RELEVANT EXTRACTS OF TRANSCRIPT OF INTERVIEW WITH STEPHEN MITCHELL (1)
will come off for other reasons.

Q. So if a news programme -- any news programme, it could be on the radio or the television, I think, it doesn't matter -- was planning a story which had the potential for impact on another part of the BBC, that would be a prime candidate, wouldn't it, to be included on this Managed Programmes Risk List?

A. Not necessarily. This risk is -- sorry, this list is to do with public risk and as I mentioned earlier, safety risk or legal risk. It's not, in my mind, to do with institutional risk to the BBC.

Q. It's not in your mind to do with institutional risk to the BBC?

A. It is not, no. This is -- this is to do with the separate role of BBC News when reporting on matters affecting the BBC. This is not the place to, um, necessarily discuss risks to the reputation of the BBC. This is to do with risks to -- which we are exposed to for legal reasons or health and safety reasons or, um, in terms of reputation as would be affected by journalism. It's not to do with the corporate reputation.

Q. That qualification to the risk list, or to the scope of it -- that limitation on the scope of this list as you understand it to be, is engendered from where?
1. A. It's to do with, as I say, the need to keep the role of 
   BBC News separate from the role of the institution as 
   a whole. There are occasions when BBC News will be 
   doing journalism about the BBC. I'm not saying those 
   projects don't get on the risk list, but it's not 
   automatically -- I think you would need to go back, but 
   I think you said this would be a prime candidate.

2. Q. Yes.

3. A. And it's not necessarily the case if it's a story 
   affecting the BBC that it is a prime candidate.

4. Q. So is this right then: if my news programme is planning 
   a story, part of the information for which says that 
   somebody who was, or might have been, under age was 
   subjected to a very serious sexual assault in a BBC 
   dressing room in front of somebody who has recently died 
   and is about to be lauded by a bunch of tributes by BBC 
   Vision, that this Managed Programmes Risk List should 
   not be applied so that Vision doesn't know about it via 
   this mechanism.

5. A. No, I think you were asking about the generality of what 
   triggers an entry on to the Managed Programmes List. I 
   don't think you were asking specifically about the 
   Newsnight project.

6. Q. Let me ask you specifically then.

7. A. Specifically about the Newsnight project, this never got
necessarily being proceeded with --

A. That's right.

MR POLLARD: -- and are parked?

A. That's right.

MR POLLARD: So the argument that I think you are sort of making, that it was only live imminent stories, isn't always the case, is it?

A. No, I think -- I think what I'm saying is, if you take the Burma occasion, I had no doubt that we were going to do that at some point. On the Newsnight thing I'm not sure that Peter was as definite that we were going to get to air with that. I'm trying to put myself back to that time, but I think that was what was probably going through my mind.

MR MACLEAN: Go on.

A. The other thing I say -- the other reason that sometimes we don't put putative projects on is clearly because they are extremely sensitive and that sometimes happens. Or until we're absolutely sure what we're going to do, when we're going to do it, and what we are saying as far as this list is concerned; that that is one of the reasons that we sometimes don't put things forward.

Q. You are talking in generalities. Let's cut to the chase, Mr Mitchell. What was the reason why Jimmy Savile was not put on to the list that got fed up
the line?

A. I think it was probably because I was not convinced that
Peter was going to get this to air at that stage. But I
can't be -- I can't be sure, it was a long time ago.

Q. So Peter Rippon -- it was Peter Rippon really who had
a heavy influence on your decision not to put it on the
list, is that what you are saying?

A. My own -- the only information I had about this project
throughout this period came from Peter. But this --
let's be clear, this was my decision.

Q. Influence by Mr Rippon? Whereas his decision not to run
the story is not influenced by you?

A. I'm sorry? You are being a bit too quick for me.

Q. Well, you are saying this was your --

A. I was influenced by whatever Peter Rippon was telling me
about this story.

Q. Right.

A. And it was my decision not to put it on that list going
forward at that point.

Q. Right. Tell me if this is fair or unfair: you think
that the reason it was not put on the list up the chain
was that at that stage you thought the chances were it
wasn't going to run?

A. Well, I wasn't convinced that it was going to run, and
it's obviously, as far as I understand it at this stage,
it's not clear even what the story is. I can't remember
at which point Peter became enthusiastic about the role
of the police and the CPS. So in other words, that
would have been my judgment as far as I can recall.

Q. You see, Mr Mitchell, it has been suggested to us that,
as it were, the whole point of the Managed Programmes
Risk List is that it is a mechanism which means that it
is not necessary for directors of News and Vision, for
example, to then have ten second conversations at awards
lunches about what each other are doing. Do you
understand? If this mechanism works properly, it's not
necessary for Helen Boaden to walk round the table at
an awards lunch and tell Mr Entwistle what is going on.

A. And your point is?

Q. That this mechanism of the Managed Programmes Risk List
is designed to provide a proper process by which Vision,
for example, knows what News is doing in areas of
sensitivity that may have a knock-on effect on what
Vision is doing.

A. You would have to talk to David Jordan about the role of
the Managed Programmes Risk List. I can only tell you
what I think it's for, which is to raise projects which
are, as I say, legally, editorially or in terms of
health and safety, sensitive and risky through
a channel. It's not -- the Editorial Standards Board is
a firm broadcast date was set?

A. Not a firm broadcast date, but -- and again I have to stress this is trying to recall a decision I made a year ago -- but a firmer idea of what the film might involve and a stronger idea that it was actually going to go ahead.

Q. So the discussion, such as it was, between Helen Boaden and George Entwistle at the awards lunch wasn't necessary at all, on your evidence; the 10 seconds was 10 seconds too many?

A. You -- you would need -- you can't really ask me to explain a conversation that I was not part of, can you?

Q. Well, we'll come to that conversation. But I'm just trying to explore with you whether you saw it as a necessary part of what was going on that Vision was, if I can put it like this, put in the picture by News?

A. Not at the stage that the, um, Managed Programmes Risk List was being compiled.

Q. Notwithstanding the fact that Vision was putting in train arrangements for commissioning; paying for and recording the Jim'll Fix It that went out on Boxing Day?

A. I wasn't aware of what the plan was for Boxing Day.

Q. When did you first learn that Christmas tributes to Jimmy Savile were being planned?

A. I tried to remember, and I can't remember when I first
became aware. I believe I may have been made aware of it by Peter Rippon himself in passing when we had one of these conversations about the Savile project. But I can't put a date on it.

Q. You see, the evidence that we have had -- I think from Meirion Jones and Liz MacKean -- is that they discovered that tributes were being planned listening to the radio on the way back from the interview with [redacted] on 14 November when they heard a trailer on either Radio 4 or Radio 5. So do you think it might have been around then that somebody at Newsnight -- Mr Rippon or somebody else -- said to you, "There are some tributes planned here"?

A. I think that's probably earlier than I would have had the conversation with Peter, but I don't know.

Q. If you go in bundle 2, please, to page 50. Who is David Gibson? He describes himself as, "News Programmes Planning Editor". What does that mean?

A. As a department we deal with a lot of original journalism and a lot of journalism which is focused on specific audiences. So this can range from Panorama to journalism for The Asian Network, from Radio 1 to The Today Programme. The planning operation, which was now focused under a new title as an Impact team, is designed to bring together elements that -- of journalism that
Now, I want to focus on the first conversation with Peter Rippon. You had had a discussion with Mr Rippon about the Vision issues that -- or the issues for Vision that the Newsnight story gave rise to, hadn't you?

A. I don't know whether it was about Vision or about the BBC more generally, because of Savile's prominence.

Q. Right. So what's your recollection then of the discussion?

A. I don't think I could recollect any more than that. That, you know, when we discussed the idea in the first instance, it was clear to both of us that Jimmy Savile was a prominent BBC talent and therefore it would have implications for the rest of the BBC.

Q. Have implications for --

A. For the rest of the BBC.

Q. For the rest of the BBC. Your voice is falling, they are struggling to pick it up on the transcript.

A. I do apologise. I will do the best I can.

Q. Take bundle 2 again, I want to reach back into this for a second. We will turn to 276.

If you look at the bottom of page, there's a table from Liz Gibbons to Sara Beck on 21 November with the various Newsnight stories. If you go over the page, you will see that Jimmy Savile is there, as it was previously. You see in the middle of the page?
Q. "Legal and taste." Then back to 276, Liz Gibbons remembers another story. Then Sara Beck, the following day, on 22 November:
   "Subject: MPRL/Berlusconi."
   Which is presumably something entirely different:
   "Just so you know, have taken Jimmy Savile off for now and will put back on when it's imminent. The document goes quite far in Vision, et cetera, and we thought it might be best to keep off just for now."
   Now "we" either is you or includes you, right?
A. It would do, yes.
Q. Does this help to shed some light on your thinking at the time?
A. I think it's the same point I was making earlier. That there's -- the project is not yet ready to go on the list:
   "Take it off for now and put back on when its imminent".
Q. When it's imminent. And then Liz Gibbons replies:
   "Okay, I know Peter and Steve talked about the vision issues surrounding Savile, so that sounds sensible."
   That's a reference to a conversation you'd had with Mr Rippon on or about 21 November, would that be right?

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That was the date of the first substantive conversation you'd had with him?

A. I don't know the dates. Liz is obviously referring to a conversation she's had with Peter.

Q. So it would appear that the conversation you'd had with Peter about the Vision issues, that was presumably a factor -- perhaps even the factor -- in the decision that you took about the MPRL?

A. Well it -- I don't know what, um, the Vision issues are that this is referring to.

Q. Well they are Vision issues, so they are clearly issues for the Vision part of the BBC, aren't they?

A. Yes, but I don't know what they are.

Q. But they must be the fact that they have some tributes, planned, must they not?

A. Well you can draw that conclusion. I don't know.

Q. Can you think of anything else?

A. Well, I would have thought the fact that Jimmy Savile was a prominent figure in the BBC who had appeared on BBC Television, which is now Vision, was a bit of an issue for BBC Vision. But for the rest of the BBC as well. But you are asking me to draw conclusions from an email, if I could I would. I can only tell you what I can recall which is that the conversations that I seem to recall about the Risk List was whether the programme

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material was ready to go on that list.

Q. Now when you had this discussion with Mr Rippon about
the Vision issues, apart from that perhaps having an
impact on your decision about the Risk List and not
putting the Jimmy Savile on the list to go up the
chain -- apart from that what did you do as a result of
the conversation with Mr Rippon, vis-a-vis the
Jimmy Savile story?

