sunday Mirror this month about Newsnight spiking a report on Jimmy Savile I'm
it by saying we have not withheld any information from
the police and we would of course be happy to talk to
them about any information we have gathered."

A. Yes.
Q. What was the basis for that sentence?
A. I think in The Oldie hadn't it said that we had
withheld? Where is The Oldie?
Q. 88. Yes, in the last column, just under the capital T
in bold:

"... sure that the BBC had a duty to inform the
police."

A. Yes, that's what that is about.
Q. I understand that's what it is about, but my question to
you is what is the basis for you saying "We have not
withheld any information from the police"? What's the
basis for it?
A. My view at the time was that what we had was obviously
stuff -- loads of stuff on Savile, but that was not
relevant because he was dead. We had the Gary Glitter
stuff, but we had an unnamed girl at that point -- her
view has changed since, but [REDACTED] couldn't identify who
the girl was at that time. She thought she was from
Duncroft, which would have meant she was under 16, but
given that she could not identify her, I was not sure
what evidential value that had.
Q. Hannah Livingston thought she had identified her.

A. Yes, but that had gone away again. It turned out that

was wrong -- or [X] believed it was wrong.

At that stage they thought that. By the time we got
anywhere near broadcast that had gone away, [X] no
longer thought it was [X].

Q. And [X] to you was a Duncroft girl or not?

A. Yes, she was a Duncroft girl.

Q. So if it had been her she would have been definitely
under 16 because once you got to 16 you were no longer
at Duncroft?

A. Yes.

Q. So that would have made good the suggestion that the sex
was with underage?

A. Agreed. But since then [X] said to us -- before
broadcast, [X] said it was not her.

Q. But you didn't know -- it is a complicated question --
you didn't know that police knew about the Gary Glitter
 allegations. In fact you had every reason to think they
didn't know?

A. Yes. I mean, at the time for some reason I thought they
did, but I don't -- they didn't.

Q. In fact you had no reason to suspect that they knew and
every reason to suspect they didn't go, because you got
it from [X] who had never been to the police?
A. No, that's fair enough, yes.
Q. And then you say --
A. I mean, do you want me to carry on with my explanation on that or not.
Q. I'm going to ask you a few questions about this.
A. Okay, because it's important at the end of that I come to the explanation on that.
Q. Okay. If I don't cover it all, when I finish this little topic, then by all means say what you want to say.

"Factually" you say:
"We did not begin this investigation until after his death."

We know that's right:
"We did have information the police did not have in 2007 because we found another victim, [KJ], who did an on-camera interview about being sexually abused while underage by Jimmy Savile but he was already dead by then so it was not possible for the police to prosecute him.
She did tell us about Gary Glitter having sex with an underage girl in Jimmy Savile's dressing room in 1974 but she could not identify the girl and in any case Glitter is already on the paedophile register."

What was the purpose of that last bit? Yes, he was on the paedophile register, so what?

271
A. If he hadn't been I would have been much more worried.
So if we had an allegation, however weak, that somebody
who we didn't know was a paedophile was a paedophile,
I would have been much more likely to have taken action
on that.

Q. In your submission, if you go to paragraph 1.10, where
you deal with this topic that we're on now --
A. Yes.
Q. -- you rather soften the position, don't you? You say
in the second line of the second sentence:
  "I thought we should invite the police to talk to us
about what we had to be sure. Although I didn't think
we had anything of evidential value against living
people."
A. Yes, that's why I suggest --

Q. It's not quite the same thing as what you say here,
is it?
A. No, it is, that's why I suggest saying we would, of
course, be happy to talk to them about any information
we have gathered. That's exactly why I wanted that to
go out.

Q. There is a difference between we have not withheld any
information on the one hand --
A. Okay, maybe it should have said "we have not knowingly
withheld any information and we would be, of course, be
happy to talk about any information we have gathered.

Q. That is slightly different again, isn't it? There is
difference, isn't there, between we have not withheld
any information on the one hand --
A. Yes.

Q. -- and I didn't think we had anything of evidential
value on the other? Because the latter is accepting you
have information but forming a judgment about its
evidential value?
A. I agree, I accept that.

Q. But the judgment of its evidential value on any view was
not a matter for you, was it? It was a matter for the
police and the CPS?
A. I absolutely agree with you on that.

Q. So you, if I may say so, in your statement were rightly
reflecting some unease, I suggest in your position about
this Gary Glitter information; is that fair?
A. Yes, absolutely.

Q. On reflection, would you agree that you could and
perhaps should have played your hand slightly
differently?
A. Yes, I think so. I would agree that. I said that in
the Panorama interview, that I did.

Q. So on reflection you probably should have sent the --
provided at least some of the information that you
A. But obviously it's not me that does that. It's my
editor, Peter Rippon, who would make that decision to
take stuff to the police.

Q. The one thing you and Peter Rippon seem to be agreed
about throughout this period is that whatever other
things there were between you --

A. Yes.

Q. -- you seemed to be agreed that you had not dropped the
ball vis-a-vis the police at all; is that fair?

A. Yes, because -- but partly in my case because I had
a safety net on that.

Q. Which was?

A. Well, the safety net was that we had employed a child
safety officer, former Surrey paedophile police officer,
to look at our material, and he was going on with this
stuff --

Q. I see --

A. -- and he was going to broadcast. And so the thing that
made me feel most confident, because let's face it, we
didn't have all that much in terms of a police
prosecution, but the moment the piece went out there
were going to be a hundred victims coming forward, there
was going to be loads of evidence, there would be
arrests, et cetera, that was the main thing that was
going to give the police stuff they could really do
something with. So it was the moment of broadcast that
was going to make the big difference, and that was going
ahead with Mark.

I thought that if Mark thought that anything that we
had was something that the police needed urgently he
would have done something with it. He's a professional.
He knows what to do with that stuff, I don't.

Q. Did you or Mr Rippon ever go to the BBC editorial
guidelines to find out whether they gave any help about
this sort of situation and whether you should take
material to the police?

A. I didn't, because, as I say, my main -- my main feeling
was that we had Mark doing this and that was -- you
know, that was going to be how it was going to come out.

Q. This is one of the points that the BBC gets pressed on
later.

A. Yes, no, I know that. I know that.

Q. They develop a line, and the line essentially is, if
I have remembered it correctly, the BBC's attitude to
giving information to the police is if the police ask
for information we will give it a jolly good think.

A. Yes.

Q. That's roughly it, isn't it?

A. Yes.

Q. In other words, the BBC's line is reactive rather than
to the BBC saying --

A. The Sunday Times?

Q. "We're going to run a piece".

A. Oh right. Oh, yes, it's in that stuff you gave me on Friday night. I haven't read it properly.

Q. You might not have known about that.

A. No, I didn't know about that.

Q. But The Sunday Times was sending something.

A. Yes.

Q. At about this time, I think, there was a letter from ITV.

A. 7 September was the letter from ITV. I didn't know that specifically but I did know on the 11th that they were about to go.