A. Um, as I can't actually recall the conversation,
I can't, with any certainty, tell you what I did as
a result of the conversation. I assume I had that
conversation. I can't put it in a -- in the context of
then I went on to do something else. It may have been
that at some point around here I talked to Helen Boaden.

Q. Right.

A. I don't know.

Q. You see in paragraph 6 of your statement, if you have
that to hand, you say in the middle of the paragraph:
"At this stage Peter may have mentioned the fact
that any revelations about Savile might have
a reputational effect on the BBC given his role as a BBC
star."

I suggest that -- tell me if you accept this -- it
seems pretty clear, doesn't it, from the email that we
are just looking at, that Peter Rippon must have
mentioned the fact that revelations about Savile might have a reputational effect on the BBC. That must have been part of the vision issues, mustn't it?

A. The reference in the statement is trying to pinpoint when Peter and I first talked about the potential risk to the -- to the BBC's reputation, because it was Jimmy Savile. And that could have been at the very beginning or it could have been --

Q. Leave aside when precisely it happened. Mr Rippon did mention that fact, didn't he? It was one of the things he discussed with you?

A. That -- that if we were to do this journalism on Jimmy Savile that it would have an impact on the BBC?

Q. Yes.

A. Yes.

Q. And you go on to say you encouraged them to ignore any possible implications for the BBC:

"I believe I pointed out at this time that, given the gravity of the allegations, we need to apply our usual standards of proof and fairness."

We discussed that earlier:

"I believe I also discussed the project briefly with Helen Boaden as it was potentially a significant piece of journalism."

Presumably that was after the discussion with
Mr Rippon about the Vision issue, wasn't it?

A. It was after we had discussed the impact of Savile, or an exposé of Savile, but I'm not sure whether it was right at the very beginning or later in the -- in the process.

Q. So what was the purpose of telling Helen Boaden?

A. Because it would have an impact on if we did it -- if we got further than we were, it would have an impact on the reputation of a significant BBC star, and that seemed to me worth her knowing.

Q. Why was that a matter for her and not for, for example, Mr Entwistle, who was the director of Vision?

A. Well, it is for Helen to decide what she does with that, and not for me. And I'm telling her about the journalism that we're doing.

Q. You say this was an informal conversation. I think it's right, so far as I'm aware, it wasn't set out in an email from you to Helen Boaden or in any note?

A. Not that I have been able to find.

Q. Just done in a conversation?

A. Yes, we have conversations all the time.

Q. So what did you expect Helen Boaden to do with this information?

A. I imagine she might have -- I guess I thought she would have an informal conversation of her own with, um --
Q.  Such as?
A.  Possibly with the head of Vision. I may have -- if
I had known at this time that there were potential
tribute programmes.
Q.  Anybody else?
A.  I don't think so.
Q.  What about the Director General? If this great BBC star
is about to be traduced by Newsnight, is that not
something for the DG?
A.  I honestly can't recall. Your question was what would
I expect her to do with that information and I can't
recall expecting her to talk to the Director General.
Q.  So when you said:
"I guess I thought she would have an informal
conversation of her own with other parts of the BBC."
Your word, "parts". We then discussed the
possibility of the head of vision. When I say -- any
other parts or is that the only part, Vision?
A.  You are asking me to answer a question which -- I find
it rather difficult to put myself back that far. I
don't want to apply hindsight. I mean, clearly, with
events as they unfolded, that is quite difficult for me
to do.
Q.  Did you have any discussion with Roger Law by any means,
proposing to transmit only a few days hence and he is --
on the face of it, he's summarising where they were,
where he is with the story, yes? And he wants to talk
it through with you in more detail.

Was there anything unusual in that approach by
Peter Rippon to you?

A. I don't think so. I think the fact that it's an email
is perhaps unusual. Peter normally came up to my office
when he wanted to talk about things.

Q. This summary of where they reached, did you take that to
be Mr Rippon's own view, for example, when he says, "The
women are credible"?

A. I did -- I did at the time. I do not remember
questioning him about the -- the email.

Q. Was there any reason why he might have set out the
position in more glowing terms than he himself really
considered to be merited in his email to you?

A. I don't think I can answer that.

Q. Was there any -- did you and he have the habit of -- he,
for example, presenting you with the story put at its
highest for you and he then to have a discussion about?

A. I don't think so.

Q. Did you understand that he was reflecting Meirion Jones'
views or Liz MacKean's views rather than his own when he
said, for example:
"The women are credible and have no motive for speaking to us other than they want the truth to be known?"

A. I don't recall thinking that he was reflecting anyone else's views, no.

Q. So you took this email at what one might say was face value, as being Mr Rippon being as you say in your statement on the face of it pretty keen to get on with this story. Is that fair?

A. I did.

Q. You were travelling to Belfast. Can you remember why?

A. I think, er, it was for, um, National Council for the Training of Journalists conference.

Q. That was taking place presumably the following day, was it, if you were travelling the 29th?

A. It was, yes.

Q. Is that right?

A. I think so.

Q. You are getting very quiet, Mr Mitchell.

A. Yes, you are making me talk more than I'm used to, but I'm doing the best that I can. If you give me a moment I can check the dates of the Belfast conference.

Q. We can check in your diary. But you stayed overnight, I think?

A. I think I stayed two nights.
Q. You had a discussion by telephone, did you, with
Mr Rippon that evening?
A. I don't recall.
Q. You might have done but you don't --
A. I might have done, yes.
Q. So I think it follows from that, does it, that if you
did have one you can't remember what you discussed?
A. Yes.
Q. If I were to suggest to you that you had a discussion
with Mr Rippon that evening, at which you discussed the
importance to the story of pursuing the CPS angle and
bottoming out, if it could be bottomed out, that the CPS
hadn't pursued the story because Savile was old and
infirm. What would you say about that?
A. I can't recall.
Q. You can't recall.
You see, if you go to page 214, there's an email
from Mr Rippon, the follow morning at 9.37, to Mr Jones.
Have you seen this email before, Mr Mitchell?
A. Er, I think it was one that you sent me.
Q. In the last few days, preparing for this hearing?
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
sending it to you, wasn't it? Sara Beck would have sent
this to your attention, presumably?

A. I'm on leave in Australia at this time, so Sara is
a point of contact for the programmes department.

Q. That probably gives us the answer to the next couple of
questions, then. You see that Helen Deller says in her
email:

"Obviously there were two elements: 1), BBC covering
up a story as it happened on our doorstep, 2), BBC not
running the story to protect our own positive
programming around Savile."

And then we see there is a suggested line for the
BBC to take, which is headed, "Statement and then
background". And you didn't have anything to do with
this for the very good reason that you weren't in the
country, is that right?

A. Correct.

Q. Now, you went away, I think you say, on 15 December, is
that right?

A. Um, I think -- I believe it may have been the 18th. If
you give me a moment --

Q. Right. You say in paragraph 13, the 15th.

A. In that case it was the 15th.

Q. And you weren't back at work until after the New Year?

A. We saw the New Year in, in Australia.
At page 115 you agreed with that:
"I think that makes sense. The allegations are personally damaging for your credibility as an editor, Peter, so it would good to put your name behind the denial."

So when you wrote that email, what if any fresh material had you been supplied with about, as it were, the underlying facts?

A. I don't think I had been provided with anything other than, um, a response to a newspaper article.

Q. So at this stage, is this right: you hadn't seen any underlying pieces of paper from the investigation? We discussed earlier the notes of interviews, transcripts --

A. Yes.

Q. -- draft scripts?

A. No, I don't think I had been shown anything.

Q. So your information was that it had come verbally from Peter Rippon?

A. From Peter Rippon before Christmas.

Q. Not from anybody else, because you hadn't discussed it with MacKean or Jones?

A. I don't think so, no.

Q. Now there is an email, which I think I skipped over, from Mr Rippon who said he was relaxed about The Mirror
Q. Then if you go to page 127, there's an email from Mr Jones to Mr Rippon the same day, 10 February, and he's done a bit of investigation about Mr Goslett's past stories about the BBC. And that gets forwarded to you if you look at -- let me find the reference -- page 136. Just to see what is happening here, Mr Jones's long email about Mr Goslett starts halfway down 136. Do you see 10 February at 11.54?

Rippon to Jones then says, "Thanks, useful", and then Mr Rippon passes it to James Hardy and to you:

"For your information, Meirion's work after I had asked him who he thought had leaked."

And you said, "Can't fault his energy".

If you go down that email chain to page 138, there is Mr Jones's email to Mr Rippon that we just looked at, answering Mr Rippon's question about -- everything we got was from the same women the police spoke to.

So Jones's explanation to Rippon is sent to you, albeit at the end of this chain. So it was there to be seen if you had got that far.

So did you -- did you get that to that? Did it register with you?

A. It didn't register with me.

Q. I appreciate it is well down -- way down the bottom of an email chain. It might be thought --
A. It didn't register with me.

Q. Yes. Now in Mr Jones's long email, which you get at various places, but for example 136, he says, in the last sentence of the first paragraph:

"Obviously we are most aware of the two Newsnight knocking stories and there are obvious suspicions about where the first one came from. But Goslett has written dozens of BBC knocking stories and appears to have good sources."

What did you understand, if you did, about what Mr Jones was talking about there, "Obvious suspicions about the Newsnight knocking story"?

A. I --

Q. You had no idea?

A. No idea.

Q. Or you have an idea but you'd rather not say?

A. No, I don't think I had an idea then and I don't have an idea today.

Q. We're about to come to September and October this year, so I think that's probably a convenient -- we're going to jump a few months so I think that's probably a convenient moment to stop again.


(3.25 pm)

(A short break)
You can see what I have just read?

A. Let me have a look at that. I don't remember -- I don't recall the occasion of the meeting being connected with the Exposure film. But I do remember talking to Meirion and trying to assure him that there had been no inappropriate pressure put on Peter Rippon.

MR POLLARD: Can you just put a bit of colour on the meeting, as it were? You went to find him, did you?

A. I'm struggling to recall now.

MR POLLARD: It's not long ago.

A. I know. If I could just say, in passing, that the distance -- the time distance is not long ago, but I would like you all to bear in mind what has happened to me personally, never mind about the whole of this affair, you know, quite a lot seems to have happened in quite a short time.

MR MACLEAN: Sure.