Q. You knew that from what source, from Mitchell?

A. From Mark.

Q. From Mark?

A. Williams-Thomas.

Q. I see. So all through this period you are in contact with Mark Williams-Thomas?

A. Yes. When I say, all through, at all times. He also doing stuff for Newsnight in the middle of this period.

Q. So you are fairly abreast of what he's doing?

A. Not in detail. But I know -- I know that broadly he's doing a piece which is half our stuff and half other
Q. Having seen it, as we have, we can see that there is some additional -- some other different stuff?
A. Yes, I'm saying half ours and half --
Q. Yes, a fellow from the --
A. De'ath and all those people.
Q. Whatever it was.
A. Yes.
Q. Why did you understand Mr Mitchell to have suddenly sought you out on 11 September? What was the purpose of that?
A. I don't know. I now think -- I assume they must have got -- it must have been because they had got that request from Exposure on the Friday, on the 7th.
Q. So this --
A. I haven't got an exact date for when he came to tell me. It's about that time. I couldn't tell you for sure.
Q. There was no email exchange between you?
A. No, nothing.
Q. You say in paragraph 20.2 that:
"He seemed to be aware how strongly I had felt that not broadcasting it would be a serious make."
Tell me if I'm wrong, presumably you inferred he got that from Mr Rippon?
A. Yes.
Q. "He told me that there was no high up decision to pull
the film and that George Entwistle had been informed at
the time, which was news to me, but that no pressure was
put on news from other parts of the corporation."
A. Yes.
Q. Just pausing there. He was telling you that this was
a news decision?
A. Yes.
Q. And only a news decision?
A. Yes.
Q. And so, forget for the moment whether it was right or
wrong, who took it in news, it was nothing to do with
Vision?
A. Yes.
Q. And it was nothing to do with Mr Thomson at the top of
the tree either?
A. Yes.
Q. So the waters lap up to but no further than
Helen Boaden?
A. Except at the same time he tells me that
George Entwistle was informed, which was a shock to me,
I'm surprised at that.
Q. In his capacity as director of Vision?
A. Yes, but by now he's director general of the BBC.
Q. When he said George Entwistle had been informed at the
time --

A. Yes, yes, sure.

Q. -- it was a surprise that he should have been informed at the time?

A. I was surprised at that, yes.

Q. Right.

A. Maybe I shouldn't have been, but I don't know enough about structures.

Q. Right.

A. It was the first time I had heard his name mentioned in the whole thing.

Q. Apart from what you say here, what else did Mr Mitchell say?

A. We talked -- I mean, the reason I put the thing in about the Olympics, a couple of paragraphs earlier, is because we talked about that in the course of this. So that's the thing at 19:14.

Q. Yes, about the Azerbaijan and the boxing, yes.

A. So I said to him, I know that when we have the Olympics thing you resisted that pressure, I know that.

Q. Did you tell him that your friend Mr Williams-Thomas was going to --

A. Yes.

Q. -- really -- did you basically tell him what was coming in the ITV documentary so far as --

295

11/186
A. So far I know, yes.

Q. Did you at this stage download to Mr Mitchell --

A. Remember, the documentary as such was not very anti-BBC.

Stuff that was anti-BBC was the stuff they did at the

last minute that went out on the Wednesday lunchtime

news on the 3rd. The actual documentary was actually

quite neutral about the BBC.

Q. Leave to one side what ITV was doing. Did download to

Mr Mitchell at this stage all the points that you'd made

to yourself in the red flag email about quite what a

catastrophe --

A. No. No, I started to. I started to and he said, you

know, "I know how seriously you felt about all that,"

and so on and all that.

Q. That's a different point. Just focus -- I understand

that he says to you "I know how strongly you felt about

running this piece".

A. Yes, and about the consequences if we didn't.

Q. Right. That's the bit I'm focused on at the moment.

Because how strongly you felt in 2011 is, in a sense,

neither here nor there.

A. No, no, no, no, very much so. And, you know, what --

how bad you thought it would be if you didn't.

Q. So what was the nature of the decision about the car

crash that you thought the BBC was facing if this --
A. I was ready to launch into all that and, as I say, he stopped it by saying "I know how seriously you felt about that, the dangers, you know, if we didn't".

I can't remember the exact wording you about it was to that effect.

Q. Presumably you said "What are you going to do about it, Steve, to try and head it off"?

A. No, I didn't. I didn't. You know, I --

Q. Why not?

A. It was a very strange conversation. I couldn't work out at the end of it what the point of the conversation was. It was one of those.

Q. So he went away. What did you think he was going to do or say?

A. I didn't know. I didn't know.

Q. Did you feel more or less reassured about what was going to happen after this conversation?

A. I felt confused. I didn't know -- usually you when you have conversation like that and you understand -- you might accept or not accept what somebody is saying, but you know what the point of it was. I didn't know at the end of it what the point of the conversation had been.

I know that's not a very satisfactory answer, but that's how I felt. I just went "I don't know what that was about".
establish any clear institutional failure, I decided on
balance it was not editorially strong enough for us to
run."
A. Right.
Q. That is the same error, isn't it, that the woman -- the
key woman as he refers to in some of the emails -- had
been to the police, her story had not proceeded -- her
allegation had not proceeded because Savile was too old,
but that was just wrong, because \[411\]
allegation --
A. Yes.
Q. -- had never been to police at all. And that would
appear to be a key confusion in Mr Rippon's mind?
A. Yes. Yes.
Q. Then "Should I talk to him first?"
A. Yes. It should be said that none of my emails had ever
leaked at any point during this.
Q. So this is from Mr Rippon to Mr Mitchell?
A. Yes.
Q. So this is a draft. This is what he would like to say
to you?
A. Yes.
Q. And Mitchell says "I would talk to him, email Stephen
more prone to leak."
The inference is you would leak it. If he wrote
A. Plainly.

Q. Sent you something in writing you would pass it on to somebody else.

A. Yes. It has to be said that no email he had ever sent me had ever leaked anywhere, or Steve Mitchell.

Q. On a similar vein, in your witness statement, your submission, at 21.6 --

A. Yes.

Q. -- referring to this very day, 1 October --

A. Yes.

Q. -- a point you touched on earlier:

"On the same day BBC News correspondents and producers were told not to contact myself or Liz MacKean for information or material on Savile, which meant they had to start from scratch."

You are sure about that?

A. Yes, absolutely.

Q. How do you know that that instruction was given?

A. I talked to them all later on, on Thursday night, when it looked like David Jordan was going to order Peter to hand over stuff on the 4th.

Q. To?

A. To the news. They told me what the situation was.

MR POLLARD: Who had told them that?
A. No.

Q. Nothing was -- as the journalist --

A. Remember Newsnight then didn't cover the Savile story.

Q. For several days, for more than a week.

A. Ten days. For ten days it didn't cover the story, which

is utterly bizarre when it was dominating the news.

Q. And some people in Newsnight were very hostile to that?

A. Some of them were revolting, which is what eventually

happened on the 11th.

Q. When Liz MacKean did a piece?

A. Yes.

MR POLLARD: Could I just ask, if you said this: that draft

that Peter wanted to send to you --

A. Yes.

MR POLLARD: -- that he sent to Stephen Mitchell, and Steven

Mitchell says "I will talk to him".

A. Yes.

Q. Did he then come and talk to you in those terms?

A. I had a talk with him. But I can't remember whether

that talk was the talk I had before that -- at 10.45

I must have had that talk after that. I had a talk with

him and gets some very strange things in there like you

are saying to me it was quite odd, really, he is saying


304

11/191
1 Q. How much of those two sentences do you accept?
2 A. The first sentence is absolutely the opposite of what I told him, but, as I say, he just would not listen to that ever. The second half is a characterisation of what I would have said to him.
3 Q. So by this stage you have moved from not having anything of any interest to the police to nothing of evidential value to an acceptance that the Glitter claims were something a police investigation could in fact use?
4 A. No, I don't quite get that.
5 Q. That's what he said. It is nothing -- maybe it's nothing. I thought there was something missing.
6 MR FOLLARD: Yes.
7 MR MACLEAN: I see. Yes, I think that is right. It is chopped off.
8 What Mr Rippon is saying is that you said -- he says you said you were confident all the women were spoken to by the police, and you say that was completely wrong you didn't say that at all?
9 A. Yes. And I send him an email saying that.
10 Q. But you accept that you said the Glitter claims were nothing that this investigation could use --
11 A. Words to that effect. Words to that effect.
12 Q. And the same about the other person which were never going to be mentioned anyway?
RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH MEIRION JONES (2)
MR POLLARD: Yes. I think you were going to mention from 1 October --

A. I was going to say from 1 October -- I think I said last time, about lunchtime on 1 October somebody handed out my number to loads of journalists who I had never heard of and I got bombarded with calls from people. Um, and, for that first week I didn't really cooperate with those, and my attitude changed -- you know, after I couldn't -- with the BBC constantly putting out a line which was false, eventually I got point that I was saying to people, "No, that's not true". I still didn't -- I still didn't leak emails or anything like that at any time --

MR MACLEAN: Are you sure about that?

A. Absolutely 100 per cent sure, yes.

Q. 100 per cent sure?

A. Yes, 100 per cent sure. Then it developed further.

Once it got to the week where I was smeared I then felt that I had to talk to journalists at that point. I had to know what they had, what they were going to write about me so there was another change from the -- the
A. As I explained to you last time, editorial reasons just means that the editor thinks so. If the editor thinks runs around the table, that's -- he's done that for editorial reasons. That's why I use the phrase "journalistic" to distinguish from that. There is a big difference, an editorial reason, at the end of day, just means that the editor wants to do it and at the end of the day, he's my editor, he can do whatever he likes.

Q. So you didn't draw that distinction between editorial and journalistic to Mr Rippon, did you?
A. I go on to, in effect.

Q. Do you?
A. Yes:

"You made the decision that we had enough to TX once we had confirmation that the police had investigated him, on top of victim interviews, which we had already done. Excellent, pull together TX. For whatever reason you changed your mind the next day and insisted it was only a story that Jimmy Savile was a paedophile if we could show that the CPS had let him off because he was an old, sick man.

"I don't know what happened to change your mind. I thought that was a bizarre discussion but I accepted that you decided to drop the story for editorial reasons because, ultimately, you are the editor and it is up to
MR POLLARD: Is it right to say that that was an assumption and that you don't have any evidence of that?
A. I have no evidence of what happened above.
MR POLLARD: Yes.
A. I have evidence of what happened at my level happened for no journalistic reason.
MR POLLARD: It is evidence by absence, if you like. It assumption by evidence, I'm not trying to --
A. No, no.
MR POLLARD: -- your view is that there is no and could be no logical editorial reason that would justify the dropping of the story in those circumstances, therefore it must have been something else and that is the most likely reason.
A. Yes, because no -- no reason -- no journalistic reason was given for not running it. You know, what happens is on the 25th is "Excellent, go for transmission". That night the BBC starts running its campaign for Christmas, which is, um, everyone, including Shane Richie, giving out the sweets while they are sing "Consider yourself one of the family". Huge family Christmas is launched other that weekend.
On the 29th, the BBC finalises its Christmas schedule and gives it out to the press, which has all the tributes in it. I think on the 29th -- and
I thought so at the time -- that somebody becomes aware that the two things are irreconcilable. I don't know who that is, but the impression I'm getting from my arguments with Peter is that he's being told by people above him in the chain, I am assuming Steve and Helen but I don't really know, that the two are irreconcilable.

MR POLLARD: But he never invokes, does he, the issue of Christmas Specials in any of those conversations?

A. No, we invoke it with him all the time, though. As you know, I refer to it in that red flag memo, which is a record of some of the things I'm saying. I'm saying to him and Liz is saying to him, "This is because of the Christmas Specials, this is because it is going to be embarrassing. You know, we have to pull those specials. With what we've got on him, we have to pull those, we can't run that stuff".

MR MACLEAN: When did you say that?

A. During those discussions that go on from the 30th through -- right the way through. As I said the red flag, I think, is written on the 30th or 1st. I think it is the 1st. You will see that is in there in that memo. Obviously it doesn't go to anyone but it is a record of what I'm thinking at that time.

Q. I'm going to take you back to the red flag email.
A. Well, okay, there had been a lot of stories attacking
Newsnight over the course of that year for being --
Q. Right?
A. -- not very good.
Q. Yes.
A. And not having very good audiences any more. The first
one is the one I can remember and that was the one which
said that, you know, Newsnight was in a terrible state
and quoted a Newsnight source as saying Peter Rippon was
a David Brent character.
Q. I see, right.
A. That was [redacted] I don't know what the second one
was. I'm not sure.
Q. Right, okay. And then a similar point, page 165, from
you to Liz MacKean, which you were thinking of sending
to Peter tomorrow. This is a particular point.
A. Yes, we have seen something like this somewhere else.
Q. Yes, so this is picking up on the Sunday Mirror, yes?
A. Then somebody called Susan Thompson got in touch with
Newsnight, is that right, by sending something to
a Newsnight email address --
A. Yes.
Q. -- which you then followed up?
A. Yes.
Q. And in the end passed on to Mark Williams-Thomas.
A. Yes.

Q. We have the emails, I'm not going to show you them but we agree about them?

MR POLLARD: Did you bring Susan Thompson's note to Peter Rippon's attention?

A. No, I don't think I did.

MR POLLARD: It is a pretty astonishing thing, isn't it? You didn't think it was worth "Look, Peter, this could be the final piece of evidence".

A. But he didn't want evidence. He hadn't looked at what we got. I had been told to stop pursuing evidence. That wasn't what they wanted. The fact was once the tributes had gone out we couldn't run our piece. If we ran our piece people would say "Hang on a second, you knew before you did the tributes that he was a paedophile". The BBC as an organisation -- because people keep asking the question, when these things started appearing, why didn't the BBC just say "Oh, yes, well, we are going to run it now. We can run it now". And at one level there is great logic to that.

MR POLLARD: Sure, they could quite credibly have said, "At point A we judged the evidence not to be strong, we now have more evidence". That might be said to be a model of how these decisions had been taken.

A. But the problem was because you had broadcast the
RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH DAVID JORDAN
Q. Let's assume that's not the case?
A. Okay.
Q. The type of risk that might qualify a piece to get on to this list could be any one of a number of things. As we can see from this list it might be reputational risk to the BBC for example?
A. That's correct, yes.
Q. That would be a possibility?
A. Yes.
Q. Or reputational risk to the object of the story?
A. That's possible. Depending on who that object was.
Q. And sometimes two sides of the same coin, in the sense that if you get it right there is a risk --
A. I don't think we would have been worried about the reputational risk to Robert Maxwell, when I did that on Panorama, I don't think we would have been worried about that, but we would have been worried about the possibility of litigation from Robert Maxwell affecting the BBC, so we'd have been worried about a legal risk. In this particular instance there is a reputational risk to the BBC, clearly, of a former major star; that is clearly a reputational risk for the BBC.
Q. Although there are a number of things one can think of as to why it might, as you say, fall between stools as a matter of timing, prima facie the Jimmy Savile story
investigated Terry Venables who was at that time a major
star in relation to BBC sport, is, I think,
a misconception. Because there have been a number of
investigations that have taken place since I took up
this job where we have? Where we have disguised the
nature of the investigation quite deliberately. Not
because it was about another part of the BBC, as it
happens, but because it was so sensitive that we didn't
want any -- any word of it to get round to any other
part of the BBC. And I mention for example the
investigation that we did into Iris and Peter Robinson,
where we invented a code name for. It still said who
was managing the risks related to it but it didn't in
any way indicate what the nature of the investigation
was.