A. So I'm doing the best I can here to remember this. I remember the conversation. I can't recall whether I went to seek him out or whether I came across him, but I'm perfectly prepared to take it from him that I sought him out. And I did -- and I do recall trying to, um, assure him that there was no pressure put on from outside News.

I did try to explain to him that it had been Peter's
decision and that I had been happy with him -- with it, and I certainly remember mentioning to him that George had been aware of the film -- sorry, of the plan, because I remember him saying to me, "Well, I shouldn't talk about that", or words to that effect.

Q. Who shouldn't talk about what?
A. I, Stephen Mitchell, shouldn't talk about the fact that George had been made aware that there was a Newsnight film.

Q. Why shouldn't you talk about that?
A. I assume because that would be -- make it more difficult to convince people that there had been no inappropriate pressure on, um, Peter Rippon.

Q. I see. I see.

The ITV programme was broadcast, I think, on 3 October, but it was pretty heavily trailed in the press the weekend before. Do you remember?

A. I recall the, um -- I think I do recall the pre-publicity. There was quite a bit of pre-publicity.

Q. Now we know that Newsnight didn't cover the story for itself for some days after the ITV documentary was in the offing and then broadcast. I think it didn't touch it until 11 October, from memory. Were you involved in any of the discussions about when it would be appropriate for Newsnight itself to tackle the story
About --

A. Newsnight.

Q. -- about Newsnight?

A. Yes, I had at least one conversation with Peter Rippon when he said that he was keen to do something on the story, or the programme Newsnight were keen to do something on the story. And my response was that you should feel absolutely free to do that, but you have to have something to add to the coverage that's already out there. I didn't want them doing, er, a kind of Savile Newsnight related piece which wasn't a proper piece of Newsnight journalism. In other words that didn't add to the coverage that was already there, that didn't add insight to the story for the BBC2 Newsnight audience.

I didn't want them doing it for reasons of reputation, in other words we realise we are Newsnight and we're under the spotlight and look we're strong enough to do the story ourselves. I wanted them to have a good strong editorial reason to do it properly and that's the what I told Peter.

Q. And Mr Rippon's view was that it would be bizarre to jump on ITV's wagon, wasn't it? He wasn't keen for Newsnight to cover the story?

A. My recollection is that Peter was neither keen nor unkeen to do something, but he agreed with me that they
investigation and the women claiming the police had
dumped it because he was too old I was interested again.
My response you mentioned when you confirmed the police
investigation reflects that interest, however in the
final judgment when we were told in terms, and the old
sick man allegation was not true and we could not
establish any clear institutional failure, I decided on
balance it was not editorially strong enough for us to
run."

Your response interestingly was:

"I would talk to him, emails seem more prone to
leak."

Which is a clear indication, isn't it, that you
considered Mr Jones to be leaky.

A. Not specifically Mr Jones. Emails do leak in the BBC.

Q. One of the leakers was Mr Jones, obviously?

A. Not necessarily.

Q. Otherwise there would be no problem with Rippon replying
to Jones because it would not go any further?

A. It depends. You are all witnesses to the power of the
email; emails that knock on, people forward emails.
This is a sensitive discussion between an editor and his
team. My suggestion is always that people talk to one
another, rather than exchange emails. It's -- it
happens to be, in my view, a better way to try to sort
in 2011 you weren't aware of the fact that the script
mentioned, not in a very detailed way or a very
highlighted way, but you weren't aware that it mentioned

A. I don't recall Peter mentioning

Q. Let's go to the blog. Page 178. This is 2 October in
the morning. This is the day before the ITV broadcast
which is on the 3rd. So this is Tuesday 2 October.
Mr Rippon's blog was, in effect, your idea, wasn't it?
I don't mean the content of it, but the fact of it?
A. I don't think so. I think I agreed with Peter that
a blog would be a good idea. I don't know which of us
came up with the first idea of the blog, but I --
I genuinely can't recall that. But I -- if I --
Q. The blog was a development of something called the chain
of events that he wrote first, wasn't it?
A. Yes. I did ask him to write that account.
Q. Right. So you asked him to write a chain of events. We
see at page 178 that this is you asking Mr Rippon to
produce what you call a briefing note which becomes
known as a chain of events, is that right?
A. That's it.
Q. "Given the press this morning this is not yet going away
so it might be a good idea for you to draft a briefing
note, for our use, on the decision-making process, from
commission to decision not to proceed, as best as you

1 can recall. Obviously various members of staff are
2 putting their version out there."
3
4 Who is "our" in the "our use" in the second line?
5 A. Helen Boaden and myself.
6 Q. And who are the various members of staff putting their
7 version out --
8 A. I don't know who they are. I'm just aware by this stage
9 that there is a good deal of leaking going on.
10 Q. 
11 A. 
12 Q. 
13 A. 
14 Q. 
15 A. 
16 Q. Now, over the page, page 179, Mr Rippon agreed to do the
17 briefing note. He says he will do it by lunch time. So
18 this is -- he's not got a lot of time to think about
19 this, has he? It's quite a tight timeline because the
20 impetus for this is the press this morning and the fact
21 that ITV is going to show its programme the following
22 day.
23 A. Well, I think -- I think the deadline is his own, not
24 any -- it's not imposed on him. But events are
25
160.

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unfolding rapidly, so I guess we're, at that stage, anticipating more press coverage.

Q. But you were pressing Mr. Rippon to produce something, as it were, PDQ for you to take to Helen Boaden and George Entwistle, weren't you?

A. No, I was asking for a note which -- my concern in all -- on all of these occasions is that we get carried away by events of the moment and don't take stock. This was an attempt for Peter just to step back and put down, for Helen and I, his recollection of the sequence of events and how this came to be commissioned and then decommissioned.

It wasn't intended to be used anywhere in particular. It was to have a sort of tool in the toolkit should events develop, either externally or internally.

Q. So you say this was a News toolkit. It wasn't going to go higher than Helen Boaden?

A. Not necessarily, no.

Q. Then why do you write to Mr. Rippon -- you see 8.43 is the first email, at 178. There is a reply from Mr. Rippon which we will come to at 9.11. Then at page 180, three minutes later:

"For now it's for internal consumption, so the full version -- if this goes on as you say, we may need to

161

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Q. Of course. That's what you needed to in order to assess
where the BBC was in all of this?

A. Where we were; BBC News, Peter and all of that, yes.

Q. So Mr Rippon was an obvious person to ask to set out his
recollection, wasn't he?

A. He was, yes.

Q. And Mr Jones was an even more obvious person, wasn't he?

A. I think I would deal with Peter, and if Peter wanted an
input from Meirion, or from his reporter, or from anyone
else, he would -- he would look for that.

Q. Given that he has to produce this, even on your
timescale in the course of the day, doesn't that --
isn't that a slightly bureaucratic way of doing it? Why
not go straight to Meirion Jones and say, "I want you to
set out your views in a note in the course of the day"?

A. Because I want the view of the editor who made the
decision. That's the most important thing from my point
of view. You might consider it bureaucratic, but that
is the role of the editor.

Q. It is not my role to think anything, I'm just suggesting
that it might be a point of view.

A. It was your suggestion that it might seem bureaucratic.

In my view he was the person to ask throughout this.

Q. He's the editor of Newsnight. He's a busy man, he's got
a lot on his plate. As I understand it, Newsnight was
A. As I understand it, yes.

Q. So that was a bad start, wasn't it, in terms of the blog as it became being the categorical statement of the BBC's position? Because the author of the blog is basically saying to you right at the outset, I can't actually tell the whole truth in this document.

A. Just to correct you, the blog is Peter Rippon's position. That's the point of the blog. It is correct that he couldn't say -- he couldn't give all the detail about the people that the programme had interviewed, which did mean that it wasn't as strong as it might have been, but he was keen, and I was keen, that he had the opportunity to make the point that he had made the decision for himself as a good and strong editor. And that was the main point that he was trying to get across.

Q. Surely Mr Rippon must have needed this request to write a briefing note like the proverbial hole in the head?

A. Well, he didn't tell me that he had a problem with writing the note.

Q. Now the briefing note that he produced is at page 181, if you turn to that, please.

A. To answer your first question, I think Peter thought it was a good idea that he put his version out there. He was a man under pressure and being named in the
believe that the detailed supervision of a blog lies
within my responsibilities."

Pausing there, I'm not doubting that for a moment,
but this was no ordinary blog, was it?
A. No, it wasn't an ordinary blog.
Q. What we can see from these emails I have just shown you
is that, whatever the position might ordinarily be, of
not being overseen or checked by management, this blog
was gone through by you and by Helen Boaden really
rather carefully.
A. It was gone through, certainly.
Q. And the reason for that was that this was going to be
a very important public statement of the BBC's position,
ahead of the ITV broadcast that you all knew was coming
on the 3rd.
A. I didn't see it like that. I saw it as Peter's -- going
back Peter, if you recall, is feeling exposed and under
pressure in the newspapers and this was Peter's
opportunity to make his position clear, that he had not
come under and buckled under undue pressure. That is
the best recollection I have as to what this blog was
about. What I was looking for in the blog was that we
didn't stray into the territory in the briefing note.
Q. About?
A. About the --
Q. The Lithium or drugs?

A. -- whatever the details of the weaknesses or otherwise of the witnesses.

Q. Had anybody said to Mr Rippon that he better make sure he got this absolutely right because this document was going to be relied on by all the senior management at the BBC? It was going to be used as a crutch by the Director General when he got to Parliament. Essentially to say:

"We all relied on the editor's blog and if there are any inaccuracies it is all his fault and he's the editor of the programme."

A. Well, I didn't say that to Peter.

Q. Mr Rippon thought he had been asked to, essentially, jot down his recollections as best he could in a bit of a hurry and he had done his honest best to do so.

A. Indeed, he had.

Q. But this blog takes on a significance and an importance over the next couple of weeks that had never been made clear to Mr Rippon, isn't that fair?

A. Well, I don't know whether anyone else put it in the terms that you described.

Q. Well, you know what the Director General said when he got to the parliamentary committee as well as I do, don't you?
isn't one.

Page 46, you say you want it sorted.

A. Um-hm.

Q. Now you didn't copy -- you say:

"You will notice I have not copied the producer in

on this correspondence."

A. Um-hm.

Q. That's because you didn't want him to see it, obviously?

A. No, no. It isn't, and I rang him later in the day.

This is about my inability to use this device properly.

Q. I see, you couldn't -- I see?

A. I couldn't get his name up again instead of pressing --

you don't want to know the details.