So it would have been perfectly possible for News to
have put this on to the Managed Risk Programme List in
a disguised form which I would have known about, the
director of News would have known about, and the
relevant people who were managing the risk would have
known about without its nature being revealed to the
rest of the organisation.

Q. Say instead of saying as we can see from bundle 2,
page 188, it says "Jimmy Savile investigation", the
words value investigation --
A. We would have taken that out completely and said some
codeword for it, Pearl Handle investigation or
something, any code name, and then put it against that.
But the critical thing would have been that the
individuals who were managing the risk associated with
that programme would know what it was and would know the
risks were being managed. This list is about that, it
is about making sure that happens.

Q. You also said you would have known about it --

A. I would have to know about it in those circumstances --
for it to go on the list in that way would have meant me
knowing about it, yes.

Q. At what stage -- would you have got this list with some
codeword and you would have then inquired --

A. No, I think I would have been spoken to about it before
it appearing in the encoded form.

Q. That would have been the sort of thing the News boards
at that stage they would have a word with you and say
"We are putting something on the list, it is called
Operation Copper Carrot, what it is really about is such
and such".

A. That is correctly right. That is exactly what happened
under Mark Byford in relation to the Robinson
investigation.

Q. You mentioned Mark Byford. Mark Thompson told us how
Q. This is on the 2nd? This meeting is on the 2nd?
A. On the 2nd, yes. And the word came back that
Peter Rippon didn't feel able to do that interview, and
what he did instead was to write a blog.
Q. What was your understanding of the extent of the work
that had gone into the blog?
A. I knew nothing about the work that went into it or
anything. The next thing I knew was when I saw the blog
posted up on the editors' website. I had nothing to do
with the genesis of it. I know nothing about what work
went into it at all.
Q. So at the time your understanding of the genesis of it
was that Peter Rippon had volunteered to write something
in lieu of being interviewed; is that right?
A. Yes. My understanding was it had been suggested to him,
I think possibly by our corporate press office, that if
he was not able to do the interview he might want to
write a blog explaining his reasons for not continuing
with the Newsnight investigation.
Q. Have you now seen the emails from Steve Mitchell to
Peter Rippon on the morning of 2 October in which he,
Rippon, is initially invited, if that's the right word,
to draft a briefing note for the use of Mitchell and
Boaden as best he could recall?
interview -- well, it does relate specifically to the
interview that was given on the 3rd in one part, yes.

MR POLLARD: And that interview on the 3rd was your first
direct involvement?

A. The interview on the 3rd was the interview that
   Peter Rippon didn't feel able to give to The Media Show.

MR MACLEAN: With Steve Hewlett?

A. With Steve Hewlett, yes. So that was the 3 October
   interview. Then I did an interview with the Today
   Programme at 7.30 the next morning after the ITV
   Exposure programme had gone out, so I didn't -- I didn't
   believe it was right for us to do further interviews
   until we had actually seen the programme and seen what
   was in it. So I then did a Today Programme interview at
   7.30 on the 4th and then I spent the entire afternoon of
   the 4th doing a series of interviews for different
   outputs, you know, sort of the News Channel, BBC News,
   ITV News, Channel 4 News, Channel 5 News, Radio 5 Live
   and so on, in a row.

Q. Yes. On The Media Show interview on the 3rd, you said,
amongst other things:

   "It was never started out as an investigation into
   Jimmy Savile himself. It started out as an
   investigation into whether the Surrey Police had dropped
   allegations."

46

11/203
That's what you said. Where did you get that from?

A. I think that was a misapprehension that I had and I later went back on The Media Show to correct it. It was a misapprehension. I can't remember whether it was my own misapprehension based on the notion that if that was what the, um, investigation was about therefore it started out as that, or whether somebody had suggested that to me in briefing for the programme. Whether it was a misapprehension or just a misconception by someone else, I can't remember, but it was clearly wrong and that's why I went back on -- offered to go back and went back on The Media Show to correct it, because it's the only time I ever said that.

Q. Right. Now, just before we come to the Jones exchange --

A. Yes.

MR POLLARD: Sorry, could I just ask: how did you prepare for that Media Show interview? Who did you have discussions or briefings with? Peter Rippon among others, I assume?

A. I didn't -- I don't think I talked very much to Peter. I read his blog, of course.

MR POLLARD: Right.

A. And I talked to Paul Mylrea and I had Julian Payne accompany me to all of those interviews and discuss what
Q. -- Meirion Jones sends you an email in the middle of the afternoon:

   "David, this is the original script from 29 November."

   You reply saying:

   "Thank you, and thank you for calling by earlier. I had a hectic round of interviews today so I will now reflect on what you have told me."

A. Yes.

Q. Can you flesh out for us the conversation that is referred to there?

A. Yes, yes. On the -- on the morning of the 4th, after I had done The Today Programme interview, I had a call from Meirion Jones asking if he could come and see me and I said, "Of course you could come and see me". I'm not sure I would have said that now but I said of course you can come and see me, and I, er -- I arranged to meet him.

   He said he could come in some time around 11 or so and I had a gap in my diary and I said we could do that. Then I got a text from him saying he couldn't make it until 12, and I had a meeting at 12.30 but I could see him at 12 so he arrived around about 12 o'clock. We went into a private room and I said to him at the outset, "How do you want this? What do you want this
meeting to be? Is this a confidential meeting?" to
which he said, "Yes".

"And is this going to be, as it were, within these
four walls only?", "Yes", he said. So we had that
conversation, so what I'm about to tell you now is what
was the contents of a confidential meeting.

Q. The confidence in this was subsequently blown, for this
meeting?

A. Well, I think it has been blown, yes. Yes. I mean
I think -- I think the problem is that if you have
a meeting of that sort the mere fact that you make
available the knowledge that there was a confidential
meeting essentially blows the confidentiality, I am
afraid. Just as if you tell Private Eye that you sent
a confidential email with a script attached --

Q. I'm coming to Private Eye.

A. Okay. Then that rather blows that too, in my view.

Anyway, what happened was that he started off
talking about whistle blowing. He started off
suggesting that he had called Editorial Policy at some
stage, he wasn't clear about when, in the period since
the story was stood down by Peter Rippon on Newsnight,
to enquire about whistling-blowing about the decision,
about which he was clearly unhappy. And that he had
called Editorial Policy and been told that there was no
talked to. It sounds like me, but I've certainly not
talked to anyone at "Private Eye".

What did you make of his response?

A. I was unconvinced by it. Particularly given that the
"I drew to the attention of Peter Rippon that it was
likely to have reputational issues".

I can't see who else the "I" would have been.

Somebody who was doing it at secondhand would not have
used the word "I" quoted in quotation marks in the
"Private Eye" article.

Q.

A.

Q. Have you now seen -- have you seen in the material we
sent you emails which you couldn't possibly have seen at
the time from Mr Jones to some of his friends, somebody
called Mary Wilkinson, for example?

A. I think I saw one from Mary Wilkinson, but I cannot
22nd October, was an extraordinary weekend. A number of sessions where we were going to prepare for the Select Committee had been arranged, and those sessions would have been place under the auspices of Andrew Scadding, who is the head of public affairs, and with other people involved including myself. As it transpired very little of that preparation actually took place and most of George Entwistle's preparation for the Select Committee took place in the company of some lawyers, although a lot of it was -- a lot of the time was taken up in dealing with issues around the blog and changes to the blog. So sessions that were arranged, for example, for the afternoon of Sunday 21st didn't happen, because -- because he was closeted with lawyers, talking, I think, about changes to the blog.

So very little -- very little preparation of the normal sort took place before the Select Committee meeting on the Tuesday. And certainly George did not go through the kind of pummelling which I would normally expect to go through if I went to a Select Committee and which is normally laid on by our communications team by the -- by the public affairs team who are exceptionally good at preparing for Select Committee and have always prepared me for the Select Committee appearances which I was going to make. I did -- I did more preparation
RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH LIZ MACKEAN
Q. Old and infirm?
A. Yes, they were told in the letter that that was the reason the prosecution didn't go ahead.
Q. And you realised, presumably, that the importance of that potentially was that if that was the reason that the investigation was dropped, then it wasn't dropped on the basis there was no evidence, or he didn't do it, but rather for some other reason, namely too old and infirm?
A. Potentially, I certainly wanted to find out who had done the investigation and why it was stopped.
Q. So potentially that fact, that the investigation had taken place and then stopped for that reason would help to give credibility to the story that the women were telling?
A. Not necessarily. It was a separate thing but an important thing in my mind. The story was about the fact that Savile abused these people. That was our story. In the course of looking at that, these tantalising things came up about a police investigation, so of course I wanted to find out about it. But I didn't look at it as that then made these accounts more credible, but it would add another layer of interest to the story.
Q. Right. Back in the first email that Meirion Jones sent you in AI/107, at 108, near the end, it includes...
A. Yes.

Q. -- to Mairion Jones on 9 November?
A. Yes.

Q. That time of year When I'm A Celebrity was on. "Had a meeting with Liz and Peter, she thinks we shouldn't do JS story on grounds of taste."
I just pause there. This was a meeting in Peter Rippon's office or something?
A. Um-hum.

Q. How did she -- what did she do? Did she use the word, "taste"?
A. Yes, literally that. You know, she said it's taste. I don't think it's tasteful. I --

Q. What was distasteful? The fact that he had died or what?
A. The fact he had just died. And obviously within the context of the BBC already, you know, we knew there were going to be tributes at some point.

Q. You didn't know that -- quite know that now, did you?
A. No, they hadn't been commissioned, or at least they hadn't been announced but remember we have not long since had this sort of major coverage is given to his funeral so there is a sort of wider atmosphere that was one of celebrating Savile. So this "taste" was sort of why are we making these claims about him when he has
A. Never mind that Jimmy Savile had just died, I thought there was very strong public interest for the story to run. You know, if someone is being seen and held up, especially by the BBC as one thing but actually we're getting by now, by this stage, quite a few conversations which suggest that we have got good grounds for suggesting he was something very different. I just saw a clear public interest, particularly in the BBC making that clear. You know, far better it came from within.

So --

Q. But what's the police line?

A. The police line now is the fact that we were hearing that there had been a police investigation, we didn't yet have confirmation. I can't remember if at this point we knew that it was definitely Surrey, but that to me added to the public interest. And it was an added thing, if you like, to help persuade her that the story was in the public interest.

Q. You discussed with her the fact that you had some information to suggest, did you, that there had been a police investigation which hadn't gone anywhere because of his age and infirmity?

A. Yes. I had said that's what we were being told.

Q. Obviously we didn't have any confirmation of that.

A. That's what you told Liz Gibbons?
A. Yes.

Q. She(?) had been told, as indeed you had been told?

A. Yes.

Q. And it was that fact, was it, about the police investigation not going anywhere in the end because of age and infirmity, that appeared to you to persuade Liz Gibbons to go along with it?

A. I can't remember if it was because it didn't get anywhere, because of age and infirmity, or just the fact of the police investigation. I mean, the fact that there seemed to have been a police investigation seemed the most material point. Because it showed that a complaint had been made -- at least one complaint had been made -- and it was taken sufficiently seriously for there to have been an investigation.

Q. So at this stage, is this right, at this early stage there wasn't really any focus on the fact -- tell me if I'm wrong -- that [G1] had never been to the police and they had never spoken to her, and whatever investigation might have been done didn't appear to include her? But it becomes important later on?

A. It became important later on. I'm not sure I was even registering that detail at this point; that, you know, we were in the course of the research talking to people who hadn't spoken to the police.

35

11/213
A. From memory it was both of them. And it was a sort of, "Yes, but are they believable? Will they be believable". You know obviously we were looking now at allegations of things that would have happened 40 years previously. I mean, it didn't phase me in the least that they raised that concern. It is always, as everyone knows, a real issue with these old cases. You know, claims are generally made by people who don't expect to be believed and tend not to be. Certainly in the case of -- these women, you know, had a chequered history, some of them very much so. But despite what Peter said in a more recent email, they didn't all have criminal records.

But that's why in my mind, from the get-go it was very important to talk to a lot of people. I would not have tried to push this story based on even the -- you know, the first ever on camera interview, very credible as I found [â€‹]. That wouldn't have been enough to make me think we should push as hard as we did push. It was the collective -- it was the weight of all the different accounts that we heard that were describing a very similar thing. And just very quickly to say we had Mark Williams-Thomas onboard who later did the story for Exposure who is steeped in this type of work. And his feedback to Nairion, because he was kept in the loop

37

11/214
about what we were uncovering, his feedback to Meirion was "it is stacking up", which gave us added reassurance, if you like.

MR POLLARD: Did Mark Williams-Thomas talk to any of the women himself?
A. Um, certainly when our story was dropped, yes. Not at this stage, no.

MR POLLARD: Not before the story was dropped?
A. No.

MR POLLARD: Okay.

MR MACLEAN: He in fact wanted your job on this story. Did you know that?
A. Yes.

Q. Did you know that at the time?
A. Yes, Meirion told me.

Q. At the time?
A. Yes.

Q. We will come to Mark Williams-Thomas a bit later, but he had multiple roles in this story, didn't he? He was helping with the research and ultimately he was going to appear on the piece as some sort of expert witness opining on the quality of the work the police had done.
A. Um, opining on the credibility of the witnesses we had spoken to. Not, from memory, particularly on the work the police had done, on the police investigation. His
I'm thinking of ones like [245] and
[24] I remember they were sorted. I mean they
were constrained, a lot of the people talking to me,
because they were really afraid of having their
identities made public. They were adamant they wanted
to tell me things and they definitely wanted things to
emerge, they wanted the record on Savile to be
corrected, but they were really concerned about being
identified.

MR POLLARD: May I just ask a question?
A. Yes.