Q. It is reply and reply to all. Okay, we won't get into

the IT.

Anyway, the message is that you wanted them to sort

t his out. They told you, didn't they, that they had all

agreed -- I think we can go to page 53 -- within about

20 minutes Mr Rippon sends an email to Liz MacKean.

He'd had a chat with Mr Jones.

"He and I (that's Jones and Rippon) agree on the

fundamental point we do not have anything that would

help a police investigation."

And then Mr Jones sent an email at 57 to you and to

Mr Rippon and to Liz MacKean:
"Already talked to Peter about this. It is inaccurate. Our on-camera interviewee for instance who talked about oral sex with Jimmy Savile and \[redacted\] having sex with an underage girl was never passed to police. We always had more information than Surrey Police passed to CPS."

And so on.

So it became pretty clear, didn't it, that there were problems with this blog within 24 hours. Is that fair?

A. That's fair.

Q. And that you knew that?

A. I did.

Q. And it was pretty clear that Jones and MacKean were pretty steamed up about what they saw as the important errors in the blog. Is that a fair summary?

A. It is.

Q. If we go to 88, the one thing that, as I say, all three of them -- they didn't agree about much, Mr Rippon on the one hand, and Mr Jones and Ms MacKean on the other, but what they did agree about, at least so they told you, was that:

"We are all agreed that we have never had any information about anyone alive that the police should have been told about."

200

11/269
That's what they say to you.

A. That's what Peter's email says, yes.

Q. Did you question that and wonder whether that was right about -- vis-a-vis example?

A. I didn't at the time. I need to give you a little bit of context. I'm on leave with pressing personal matters, I'm out of London and I'm joining in an email conversation via a Blackberry. And therefore I really want to sort out what it is that we are agreed upon and for Peter and the press office to decide what -- what they want to do with that agreement. And I will return to the fray when I'm able.

So I'm not querying the detail of this, but I think I am realising at this point that there is a fundamental problem, not with the blog -- though clearly there is -- but with the relationship between Meirion, Liz and Peter Rippon.

Q. Just focusing on the blog for the moment. What this email says is -- I think the word "I" is missing "will brief" -- because it has been punched through:

"... Will brief the press office to stop using the everyone we spoke to had spoken to the police line; some had, some had not."

And then another line instead is suggested. Wasn't it obvious that the blog, having been put up the day

11/270
producer and reporter. At this time, and in the
following days, my main concern was the argument over
why Peter Rippon had dropped the investigation."

And then you say you meet Liz MacKean, 27. Was that
meeting with Liz MacKean a direct consequence of the
realisation that there was a fractured relationship?

A. It was.

Q. So that was your attempt to address that fracture?

A. It was to begin to look into that relationship.

Q. She told you, according to your statement, that she
thought that the BBC as a whole, and Mr Rippon in
particular, were not being honest about why the
investigation had been dropped. So she was accusing
Mr Rippon of mendacity?

A. That is my recollection of what she told me.

Q. How did that strike you as a suggestion?

A. It was a very -- you know, a serious point she was
making. And I again tried to persuade her that there
had been no pressure on Peter Rippon to make his
decision and he had made it for the reasons that he had
given. She didn't agree with that.

Q. Did it strike you as being -- quite apart from being
a serious allegation to make -- really matters had come
to something when an experienced reporter on Newsnight
was accusing her editor of dishonestly presenting the
Q. "Mid-late November head of news programmes updated on progress."

And then -- that timeline in fact was very much approximate. If you go over the page, to page 94, it is Mr Rippon's response. He makes some comments:

"I think we should say editor not convinced in
Newsnight story, and then editor more convinced when police angle develops."

And then, at page 103, you are sent to the -- you were sent this and you say, "Fine with me". Do you see?

A. Yes.

Q. But still at this stage you didn't ask or go back to -- you didn't ask to see the material that Newsnight had gathered back at 2011. Was everybody still writing these pieces without anybody ever having gone back to check what the source material that Newsnight had gathered actually said?

A. Well, I'm assuming Peter is familiar with the material. And that's where I am still being informed.

Q. So to the extent -- is this right -- that the source material had been interrogated in order to produce the account, the factual account, if anybody had done that, so far as you were concerned, it was Mr Rippon when he produced the chain of events and more or less the same time the blog?
time on it.

A. Okay.

Q. Go in the same bundle to 366. Towards the top of page there is an email from Helen Deller:

"Thanks Paddy, not sure how to deal with this now. Think there needs to be disciplinary. Not sure we can keep referring people to blog."

Now, then there is a reference to Mr Feaney:

"Let's have a chat a bit later, I'm amazed about the brazenness of his briefing."

I'm not going to ask you to speculate about who is doing the briefing, what I am going to ask you about is, "Not sure we can keep referring people to the blog."

You became aware, presumably this is 7 October, that there was good grounds for thinking that the blog was unreliable and inaccurate in a number of respects, didn't you?

A. I was aware there was a difference between the reporter, the producer and the editor over that aspect of the blog. And I was aware they had reached an agreement, which I didn't fully -- I hadn't fully investigated.

Q. Just look at your statement, please, at paragraph 28. You say on 9 October you learn from Lucy Adams, who is director of people, HR:

"... Informed me that the Director General had asked
Ken MacQuarrie, who is the director of BBC Scotland, to
investigate complaints made by Liz MacKean and/or
Meirion Jones to the Director General alleging that the
blog was incorrect."

And then you say:

"Mr MacQuarrie is a member of the management board
of the BBC, interviewing at the behest of the Director
General. It appeared to me that the attempts I was
making to understand the differences between the members
of the Newsnight team had been overtaken by a corporate
process involving the DG."

And I think you contacted Mr Rippon and Ms MacKean
keen and Meirion Jones to make this clear.

So the implication that I took from your statement
was that once you learn Mr MacQuarrie was on the case,
you essentially downed tools, so far as you were
concerned, in exploring the question of correcting the
blog. Is that fair?

A. I think in terms of the blog, it's correct to say that
I was, um, expecting that to be resolved once the
differences between those people had been resolved.
Downing tools is rather harsh. I was trying to resolve
consequential matters such as when Liz came to see me
she wanted to talk about her career as well as her
problems with the Newsnight film.
was the head of communications in the News group, who

says:

"Thanks. By the way, DG press briefing now 6 pm,

it's alleged."

Which rather suggests that things were moving rather

fast, I think; is that right?

A. It does look like that.

Q. Then you say:

"By the way, what is your thinking re the blog?"

And he says:

"Once we have an enquiry with a chair, there's

an argument for removing it from the website anyway. If

that happens in the next few days, worth considering?"

That rather suggests that you and Mr Feeney still

have some, as it were, executive role in the removing of

the blog, doesn't it?

A. I don't believe I felt I had an executive role here.

I mean I was just enquiring as to -- trying to find out

what was going on, because, as I say, Ken MacQuarrie had

begun work on the 9th. I had assumed that that was

feeding into whatever considerations were going on at

the corporate centre about the blog. And I, and Paddy,

as part of the communications team, would be involved in

those discussions.

Q. Let me show you just a couple more emails, Mr Mitchell.
Peter Rippon, who all got similar, but not identical letters?

A. Well I can't speak for the Director General, but I know that Helen and I had a meeting with the press office and we decided not to engage in detail in the Panorama programme.

Q. Right. And in bundle 15, page 16, on 20 October -- so this is pretty close to the day when the blog gets corrected, the BBC produce something called a corporate statement. Do you remember that? They produce something called a corporate statement, which -- did you have an involvement in drafting it? You will see it at page 17.

A. Er, let me just refresh my memory. I think I did, but let me just -- yes. That roughly speaking is where, um, certainly Helen and I and the press person that we were dealing with -- I can't recall who it was -- that statement was more or less what we were thinking of.

Q. Then you say in this -- finally from my point of view, going back to your statement, just to finish off, the last page, the next day, the 21st, you say:

"I was told by Helen Boaden that the Director General wanted the blog changed. Following various exchanges involving the press office, HR and director of editorial standards I spoke to the Director General."
A. Sorry, go on.

Q. No, no, go on.

A. No, no.

Q. And you resisted the notion that you or Helen Boaden should put your names to the statement?

A. I did.

Q. Because you say:

"Neither of us had been given the evidence of the inaccuracies he said existed."

Which I find slightly curious because you discussed them with Liz MacKean for a start?

A. Well, at this stage, bear in mind I hadn't seen what the inaccuracies they were addressing were, or what the corrections or what the statement was to be. This had gone on in the, er, the days between in between the blog being published and the 21st and I'd not been privy to that. I assumed that they had worked through the blog in detail and had detailed points which they put to Peter Rippon and Peter Rippon had accepted --

Q. I see, so --

A. I'd not been privy to that. That's what I mean by this. It doesn't mean that I wasn't aware of that discrepancy.

Q. So is this fair: from the 9 October, when you learned about Mr MacQuarrie, the question of the blog and what should happen to the blog had disappeared from your
visibility, because it was being dealt with on another
side of the fence?
A. I had -- I had assumed --
Q. Is that a fair way --
A. I had assumed that MacQuarrie would speak to the people
involved in the decision not to run the film and the --
both Meirion and Liz confirmed that they talked to him
and -- at some length. So I assumed they would have
addressed all their concerns including the blog.
Q. So your concern was that not having had visibility,
still less control of this process, you weren't
prepared, as it were, there and then to sign up to
a statement which was a product of a process you had not
been involved in?
A. No, I couldn't see the logic of that, and the Director
General accepted that.
Q. Was he cross with that or did he accepted that perfectly
calmly, he thought it was a good point?
A. Yes, he accepted it perfectly calmly.
MR MACLEAN: Thank you. That is all, I think, I want to ask
you. It may be that Nick has some questions.
(5.49 pm)
Questions by MR POLLARD
MR POLLARD: One point, if I may, which requires two
references. If you can get bundles A7 and A14, please?
RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH STEPHEN MITCHELL (2)
MR POLLARD: As far as you understood it, at that time. But you are saying that is not the reason that you took it off the list. If I'm understanding you right, the reason, the principal reason that you took it off the risk is because after a conversation with Peter Rippon, you formed the view that actually the story just wasn't ready to run. They didn't have enough material?

A. I think Peter was ambivalent about whether it was going to be strong enough. I can't -- as I say, I can't swear to the dates of these conversations, but I think he had doubts about the original testimony and he was interested in pursuing the police/CPS issue. My recollection is, therefore, that it wasn't yet ready.