MR POLLARD: Of the roughly 10, give or take one or two,
people who you regarded as important witnesses for your
programme, how many did you speak to personally and how
many were spoken to by Hannah?
A. By Hannah? I think there is only one I didn't speak to
personally. And I can't remember why not.

MR POLLARD: Okay.
A. It was [243] From memory she had been very
hard to get hold of, and Hannah had conducted a sort of
conversation by text because again she was so concerned
about being named. So I tried to get hold of her
personally and didn't, but all the others I did speak
to.

Q. The point you made about [24] we can see -- I don't
need to take you to it unless you want to -- from your
e-mails your lack of enthusiasm for speaking to her.

A. Yes. Because you knew you weren't going to get out in
under two hours.

Q. So we see you saying at one point, I think you say words
to the effect of "I'm about to", as it were, "endure
another conversation with [NAME]"?

A. By the way, one other impression of [NAME] which again
added to my sort of, you know, sense that she wasn't as
sorted as perhaps Hannah had thought, was that I felt
she was teasing me about this letter.

Obviously she -- I came to think she was my only
hope of ever seeing it, because she said she had it. At
one point she said "I have emailed it to you" and, you
know, I had to ring her back so often to say I haven't
got it. At one point I offered to drive down to Dorset
to get my hands on it and she started making excuses
about how her husband wouldn't want me in the house.

The fact that she never did provide it, I began to
think "she's playing along, she's enjoying this, it's
some kind of power trip for her".

Q. But it had become a very important element of you making
the story to get that letter?

A. And I didn't try to conceal from her the fact that
I needed the letter. And then ultimately, even though
Q. Was that something discussed back at the ranch in Newaygon? You and Peter Rippon for example, did that ever come up in conversation?

A. Not with me, no.

Q. Do you know -- did you hear tell of it coming up in conversation? Is that a reason why one should be wary of running a story with [redacted], for example?

A. No, absolutely not.

Q. The 14th was the interview with [redacted]?

A. Yes.

Q. We have seen that. I don't want to go into what she said, because we've seen it.

If you go to page 85, please, bundle 2, it's an email from you to Hannah Livingston on the 15th.

A. Yes.

Q. This is the one I had in mind. You see the word "endured"?

A. The redaction is [redacted], by the way.

Q. I have that here. It is the last sentence I'm interested in, about the women. Tell me about that.

A. Because we would have come back from filming the interview with [redacted] we would have marched into

11/218
the office and very positively said "We've done a great
interview".

Q. So the office: who were the human beings that you were
referring to?
A. Liz Gibbons. I would have definitely told her,
especially knowing how generally hostile she was to the
story, but obviously Peter.

Q. So Peter's enthusiasm has been bucked up?
A. Yes. You know, just it felt great, this is more of
a goer now.

Q. But the very next thought is about the letter?
A. Yes.

Q. So that's still an important part of the jigsaw?
A. Yes, as I said for me it was. It was, you know, what
the hell -- what's going on with that part of the story,
I wanted to know.

Q. If you go to 112 then, do you have mostly a blank
page --
A. Yes.

Q. -- with a couple of paragraphs at the bottom?
A. Um-hm.

Q. I take it -- we had this discussion earlier, I'm not
going to do this every time -- you didn't blank that
out?
A. No.
1 A. Yes, I am sure she responded but I don't remember.
2 Q. If you go to page 117, that's your email to -- yes?
3 A. Yes.
4 Q. And then at 116, that's an email to you from --
5 A. Yes.
6 Q. -- in response. Then at the top of 116 you to "grim picture" et cetera, but is that as far as this
7 went, this little trail?
8 A. Yes.
9 Q. It didn't get you any further forward? Is that right?
10 A. Um-hm.
11 MR SPAFFORD: We need to take a break for the shorthand
12 writer.
13 (11.30 am)
14 (A short break)
15 (11.45 am)
16 MR POLLARD: Liz, could I just resume, just with a couple of
17 questions. We had reached the point where we were
18 talking about the [4] interview and coming back
19 to the office, and that went well and so on.
20 Having seen all the rushes of that, there were just
21 a couple of questions about it. She's obviously -- she
22 makes quite a big impact when you see it all. How did
23 you judge her overall credibility when you saw that?
24 A. Very high. She just seemed believable. She didn't

62

11/220
pretend to remember things she couldn't remember.

and I think that was why she was doing it.

You know, she wanted to set the record straight and, you
know, she had clearly had a hard life.

you

know, her home made quite an impression, it wasn't

a place that was looked after, if you like. And she

just radiated a woman who had had a hard life who was

kind of cynical and didn't expect to be believed

necessarily but was telling her story. And I found her

story compelling and I believed her.

MR FOLLARD: Did you have any qualms about a couple of

things she mentioned, one that she was clearly on

medication at the time, she talked about Lithium,

whether that was Librium or somebody else said it was

Largactil and a different thing. She and probably

several of the other girls were on some sort of

medication and she also talked about being in a sort of

dream-like state for part of that period, and as you say

there were several things where she said, "I just don't

remember the incident". Did that give you any sort of

pause for thought?

A. Well, no. I mean, yes, in that I registered her saying

it, and of course I wondered what effect would that have

63

11/221
of -- where it first appeared to you that there was a real problem as opposed to an apprehended problem, was Peter Rippon's email on the 30th?

A. Is that the CPS?

Q. Is that right?

A. Is that the one?

Q. It's the one on 214. It's actually not sent to you, but I'm pretty sure it came to your attention pretty quickly.

A. Yes.

Q. That one, yes?

A. Yes.

Q. I just want to be completely clear about this, what you're telling us. Is it right that so far as you are concerned it was only on 30 November that it became apparent that Peter Rippon was having pretty cold feet?

A. Um-hm.

Q. And until then, we've seen the earlier emails and in particular the one of the 25th where he says, you know, next step is transmission date. Had anything happened between then, the 25th and the end of the 29th, to lead you to think that he was changing his mind?

A. I honestly don't remember if there had been conversations, I don't recall. But I do remember this email of course and I think it was the first time it was

102

11/221A
clear in black and white that the CPS line, which I'd
never thought it likely we would get verbatim, had
become the test for the story going ahead.
Q. What contact had you had with Helen Boaden by the end of
the 29th September about this story?
A. None.
Q. What contact had you had with Stephen Mitchell about
this story?
A. None.
Q. Had you discussed with Peter Rippon whether he'd had any
contact about this story with either of those two?
A. I remember a conversation that would have been about
this time, yes, when I asked him directly if he'd spoken
to Helen.
Q. After this email? After you -- I can see why you would
have reasoned, once you saw this, to go to Peter Rippon
and say, "Well, what does X say, what does Y say, have
you spoken to Z"? But before this email can you
remember if there was any such discussion?
A. No. I can't -- I just can't remember the precise
timing.
Q. The same day, we're on the 29th still, if you just jump
back to 174, this is not to you but it is about you.
This is about all the places that Jo Mathys had you
covering these bases when the story goes out?
MR POLLARD: Could I just ask a question on the specific subject of Peter Rippon's view of the CPS line. I think you are suggesting that his suddenly throwing in of this as a factor to decide whether the story could run or not, was very unexpected. But is clear that through the previously sort of two or three weeks he had been asking about that letter and whether you or Meirion had been saying effectively, "Yes, we're on the case. We know that the letter says the case was dropped because he was old and infirm."

So it is not merely on the 30th, something that he just produces out of a hat; it had been a constant subject between the two of you and he had let it be known he was pretty keen to get this element and he considered it important.

A. Sure. I considered it important, but not -- not the thing that would stop the story going ahead.

Particularly given the fact that on the other hand we had more evidence than the CPS had to consider.

Q. And you and Meirion made it clear to him, "Okay, we get this about the CPS, but [REDACTED] is new, fresh evidence which effectively, shall we say, negates the overriding value of that CPS"?

A. Yes, it reduces its importance. But you see, I have obviously now, after the weekend, I have seen emails

108

11/222
where it's -- Peter doesn't appear to have hoisted that
in and I can only say I am astonished.

MR MACLEAN: After this weekend?
A. Yes, I got them on Friday night.
MR MACLEAN: As a result of seeing the stuff from us?
A. Yes. I really can't account for that because it was
such a consideration in my mind, and it gave us so much
more weight that I don't know how he couldn't have
hoisted that in.
Q. When I asked you the last question, I said let's assume,
for the purposes of discussion, that it was a good point
that the CPS angle was undermined by the fact that
\([R1]\) hadn't been to the police.
A. Yes.
Q. And I said surely that's a point you and Maerion would
have emphasised to Peter Rippon on 30th November; all
along we would have said we had more than the police.
Did you say it? Is it conditional or --
A. No, I'm --
Q. -- you did in fact say it?
A. I'm positive. Definitely.
Q. If you go to page 215, please, Jackie Long is a friend
of yours who used to work for the BBC and now works for
ITN?
A. Yes, Channel 4.
Q. You email here that morning about this story, and you say that Mr Rippon was, "In an absolute spin". I don't know how we are going to get this on the transcript, but what was the surrender gesture?
A. He just raised both hands up in an open palmed way (raises hands palms facing out).
Q. "And he told me and Hi, if the bosses aren't happy (and they won't be) I can't go to the wall on this one."
The words in parenthesis, "They won't be", are those your words or his words?
A. My words.
Q. So what he said was, "If the bosses aren't happy, I can't go to the wall on this one"?
A. Yes.
Q. Is that what he said?
A. Yes.
Q. He used the words bosses and wall, did he?
A. Yes.
Q. Who did you understand him to be mean by the word "bosses".
A. I appear assumed his bosses, Stephen and Helen.
Q. You assumed it to be a news thing rather than anything bigger than that?
A. Yes, possibly. They would have been who I would have thought of. I didn't take from that that they had been
breathing down his neck, necessarily, but just that he
wasn't going to be challenging them if they had
concerns.

Q. When he said, "If the bosses aren't happy", that might
be thought to suggest that he hadn't yet approached
them?

A. Yes.

Q. So what was your understanding of the extent to which if
at all Peter Rippon had, by this stage, approached the
bosses?

A. Um, I -- I suppose I thought -- I assumed he would have
done because that would be standard practice. I didn't
take from this that he had spoken to them and they were
breathing down his neck. I took from it that he wasn't
willing to really push it. That he didn't want to cross
them full stop.

Q. Just let me explore with you your reference to standard
practice, because is quite important this. To
understand on a run of the mill Newsnight story -- not
one that is going to lead to particular great press
coverage, still less what has happened with this
story -- what would be the norm in terms of
relationship, discussion, interaction between the editor
of the programme on the one hand and his immediate
superior, who in this case happens to be Stephen
MR POLLARD: When was that that he said he had spoken to
Helen?

A. I asked him -- I think it was on the 30th. It was
a conversation in his office, just him and me and I was
trying to establish the point, basically was it worth
going around him so I had asked about Helen.

Q. You mention that specifically in your statement, I can
see that, paragraph 24:

"I remember asking if he had spoken to the head of
news Helen Boaden about the story, and he said he had."

Okay, thank you.

MR MACLEAN: Another of your emails I think we read about in
the press in recent weeks. I think it is at page 220.
Another email from you to Jackie Long. We are still on
the 30th:

"PR's latest panic attack. Liz, internally this is
a very long political chain".

A. Um-hm.

Q. Just picking up on the next point earlier: why was the
chain any longer -- leave aside the word "political" for
a moment, he obviously means BBC. We could substitute
BBC could we? Or even managerial? Would that be
another synonym?

A. Not as neutral as that. To me that suggested that there
were politics involved.

Q. What kind of politics?

A. I took it to mean that this is going a long way up and
we're not running the story.

Q. So why was this chain any longer than, for example the
Northern Ireland story you just mentioned?

A. I think by very long, I wondered then if that was above
Helen Boaden.

Q. That's the inference you drew at the time?

A. Yes, it is pure inference and that is what I drew.

Q. Above Helen Boaden -- obviously there was the director
general ultimately.

A. I was thinking channel controllers. I wasn't even
thinking about George as head of Vision.

Q. Channel controllers, you meant -- did you infer that was
a reference to the channel controller of BBC1, because
of the tribute?

A. Yes, and BBC2.

Q. In a sense it has nothing to do with BBC2. It is just
a story on a BBC2 programme.

A. As far as I know, yes, they were doing another tribute
as well on the 28th.

Q. I see, so I'm with you. So you didn't take it as being
a reference to Mark Thompson?

A. No.
Q. And you -- tell me if I'm wrong -- at no stage had any
indication or evidence that Mark Thompson, had been
involved -- or was involved at all, either on
30 November or thereafter, presumably until very
recently?
A. No I was aware that before Christmas a foreign
correspondent had brought it to his attention.
Q. That is Caroline Hawley?
A. Yes.
Q. Had you spoken to Caroline Hawley before she went to
that drinks party?
A. Yes, definitely. She had been around in the office
because she does work for Newsnight periodically.
Q. You teed her up saying if you catch a hold of the DG
tonight--?
A. I don't know that I even know that she was going to
drinks party. But we were chatting and she would have
asked what are you working on and we would probably have
given her a sort of précis of what was happening, which
was it looked like the story was not going to run.
Q. The story by that time was completely dead wasn't it, so
far as Newsnight was concerned?
A. Yes, I cannot remember when I spoke to her, but it was
before her conversation with Thompson, but I didn't know
that she was going to drinks or to see him.
A. I think so.

MR POLLARD: So there are two clips, is that right?

A. Yes, there were.

MR POLLARD: All right.

MR MACLEAN: We now come to just before Christmas and then

into January. We can see from the documents that there

were stories in the press --

A. In January.

Q. -- in January. There is one in The Mirror, there is

a piece in The Oldie that gets published in February.

There is a piece in The Mail at some point. We can go

through them and we can speculate about who was feeding

information to those newspapers. But so far as this

story and the BBC is concerned, when the BBC was

developing its response, or one might say defence, to

what was in those newspaper stories, did they do that

with recourse to you at all?

A. No. I mean we didn't know -- obviously I have now seen

the email that you sent over the weekend --

Q. Which one?

A. Is it the 21st, between Peter and Helen Deller and

various others in the press office.