MR MACLEAN: You told us last time, I think -- we can show you the transcript if necessary -- you had the meeting with Sara Beck weekly?

A. Yes.

Q. And I think we pinned down last time that on a Monday, I think you said --

A. We do normally meet on a Monday.

Q. And the relevant Monday here was in all probability 21 November.

A. We tried to get to which date that would have been, yes.

Q. And you will remember that that was the day before the email from Liz Gibbons to Sara Beck saying "I know Peter
and Steve talked about the Vision issues", with
a capital V and small i, in A2, page 276? You
remember --
A. I vaguely remember that.
Q. Let me show you. A2/276 --
A. It is okay, I can remember the spirit of it, unless you
want me to go over the wording again.
Q. It looks, therefore, as though you had had a discussion
with Mr Rippon on either the Tuesday morning, the 22nd,
or more likely on Monday 21st, around about then?
A. I --
Q. It would appear; yes?
A. Well, I mean, I --
Q. We can see, can't we -- the best evidence is probably
A2/276 -- that on 21 November at 14.37, Liz Gibbons is
sending the list, copying it to Peter Rippon. And
Jimmy Savile is still on it.
A. Yes.
Q. And then at 9.41 the following morning, Sara Beck
sending it back, "Just so you know, have taken
Jimmy Savile off for now," and that was presumably
pursuant to your discussion with her on the Monday,
because it was your decision, "and will put back on when
it is imminent. The document goes quite far in Vision
et cetera and we thought it might be best to keep off

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just for now."

And you were one of "we"?

A. I imagine so, reading the email, yes.

Q. So when you look at those two emails, somewhere between 2.30 on the Monday afternoon and 9.40 on the Tuesday morning, it would appear that you have had a discussion with Sara Beck which leads to the decision to take the piece off the list, and then looking at the top email, you had had a discussion with Peter Rippon about the Vision issues and one might infer, might one, that that discussion with Peter Rippon had preceded the decision to take the piece off the list?

A. There would have been discussions with Peter in order for me to be informed in order to take the thing --

Q. Exactly. So the likelihood is, isn't it, that the discussion with Peter Rippon took place at some point on the Monday. There would be a discussion with Sara Beck at some point on the Monday, which led to the decision to take the Newsnight piece off the MRPL, as reflected by this email on the Tuesday?

A. You can draw that conclusion. I genuinely can't remember the time or the day of the conversations that I had with Peter Rippon.

Q. If we go back to my question about paradigm, I want to make sure, like Nick, I have a firm grasp of precisely
behave in that way, as a silo. We have to be distant from the rest of the BBC when we're doing journalism about the BBC. But the idea that we were in some way trying to keep this from Vision isn't borne out, surely, by the fact that I talked to Helen and she talked to George. And George was Head of Vision.

Q. Well, I think last time you told us about your -- I'm going to come to Helen Boaden's recollection of her discussion with you. Well, let me do that now. What she said was that she had a conversation with you on 23 November, which would be the Wednesday, I think. Just let me tell you precisely what she said. She said that you said to her that:

"Steve told me -- my memory is that it was Steve who told me we need to alert George to the Savile investigation."

I think that's consistent with your recollection; is that right?

A. I think so.

Q. Then a little bit later on I said:

"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?"

In other words, there wouldn't be a need for
a discussion with Mr Entwistle.

"Answer: 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 [that is you] felt it would be a kindness to George to tip him off early because he would have to change the schedule if the investigation went ahead as we thought it would. And he could start thinking about that earlier rather than later."

Does that accord with your recollection about a kindness to George?

A. It doesn't sound like me. I don't mean to be flippant. That doesn't sound like a phrase I would use, but I don't recall it.

Q. So in your mind, having taken the Newsnight story off the list because it wasn't sufficiently ready for transmission, the substitute mechanism --

A. It wasn't sufficiently ready in the editor's mind. He wasn't sure whether it was going to get transmission, yes. It's not just about the date.

MR POLLARD: So the purpose of you mentioning the story to Helen wasn't so that she could pass it on to George and --

A. It is. I'm aware of an investigation going on here which the editor has mentioned to me a couple of times
and he's not that convinced, as we discussed last time.

I think it's a management role, not a kindness, to tell, you know, to tell George that we are looking at this story, and it's partly to do with the Christmas schedules, but I'm not, you know, I'm not cognisant of the detail of what the Christmas schedules involved. I think I mentioned that to you last time. I think Peter has said maybe there are tribute programmes or something.

MR POLLARD: You draw a distinction between the story being likely enough to make it worthwhile tipping George Entwistle off, but not likely enough to be worth putting on the MRPL.

A. I think so. Because at some point -- I'm assuming at some point Peter, Newsnight, are going to make this story work one way or the other. They are looking at different options and, therefore, it seems to me sensible to do that as early as possible. But this conversation with Helen, Helen's conversation with George, are towards the end of November, beginning of December. As far as I'm aware -- and as I say, I don't understand the -- I don't have the detail of the schedule in my head -- we're talking about a Christmas schedule literally towards the end of December.

So at this stage I imagine I was thinking this is
not going anywhere at this stage, but it is quite
possible *Newsnight* will come back to me and say, "Okay,
we've got the police angle, or we've got something else,
and we're going to work with it", and that's the
conversation I'm having with Helen and Helen is having
with George, that this work is going on.

MR MACLEAN: If there had been confirmation from the CPS
that they had dropped the investigation because Savile
was old and infirm, which is what Liz Gibbons was
saying, and what Peter Rippon, in particular, became
interested in -- you remember the discussion we had last
time about the "key point" and so on.

A. Um-hm.

Q. If that had come about -- we know it didn't -- the
overwhelming likelihood is that the *Newsnight* piece
would have run on 7 December, isn't it?

A. Well, it's a hypothetical. I don't -- you have to --
I didn't, at that time, have the detail that I have now,
looking back, as to possible transmission dates and all
of that.

Q. But if we just test your hypothesis or your view about
how this system works --

A. It is my recollection, chaps -- I do want to help here
but I don't quite understand what it is you are trying
to get me to recall a year ago.
RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH PAUL MYLREA
in scale?

A. I would say that -- I would have to comment on the whole issue. I can't -- I can't say what was happening at this time because, as I say, this was something being held by the News team. But in the whole affair the scale, speed and nature of briefing was astonishing.

MR POLLARD: Was?

A. Astonishing.

MR MACLEAN: What was the consequence of that for not you personally at this stage but for people in your part of the BBC's organisation, namely the press office, either Corporate or News.

A. It was exceptionally difficult. The reason is that if you look at the logs and the way that the press lines, press statements, are put together, they are put together very carefully. They are put together to make sure that we represent the position as it stands. They are signed off and complied in -- along with the guidance that exists in the editorial guidance to make sure that what we do is say something which is correct, which stands the test of time, and which represents properly the position of the BBC.

The difficulty we were facing, er, as -- as this story developed, was that the pace of briefing was such that we were getting calls, 20 or 30, 40 a day. We were
still attempting to do the correct thing and get lines
signed off so it became -- the level of briefing became
difficult.

Q. I can show you, if you like, but believe me we've read
these things and we can see that you are getting queries
from journalists at 6.30 saying "I need an reply by two
hours' time, otherwise I will say you have refused to
respond" --

A. Yeah, through to 11 o'clock at night and so on and so
forth.

Q. -- and so on, from multiple press sources. Did you come
to form a view at any stage about why this was
happening?

A. In what sense of a view?

Q. Well, this astonishing scale and pace of briefing, it
might be -- might be, for example -- thought to be
indicative of a pretty serious breakdown in trust --

A. I think certainly by --

Q. -- between journalists on the programme?

A. I can't say at which point I formed that view, but
I certainly formed the view that there was breakdown in
trust in the programme, absolutely.
So this was not something that was put down on pieces of paper. It was backed up and it was, if you like, circumstantial proof that we should believe Peter Rippon. Where it came from, I can't tell you.

MR MACLEAN: I will come to the blog. Let me just ask you about the blog for a moment.

A. Yes.

Q. What was your understanding of whose idea the blog was?

A. I think my view was we were pushing in the communications team for something to explain, you know, what had gone on, we were being questioned. As I said, I had a conversation in which I said "Can we put somebody up, can we put somebody up for interview? Can we put Peter Rippon up?"

There was a series of text exchanges explaining that this was refused, this was not a good idea, and therefore, exactly where the idea of the blog came from, I'm not sure, but we would have been pushing for something and I think News suggested that a blog was an idea. It was a standard procedure to have an editor's blog.

Q. The Editors blog already existed.

A. Yes.

Q. Did you know that Peter Rippon's blog was actually the offspring of a slightly earlier -- very slightly earlier
A. Well, firstly, I didn't -- I hadn't seen this until afterwards.

Q. I know that, yes.

A. So I can't speculate on what's here. What we had --

I think it's important to say that, given that the only thing we had to rely on was a blog, what we had to do was to look at whether that blog was consistent and coherent. As I said, we had asked whether we could put Peter Rippon up for interview for him to be challenged on points and explain them. That had been turned down.

So all we had to go on was a blog, and because it came from the News side, we were -- it was something that was produced by the editor, that was it, we were given it, we had to use it.

So I had -- you know, the information that we were getting in terms of the details were coming from Peter and from the blog.

Q. Right. I'm not sure that quite grapples with the question. I will come back to it.

A. Yes.

Q. So you didn't know that the blog was the offshoot of this document, which is what it is --

A. Yes.

Q. -- I will show you that in a minute, and this document had been produced by Peter Rippon on the morning of

11/289
2 October within a couple of hours, on the basis of
a request for him to produce a briefing note "as best
you can recall". So it was asking for his recollections
and the briefing note is his recollection, and
Peter Rippon would say:

"I was asked to write down what I remembered, I did
that, it may be I didn't remember it accurately but
I did my honest best to produce what I remembered. What
I didn't expect was that what I had recalled in my
briefing note would be turned into some tablet of stone
by the BBC and then relied on as the Holy Book
thereafter."

A. I can't comment on what Peter -- you know, what was
said. What I was provided with was a blog by the
editor. We were given the blog with all normal
assurances that this was the account that we could
follow. We'd certainly understood, in subsequently --
I can't tell you in which conversation but I certainly
had conversations with the legal team, in which I was
given to understand that Peter had checked with members
of his team on certain points and I have subsequently
seen email exchanges in the bundle that suggest he'd
checked with his team on certain elements of this story.

So I was not aware of these -- of these emails.

Q. So you proceeded -- I'm not criticizing you, I'm just
seeking to ascertain the basis on which you proceeded --
you, comms, proceeded on the basis --
A. Yes.
Q. -- that the blog was a thorough --
A. Yes.
Q. -- account --
A. Yes.
Q. -- and not some quick and dirty briefing note to the
best of his recollection?
A. No, we -- I think the important thing is to understand
what The Editors blog is, and The Editors blog is
an editorial product. It is expected to -- that the
reason why The Editors blog is not something which is
compiled and signed off, for example --
Q. Signed off by?
A. By a range of people through the normal compliance for
communications, in other words: have I seen it, is it
fine; has the responsible director seen it, is it fine?
An editor's blog is an editorial product and therefore
there is no right -- I have no right to sign it off or
to -- or to challenge it. I can make stylistic
suggestions but they can be refused. It is therefore
a product which is supposed to have the same principles
as the BBC News journalism.
Q. So it follows from that, I think, that we have heard
therefore that's what it was.
Q. Did you understand the blog to be -- I assume you understood it to be an accurate and truthful account?
A. I wouldn't -- or would not have based -- I would absolutely not have based comments -- defence of the reputation of the BBC on something I believed to be inaccurate, misleading or partial.
Q. Did you understand it to be, as it were, the whole truth, to tell the whole story?
A. I understood it to be a thorough picture of what had happened on the programme.
Q. Setting out the full reasons why the piece hadn't run?
A. I understood that there might be issues that might not be able to be raised because of confidentiality or because of issues of -- and in the blog itself it does talk about -- I can't remember the exact phrase, but "concerns". So I felt that they were covered but maybe not all the details were in there because of issues of confidentiality.
Q. If you still have bundle 7, page 179 --
A. Yes.
Q. -- one of points that Peter Rippon makes right at the beginning on 2 October, in his immediate response to Mitchell's email saying "write the briefing note", is he says: 36

11/292
multiple meanings. But the BBC journalism -- and this
was exactly a conversation that I had with
Helen Boaden -- is supposed to be journalism which is
reliable, which is accurate, which is unbiased, and
which is independent, and in fact, um, the conversation
I had with Helen Boaden when I was saying, you know,
"Can't we -- can't we get more details, can't we get
deeper into the editorial decision" -- this was later
on, this was in the October --

MR MACLEAN: Give us a sense of time of this?

A. -- so this was after, so there were two conversations --

Q. Before or after ITV?

A. This was, I think, just before the 3rd -- it is in the
bundle. I think the 3rd was the first conversation.
I can't give you the exact dates.

MR POLLARD: So the blog was up, in other words?

A. Yes, I think the blog would have already been up. But
there were two conversations around that period in which
I had conversations with Helen Boaden, so it was
a second conversation about whether or not -- it was my
first conversation about whether Peter Rippon could go
up and do interviews, and subsequent to that I asked --
I said "We ready need to understand the editorial
decision-making here", and I was very firmly told "You
can't ask that question" --

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11/293
MR POLLARD: Yes, I see.

A. "You don't understand independent journalism", and frankly I was irritated and responded that I had spent 20 years at Reuters and I did understand independent journalism.

MR MACLEAN: In the timeline you have, this is the 2nd, I think:

"I had a number of conversations with Helen Boaden."

A. Yes, that is right.

MR POLLARD: What you would like to do, correct me if I'm wrong, is you would have liked to have had a chat with Peter Rippon, would you, just so you could get a sense of really, going straight from the horses mouth, "How did this decision come about, tell us how it all emerged?"

A. Yes, I would have liked -- at that point I would have liked Peter Rippon himself to go out and do thorough interviews because our entire position was based upon a written document.

MR POLLARD: Although I think it's fair to suggest -- perhaps you might disagree -- that the idea, as we have perhaps seen in recent weeks, of putting somebody out there to be interviewed, it could go in any one of a hundred different directions. It is not necessarily the best way to get a clear logical thought out
A. Yes, my best recollection, um, is -- and this suggests that that's correct -- is that what was happening was that the legal team were looking into a range of things and they were -- it was when they were beginning to examine what there was on record, whether there was anything -- any evidence of any knowledge of Savile, and so my best recollection is this is when the legal team began to, sort of, if you like, principally lead on this project.

Q. They spoke to the principle players, Rippon and Jones and --

A. Yes, we were not -- the Communications team wasn't party to their discussions or deliberations.

Q. I'm not suggesting you were in the room --

A. No, no, no, not just that, we weren't -- you know, it was approached from a legal perspective to look at whether there was not just evidence but liability, what was going on, what had happened, and they were leading on that.

Q. So we understand from Mr Rippon that he spoke to, I think, two of these BBC lawyers at some point in this period.

A. Yes.

Q. There is an email I can show you, if you like, where he sends -- I think it is in bundle 7/160. You see there
is an email in the middle of page, it is in the middle of a chain from Peter Rippon to Nadia Banno and Valerie Nazareth, both of whom, as I understand it, are BBC lawyers, on 11 September -- so this is four days after the ITV letter, do you see in the middle?

A. Yes.

Q. "This was the original memoir we got the story from. Interestingly, she says she is certain the BBC had no idea what was going on."

That is [R1] web memoir?

A. Yes.

Q. My question for you is: Peter Rippon told us that he had a meeting with BBC lawyers as well --

A. Yes.

Q. -- and we can see he's in communication with them --

A. Yes.

Q. -- I am not suggesting that you or any of your people were in these meetings, but on the assumption that notes were taken of what Mr Rippon and whoever else it was -- notes were taken of what they said, was the product of those meetings, in any shape or form --

A. No.

Q. -- ever shared with you going forward in presenting the BBC's position to the world?

A. No. I mean, again it is on the best of my recollection
but what happened was that this became a process where the legal team were leading it and what would happen would be that, you know, we would check our lines with the legal team but we weren't receiving a stream of documents from the legal team saying, you know, "Your line is wrong" or "This is wrong".

What was happening was our statements were being checked by the lawyers to see whether they were correct or stayed -- or were in accordance with what they were understanding, so we were relying upon them to tell us if anything was -- that we had been saying was incorrect or was not right.

Q. When did you first see the [Q1] web memoir?
A. I think after, you know, some time in October, late October, some time in October.

Q. After the blog was up?
A. Yes.

Q. After it was corrected perhaps even?
A. Yes, probably after that.

Q. So there is some sort of process going on led by the lawyers --
A. Yes.

Q. -- which appears to involve discussing face to face with the principal actors.
A. Yes.
Programmes Risk List. Could you please tell us if the
Newsnight investigation into Jimmy Savile was entered on
to the MPRL? If yes, could you tell us on which date it
was entered and whether it was circulated to the
Director of Vision's office either separately/or by the
Broadcast Direction Group meeting that you chair? Could
you also tell us how the Newsnight investigation was
described on the MPRL? If it was not entered onto the
MPRL, could you tell us whether you believe that it
should have been?"

A. Um-hm.

Q. Were you involved in replying to these questions from
Panorama?

A. What happened with the Panorama questions was I had
an initial conversation with Karen and Clive. It was
a tense conversation -- I can't remember the date --
because of this issue of, um, the corporate centre
need to respond on an issue of reputation for the BBC
to a programme which was being -- which was a BBC
programme investigating it.

Subsequent to that, the decision on the response to
Panorama was taken by the legal team, because the
letters that came in from Panorama were individual
letters, right of reply letters. We had lines that we
were working on, statements that we had been working on,
on specific details, but it was a decision taken by the legal team that these should be dealt with by the legal team and, in fact, I had a subsequent conversation with Peter Horrocks -- a certain level of frustration about this, because I was worried about being empty chaired on the programme. I was worried about us not being able to give a point of view.

So I did have a subsequent conversation with Peter Horrocks, who was then standing in as the head of News, where we discussed how we could get out of this. Because what I didn't want was to get into a fight with Panorama. I wanted us to work professionally with Panorama and try to help them with their programme but at the same time we had to deal with the questions and the reputational issues.

So I discussed whether we might, for example, have a set of corporate questions that we could answer as a corporate entity, and therefore we would not be answering for individuals who might have their own lawyers or their own views. Because it was becoming clear by then that we were not going to get a shared view from all of the participants.

Subsequent to that, a letter came in from Panorama with some corporate questions, but again that series of corporate questions were, um -- were taken over by the
lawyers who eventually provided a brief answer on the
Monday morning when the blog was published.
Q. That's what we will come to, that's the corporate
statement --
A. That's the corporate statement.
Q. -- on the 22nd?
A. Yes.
MR POLLARD: Does that address the MPRL?
MR MACLEAN: No, it doesn't.
A. So the specific answers to these questions were not
given because they were -- they were then taken over by
the legal team in response to the fact these were right
of reply letters.
Q. I think, just picking up on the one to Mr Jordan, if you
go in the same bundle to 378 on the same day --
A. Yes.
Q. -- Julian Payne asks Jordan:
"Regarding our recent conversation" --
A. Sorry, 378?
Q. 14/378. We haven't seen David Jordan yet, but:
"Hi David, regarding our recent conversation, am
I correct in assuming it never featured on the list at
all or can we only speak with confidence about November
and December?"
Then the reply is over the page:

11/300
A. I am sure he said that. I have no --

Q. Whose idea was that?

A. That would have been George's.

Q. Do you remember what became of that idea?

A. As I say, I can't actually recall that -- that meeting.

I mean I have no doubt that it happened. But my

understanding was that, um, the decision -- I think

there was a discussion, I vaguely remember a discussion

about -- there was a vague discussion -- I'm concerned

about saying something I can't remember, so I probably
don't want to go there, but the only conversation that

I remember firmly about Peter Rippon's departure was at
the time of the blog when, or, the -- it was clear that,

um, the -- that there were errors in the blog and that
therefore he needed to step aside because of those

errors.

Q. That is the end of the 20th and 21st?

A. That's later, yes.

Q. Did you give the idea to Mr Entwistle that this would be

a good idea to protect the BBC and BBC News, so in

effect force Peter Rippon out?