Q. Look at 131 and tell me that's the one you had in mind?

A. We hadn't been aware until recently.

Q. I think it must be this one --
A Spectator article that in fact enquiries were being made before Christmas.

Q. Is this the one you had in mind?

A. Yes.

Q. James Hardy, he is head of press?

A. He's in the comms, I don't know --

Q. A senior comms person. Sarah Beck works closely with Stephen Mitchell, I think; is that right?

A. Yes.

Q. And Karin Rosine's is a press officer, I think. So you didn't know about this December stuff?

A. No.

Q. And you weren't involved in developing the line which we can -- it gets developed but we can see it here in the statement:

"The BBC gathers information on hundreds of stories, not all make it to air. In this case the angle we were pursuing could not be substantiated."

A. Yes.

Q. That was not something you had anything to do with?

A. Absolutely nothing, no.

Q. If you go to 137, you see at the bottom it is the same email, the Helen Deller one, do you see?

A. Yes.

Q. And Karin Rosine said, "I'm happy if others are." And
set out. So I think he had a duty to make it as
accurate as possible and he didn't consult -- well, I
don't think he consulted Melrion, although I think there
was one account suggesting he did. He certainly didn't
consult me and I would never have agreed that he should
say what he said because it was so far from correct.
So in other words, if it was in good faith, which as
you say is a possibility, at the very least he's guilty
of gross carelessness, especially given how that then,
you know, caused all sorts of other senior BBC people to
mislead the public.

Q. Tell me this is wrong: the facts that you know are that
Mr Rippon published the blog?
A. Um-hm.

Q. You -- tell me if this is wrong, but my understanding is
you don't have any direct knowledge yourself as to
exactly how that blog came about, is that right?
Although when you saw it you immediately could spot that
there were any number of problems with it, which you
have set out. Let's assume for the moment you are right
about that and, as I say, the BBC did make some
corrections eventually.
A. Um-hm.

Q. What direct knowledge do you have about what happened
with Peter Rippon and above after the publication of the
blog until the corrections?

A. I know very little. Except I -- you know, I did go over
Peter's head on this, because as soon as I read it
I knew that he was, you know, putting forward a totally
misleading account, which to me built on the earlier
misleading statements from the press office.

Q. Over his head, you mean involving Steve Mitchell?

A. Involving Steve Mitchell. Initially I copied him in on
an email and then I stewed for a bit and arranged to see
Steve that day.

Q. Right. That day --

A. The 3rd.

Q. -- must be the 3rd.

Now let me just show you a couple of things in
bundle 7. It was something called a chain of events.
That's the terminology I was struggling for a minute
ago. If we go to 191, that was the phrase I couldn't
dig out from my memory a moment ago.

On 2 October in the afternoon at 12.15 he sent to
Mr Mitchell and to Helen Boaden something called
a Savile narrative, the chain of events, and he said he
would now work on the blog. We don't need to dwell
on it. I just need to show you two paragraphs. You see
there it is "key witness" and "key witness", the same
point we had before.
Q. Just that email at 57, do you see in the fourth line of the second paragraph the sentence, "I was of the belief..."

A. "I am of the believe that..."

Sorry, one down.

Q. Yes, one down:

"I was of the believe [this is Meirion Jones speaking] that another woman had told the police about Gary Glitter."

Did you say that?

A. I wasn't sure -- no, no, I couldn't remember it. But we did have a second account of Gary Glitter. There was obviously the [R] account, but one of the other people we had spoken to had alluded to Glitter, but I don't know if she had spoken to the police or not.

Q. So you didn't share the belief that another woman had told the police about Glitter. That was not something you picked up?

A. No.

Q. It doesn't appear to be reflected in any of the notes that I have seen anyway.

A. No.

Q. And it's not something you recognise either?

A. No.

Q. Then there's another one at page 61, and this is what
suggesting you were party to such an agreement, which
I think you basically were?

A. I basically was. I was in the room. And they were
agreeing it. And I was more -- my attention -- I was
less concerned about that and much more concerned about
other inaccuracies in the blog. So I mean I was --
I was there and part of it, but I'm not an active part.

Q. I appreciate there is a lot going on here.

A. Yes.

Q. But in retrospect, it is unfortunate, isn't it, that --
well, we see that Stephen Mitchell at page 91 just says
"okay, that's fine". So he's received and as it were
understood that message, which isn't actually correct.
You said it was arguable, but what makes it arguable is
the aspect of not being sure who the victim was?

A. And her age.

Q. That's the element of doubt?

A. I think the element of doubt is we don't know she was
under age, but I think frankly we can assume that she
was under age, because the girls from Duncroft were
under the age of 16.

Q. If she was of age, as it were, then there is still the
element, given the picture you painted earlier of the
alleged perpetrator, that even if the victim was 16, it
still might have been something the police might have
What did that mean?

A. Well, it was a striking phrase. As I say, it was said to me twice. I took it to mean there was no email that would say, you know -- Helen Boaden or someone else saying to Peter Rippon, "Kill that story."

Q. In other words, no smoking gun?

A. Yes. I didn't take it to mean that there hadn't been any pressure on Peter. Only that the BBC was all right on this, as he said.

Q. But you can be all right in the sense of, "I did it, but I'm not going to get caught", or you can be all right in the sense of, "I didn't do it."

A. Yes, and either of those interpretations was possible.

Q. And you were uncomfortable with what you saw as an attempt to rewrite history. Did you explain to him that there were some pretty fundamental errors with the blog so far as you were concerned?

A. Yes, I said it was creating a completely false impression of our story.

Q. Did you say, "You have to get this fixed Steve"?

A. Yes, I mean I can't remember the words I used, but it was, it's wrong and it can't stand and, you know, it's misleading the public.

Q. What did he say or immediately do about it?

A. He didn't. The conversation moved on. But I thought
he'd registered the fact that I was saying the blog
cannot be allowed to stand as it is.

Q. This was a pretty unusual thing for you to have done in
your BBC career --
A. Yes.

Q. -- to go to Steve Mitchell?
A. Yes, it was the first time ever.

Q. And you expected him to take it up the chain?
A. Yes.

Q. To the next port of call, Helen Boaden?
A. Yes.

Q. Do you know that he did?
A. No, I don't.

Q. But you don't know that he didn't, as it were?
A. Well, I presumed he hadn't when senior managers
continued to completely misrepresent our story.

Q. You mean David Jordan on Today?
A. David Jordan on Today and on The Media Programme;
George Entwistle, in his email to staff a couple of days
later, when he talked about it being widely known the
Newsnight story into the Surrey Police.

Q. And he was also on Today himself, Mr Entwistle --
A. Yes.

Q. -- and then the parliamentary committee?
A. Um-hm. The account was corrected ahead of the
"As Meirion knows, I'm working on identifying and collating the materials obtained during Newsnight's 2011 investigation into Savile for disclosure to the police any inquiries et cetera. Important we ensure that all materials are retained safely and not destroyed. I need to know from both of you exactly what was obtained and created during the course of your 2011 investigation will, whether you think it may be relevant or not."

Then she sets out what she is already has and asks a series of questions, essentially have you got anything else, and if so please now could you cough it up?

That was done expressly for the purpose of police and any enquiries, as she puts it. Had a similar exercise been done for the purpose of the blog or the BBC's public statements leading up to that?

A. No, we hadn't been consulted -- or I hadn't been consulted on anything.

Q. Can you think of any good reason why Peter Rippon shouldn't have consulted you when he was preparing the blog first of all?

A. Well, the only reason I can think is that he would know that we would have disagreed with his points. And that he couldn't have put out the statement that he put out. Because from the beginning of the year -- well twice at the beginning of the year -- I had said to him, "The BBC"