A. I had a conversation with George in which I said at some

point people are, you know, going to have to take

responsibility and I said "What you have to do is decide

where the responsibility lies", and this was the
conversation I recalled earlier, and I said the -- you know, the -- I remember saying:

"The responsibility line is the following: it starts at Peter Rippon, it goes to Steve Mitchell, it goes to Helen Boaden, and then to the Director General. At the time when all of this was happening, you were the Director of Vision. Those are the people. I think you have to take a view as to whether people are responsible and people need to take responsibility for that, and if they do, that is the line."

Q. How do you get from that to making a statement that Peter Rippon was going to have to resign as a result of?

A. Well, that was -- you know, as I say I don't recall the conversation, but that's George's comments and not mine.

Q. Helen Boaden offered to resign then, didn't she?

A. Yes. And Helen Boaden offered to resign and again I think, you know, my comment about -- I remember that bit. I remember Helen Boaden offering to resign and I said "Well, the problem is that nobody has proved that anybody has done anything wrong and that if you go News is unmanageable."

Q. But if nobody has proved that anybody has done anything wrong, which may well have been the truth, what is the Director General doing planning to make a statement forcing the editor of Newsnight to resign?
A. I am sure it is one of the things he was thinking about.
I think the important thing is after that he didn't make
a statement which meant that Peter Rippon resigned.

Q. Because Helen Boaden talked him out of it?

A. I presume that was the conversation. I certainly argued
against Helen Boaden going, and throughout this period
there was lots of discussions about how do you get out
of this, we seem to be on a downward path, what do we
do, where do we go, but the key point was that at that
point nobody felt anybody had done anything other than
what they were supposed to have done.

Q. So why does Mr Rippon have to walk the plank?

A. Well, I don't think he did.

Q. Well, he didn't in the end.

A. No, so these conversations are held. That was
presumably George's view at the time but it didn't
happen.

Q. It is important to understand what information you, and
perhaps more importantly Mr Entwistle, had at this
stage.

You have explained that in September there was this
legal-led process going on, and you have explained that
you, certainly, weren't furnished with the fruits of
that process?

A. Yes.
September replacing Mr Hardy, is that right?

A. James, yes, that's right.

Q. Can I just ask you to look in bundle 8, please? This is a internal BBC email at page 64 from Mr Feeney to Helen Deller.

A. Um-hm.

Q. Which curiously you might think says:

"A BBC journalist at Newsnight looked into how the police investigated and then dropped the case against Jimmy Savile. We interviewed a number of people but ultimately could not prove a failure of institutions or unequivocal evidence of abuse by Jimmy Savile. So the Newsnight editor took the decision not to broadcast. He wasn't influenced in any way by anyone at the BBC. It is monstrous to suggest that our journalists would have colluded to cover up abuse."

Does all of that accord with your understanding? Do you think that's accurate?

A. That certainly was my understanding right the way through the process until -- until the blog corrections came out.

Q. When did you first realise that there was some, as it were, real doubt being cast on the accuracy of blog?

A. It was, I think the -- I think the 19th. I think there is an exchange by -- George had got hold of me, I don't
know whether it was text or email but it is certainly in
the bundle, saying we have come to the conclusion that
there are serious -- I can't remember what he said, but
it's in the bundle saying that there are issues with the
blog which we have to correct.

Prior to this we had the process where up to the
Kenny -- to the best of my recollection, up to the Kenny
MacQuarrie issue we had a clear and settled position
within the BBC which was based upon the blog and there
was no question that that was the correct version.

The Ken MacQuarrie moment was the moment when
although I hadn't seen the emails there were challenges
into George's office which were then taken into the
legal team and then it was suggested that somebody look
into these to see whether there was a -- simply
a difference of opinion, or whether in fact there was
a substantial error.

There is a further exchange -- I am afraid I can't
remember the date -- which says that in conversations --
I think it is from Helen Boaden, there is a text to me
where she says:

"They've raised issues but Meirion Jones does not
believe Peter is lying, but Liz MacKean thinks he's out
of his depth."

So again, even at that point our understanding is
that the substance of what we're saying is still
correct.

Subsequent to the Ken MacQuarrie investigation
essentially there is then a question of "Is there
a difference or is there factual errors?"
The blog was effectively then frozen moving toward
the Pollard Inquiry, and it was then on the 19th when
I get a message from George saying that the team -- the
legal team -- has come to the conclusion that there are
serious errors and it needs to be corrected.

Q. The MacQuarrie thing, I think that's the 9th --
A. That's right.

Q. -- that that goes to Mr Entwistle?
A. Yes.

Q. And MacQuarrie had spoken to MacKean and Jones the day
before?
A. That's right.

Q. Let me just ask you, just before we get to that,
Mr Entwistle sent round one of his notes to staff,
didn't he?
A. Yes.

Q. On 5 October?
A. Yes.

Q. Do you remember that?
A. Yes.
sentences you crafted were based on the blog, do you?
A. It's based on -- it's based on both the blog but also on
conversations with Paddy Feeney and the News team.
MR POLLARD: The News comms team?
A. The News comms team.
MR MACLEAN: Perhaps it is obvious, but you know what
Mr Jordan said subsequently in a couple of media
outlets.
A. Yes.
Q. He perhaps most strongly advocated the sort of line
which we find in your paragraphs, didn't he?
A. No, I think the -- I think if you take my line and you
take Helen's line, what is absolutely critical is the
first sentence, and that there is no difference in the
first and the second sentence.
Mine merely attempts to express -- I felt that the
first version of Helen didn't actually -- it says it was
well known and they looked into it, but didn't say what
happened as a result of looking into it. It was
a simple journalistic approach to a statement: you have
asked a question or you have posed something but you
don't say what has come as a result of it. I therefore
I tried to put in there what was the standing line, that
having looked into the investigation they decided there
was insufficient grounds to proceed, because I felt the
first version left that -- didn't answer the question.

MR POLLARD: You don't think that that's a bridge too far?

That the police had properly investigated?

A. But that's what I was assured was the case. That's what
I was told was exactly the case by people in the News
team, by Helen, and that the understanding was that if
you look back to the blog there are two parts in the
paragraph about this which says that, you know -- and
I think the core issue between Meirion and Peter Rippon
is whether Peter is seeing the whole investigation at
the point at which it concludes, where he decides that
because the police response was a proper response -- and
this is what was summarised to us -- that that was the
reason he dropped it, whereas Meirion's view was it
began doing something else.

So what this was doing was not emphasising one

element of it to another. It was merely taking that

first sentence and expressing what the outcome of that

was according to the information given to us by the News
team and Peter Rippon.

MR MACLEAN: But, Mr Mylrea, I have to suggest to you that

your paragraph -- the meaning conveyed by your paragraph

is importantly different from the meaning conveyed by

Helen Boaden's paragraph.

In particular, your paragraph includes the words

11/308
"there was no other reason", other than the fact that
the police had been found to have properly investigated.
You will not find, will you, support for that in the
blog? If you want to look at the final version of blog,
it is in A7/277, but it is not there?

A. I think if you take my line it says very clearly:
"The programme found the police had properly
investigated but decided there were insufficient grounds
to proceed."

That is a fact that was told to us by the News team.
In fact in the bundle list there is also something that
is communicated to Peter Rippon. We were told that it
was on this basis --

Q. Communicated to Peter Rippon?

A. To Peter Rippon. In the bundle there is an exchange
between Meirion and Peter Rippon about the CPS decision
and this is certainly something that we were told -- we
haven't seen those exchanges, but we were told that the
reason this had been dropped was because, as you have
seen in a range of discussions, concern about the
credibility of witnesses led to the desire to see
whether the police investigation was thorough and
proper, because if the police investigation wasn't
thorough or proper, that would compensate for the lack
of credibility of witnesses.
The investigation into that police investigation showed it was thorough and proper and was dropped and that was our clear understanding. And I think that goes back to the statement made by Peter Rippon earlier on, which, if you look right back at the beginning at the entire exchange of logs and the way the logs were created, it starts from the beginning with Helen Deller and Karen Rosine talking about this being an investigation into the CPS decision, and that was the basis on which we suggested this.

Q. So let me make sure I have --

A. Just to be clear, so three things are important. One, the reason for putting this line in was because I didn't believe that Helen's version actually gave what our line was. That's the first point.

Secondly, the line that I wrote in there was based clearly upon cleared lines and lines that we were using, that we had been using and that we were given.

Thirdly, it is very important to see that this was sent to Sarah Jones as a suggestion and given the process that we were going through at this point, it was the legal team who were deciding whether these things were correct or not correct. So I'm making a suggestion. I believe my suggestion is based upon the information that I had and that we had been using.
process. So we know that MacQuarrie got on with it pretty shortly. Just before we got there, in bundle 9 -- you can put anything with a number lower than 9 away. Mr Entwistle's appearance on The Today Programme on 8 October, whose idea was that?

A. Er, there was -- I think it's important to go back. It was certainly strongly urged by the Trust, and I think there was a standing, um, expectation from the Trust to do Today programme interviews. That had come from a discussion around the time of the pageant, when I had actually been on holiday but George had not done a Today programme interview, despite being asked. George and I were asked to go to the Trust and we were told that it was the duty of the BBC to be accountable and, in particular to The Today Programme, we should do The Today Programme.

So the first interview was very much -- it was a discussion. I cannot remember the exact discussions but there was a very clear view by the Trust that George should do it. I know there were other views expressed such as Helen Boaden's saying she was, um, concerned about it, that there was a risk. But George decided he would do it.

Q. Helen Boaden thought that it was going to go badly, didn't she?

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11/311
Music, I think in Radio 2, at one point somebody --
either Jamie or James, sorry, I had rather a lot of
James, came to me and said they only had two months
worth of experience in the Radio 2 team.

So it meant that we had very few people. It meant
that we were running tired. I had nobody to step in for
me and we didn't have a strategic -- all we had was the
sort of diary function. We didn't have a team pulling
together scenarios and whatever. And I think the
problem to me is that when you get tired when you are in
a crisis and when you are within the organisation and
receiving the information from the organisation, the
failure to have an external perspective is a huge risk.

MR POLLARD: So when Brunswick was stood down, it wasn't, as
far as you could see, because anybody was dissatisfied
with what they were doing --

A. Absolutely not. They had hardly started. They --
I think there was no contract and no financial exchange.
But what I think David had very kindly done was provide
us with a sort of first think piece of some of the
things we needed to think about, and I think that was
the problem. That was what we lacked from then on,
which nobody outside saying "Hold on a minute, this is
not going in the right direction" or "You need to think
about this" or "have you thought about that?" So no
Q. If you still have bundle 11 --

A. Just while we're on page 217, one of the points I think it is worth making is, whilst the blog was already there by the time I had seen the, um -- the note from --

Q. This is --

A. -- the chain of events --

Q. -- your paragraph.

A. -- but I think if you read the chain of events which clearly I read at some point on the 3rd or 4th, that informs the paragraph -- the proposed paragraph -- for the email for George --

MR POLLARD: Your proposed paragraph?

A. Yes. In other words, clearly this came to me at lunchtime on the 3rd, and my proposed paragraph goes out in the morning of the 4th.

MR MACLEAN: Hang on, just let me catch up with you. I'm looking at 217, which is your paragraph, and your point is that you have the chain of events, when?

A. 13.41, it came in. I'm not saying I opened it at that point but it sort of arrived at 13.41 on the 3rd.

Q. Page 81, yes.

A. If you read that, it very much focuses on the CPS -- it has the statement from the CPS and focuses very much on the police investigation, so I can only conclude that that was certainly informing the lines that I suggested
in the paragraph that I have put to George Entwistle.

Q. Right. Just while we're looking at it, you remember
that Mr Mitchell had indicated that the briefing note
was originally for "Helen and George and me",
and Mitchell. Then when Mr Rippon produced it and sent
it to him, he said it was "not for on passing", do you
remember?

A. I don't remember that.

Q. In bundle A7, around page 198, I think it is.

A. Yes.

Q. But it looks as if he obviously did on pass it. He on
passed it to you?

A. Yes.

Q. It looks from that page as if there had been
a discussion. Do you remember the discussion?

A. No, I am afraid I can't. I mean, as discussed --

Q. You mean he must have mentioned it to you --

A. He must have mentioned it to me and then said "Here you
are, this is it", but I don't remember any --

I certainly don't remember a substantive conversation
with Steve Mitchell because I didn't have very many.

I normally talked to Helen, so I don't remember
a detailed conversation. I think it must have been
something mentioned in passing.

Q. So your point about this is that you did, or may well
then happened, there was effectively a lockdown where
our lines were "Look, you know, we moved towards
an inquiry", I can't remember when we made the
announcement.

Q. The 12th.

A. From that point, our view was "This is going to be
sorted out by an inquiry" because quite frankly we can't
just constantly say something and have it immediately
challenged by sources close to Newsnight, and that
remained the position, this sort of lockdown in "This is
going to go to the review", until the 19th when
I received the communication from George saying "The
legal team has now concluded, after an investigation,
that, you know, we're going to change the blog".

Q. So that investigation had been done without visibility
by you?

A. Absolutely.

Q. So let me show you what was visible to you then. This
Guardian piece -- just let me show you page 407 --

A. Yes.

Q. -- you said -- you were almost exploding in frustration,
I think you said.

A. Yes.

Q. Mr Rippon was also reported to be very upset that day,
you see from 407 --
understanding of what Paddy was trying to do -- was that it was still not believed that it was significantly or substantially inaccurate, that there was a small point about "all" or "some", and that the problem was then that we were getting towards the review, the review was announced, as you say, on the 12th -- so the idea that we would start taking apart the blog for what was a small change, which actually, because of paragraph 3 might not in the end turn out to be the correct answer -- in other words we might be correcting and then have to correct back --

Q. Paragraph 3 of?

A. This email here. You need to keep in mind we were asked:

"Meirion has always strongly maintained to me that we did not."

So we could change it from "all" to "some" but that might not be right. So the one inaccuracy is an inaccuracy he's saying on the basis of stuff in the media. But then he's saying, we could do it, if you want to, we will, but I'm not prepared to negotiate, and his comment about them picking everything apart, our understanding of this was we had reached the point where it was impossible to resolve this issue between Meirion and Peter. Nothing in this email suggested to me that

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there was a significant substantive issue in the blog, therefore that the blog needed to come down, there might have been an inaccuracy as to "all" or "some". Therefore, to buy us some time until we got into the review and we could look at the thing in extenso, the line was written which is "written in good faith". But; it was not that the blog was substantially wrong.

Q. You described a couple of times there the change of "all" to "some" as being -- you used the words "relatively minor" --

A. Yes.

Q. -- that was your impression of that change?

A. It wasn't that it was minor, it was the fact that we seemed to have a dispute. So in other words, if it had been a clear "This is wrong and this needs to change" -- again, I know it sounds awful but to go back to my journalistic background, at Reuters you always corrected, you always made clear what was the correction, why was the correction made and what was the change.

What we had here was not absolute clarity in "This needs to be changed", but there still seemed to be a dispute between the two of them -- or Meirion and Liz and Peter Rippon -- and what I would have -- you know, this is obviously looking back in recollection. What
was 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."

A. Um-hm.

Q. Similarly, in the next bundle, 16, at page 52, there is
another --
A. Yes.

Q. -- text from Mr Payne to you. This is on the 22nd. So
this is the day of the blog correction.
A. Yes.

Q. "I 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.
A. Um-hm.

Q. So this may not be a criticism -- it is certainly not
necessarily, perhaps not at all -- you and Mr Payne are
doing your job, you have a particular perspective. But
what was going on was that the corporate centre of the
BBC was seeking to highlight, as much as possible, the
errors in the blog, because that was the best way of
protecting Mr Entwistle's position.
A. No, I wouldn't see it as this at all. I mean what you
had was a certain level of frustration between Julian
and myself about how we responded to the media.
The -- and I think it's important to emphasise what
the process of correction of the blog was, that
I received a communication from George on the 19th,
there was then a series of exchanges which said "It's
not ready yet, it's not ready yet", got to Saturday
night, a slightly frustrated George sends me a text
saying, "You know, it will be ready very soon, would you
recommend putting it out on a Saturday night?" and
I said "Well, not really, we'll get accused of burying
it. We need to be clear, so let's do it Sunday". So
then Sunday ran through Sunday, we are sitting there
waiting for the blog correction, it was being done by
the legal team.

At around 5 o'clock, 5.20, I received an email from
Peter Rippon saying "These are my suggested amendments
to the blog", but then it was taken back into the legal
team again because it was felt that we needed
a corporate position rather than Peter's position.

So Julian and I were effectively sitting there
trying to work out, you know, what we're going to say,
how we're going to say it, what was going to be our
story, what was the line, what were we going to take.

So Julian's note of the 20th is a sort of, you know,
let's imagine this happens. Does this work: Peter
changes the blog and goes?
Now, the point is that, first of all, this didn't go
to anyone else, it was a private exchange between Julian
and myself. There are often discussions about "What
would happen if this happened?" "Well, this would be the
outcome" or "This would be the way it would be
reported".

So this is a suggestion from Julian that, you know,
would this get us off the hook? Would we all move on?
Would we all stop having to cover this story for ages?
So I don't see anything wrong with that.

Then the second one is that great concern, given
the -- given the blog correction -- that it had led to,
as expected, a strong sort of wave of criticism that all
of the lines that we had been using were based on this
blog and these were wrong, and it put Julian and the
Corporate press team in a very difficult -- and the News
press team -- in a very difficult position because they
for months had been fighting back against pretty
aggressive journalists who had been saying "You're
lying, you're lying, you're lying". I had had one
particular sharp exchange with a journalist where I had
taken him to task for accusing my team was lying and
here we had a blog which was corrected. So effectively
we had been misleading.

Q. That was The Times spat you are referring to?
A. Yes. So again, I just interpret Julian's note as "I'm going to have to brief hard on this?" It's the only thing we can say. What he's saying is "We have nothing else, we have corrected it, it is wrong we are going to have to brief hard". I don't read anything particularly --

Q. It might be suggested that, a bit like the proposal for the statement that never was on 4 October, that the BBC's first thought in the corporate centre was to hang Mr Rippon out to dry in the hope that everybody else would get away with it.

A. First of all, that -- that -- there is a clear, um, I think -- some people believe that the corporate centre and the communications team are blessed with sort of omniscience and omnipotence and can do what they wish. Our role consists of offering advice, which is sometimes taken and sometimes not. One of the things we try to do is to speculate on what are the scenarios that might come up and might not come up.

It would be more convincing to suggest that we had a clear line if these exchanges had been with other people or had been passed on to other people, but these were just private exchanges between Julian and myself as we tried to get through the day and tried to get through the press brief.
Q. It might be said that there is quite a startling --
quite a striking anyway -- change of tone in what
Mr Entwistle says on the Today programme on the 8th,
when he says he supports Mr Rippon's judgement, to the
picture he paints to the Select Committee on the 23rd.

A. I think there is a stark change. One of the things we
were trying to get clear in our lines -- and what we had
to -- I remember we had to work quite hard on
afterwards, was to understand whether it was -- whose
decision it was that Peter should go, and George made it
very clear that it was his decision that Peter should
go, but I remember trying to -- we got asked: whose
decision was it? We didn't have that as a corporate
line and we had to go back and say "Well, whose decision
was it?"

Again, if the corporate centre was a cohesive whole
with the communications sort of leaning on it,
I wouldn't have needed to ask anybody else what was
happening but, in this case, we had to check: whose
decision was it; was it Peter's decision; was it
George's decision? George said "I want to be very clear
it was my decision".

Q. Let me be clear about your position, doing your job in
Comms. Your position was, in line with your exchange
with Mr Payne, that what, as it were, was needed was for
Mr Rippon to go, take the blame and everyone else would
move on.

A. No, no, no. I think that is a misinterpretation of what
Julian is saying. He is having a private discussion
with me between two comms professionals saying "Here is
one scenario, what do you think, does it work?"

Q. But it is the ideal scenario from your point of view.

A. It's not the ideal -- it is a scenario.

Q. The desired scenario.

A. It's not the desired scenario. What we're trying to do
is trying work out how we protected the reputation of
the BBC, and you know my position throughout has been
very clear, that my first responsibility -- in fact
I had conversations about this -- was to the
institution.

It is only -- my responsibility to the individuals
is dependent on, um, those individuals serving the
institution. It may sound prissy, but it is very clear
and I have been in a number of situations -- to try to
explain it: 

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Therefore, what we were trying -- what we were
discussing between two communications professionals was,
first of all, not something that we had any influence
over, because we didn't have the decision on what would
be the outcome. We didn't have a decision on whether
Peter would go or stay or anybody else would go or stay.
What we're saying is: how does this work? Does this
story work? That's why he says "Thought of the hour".
It's not, you know --

Q. Just let me understand what, in your mind, Mr Rippon had
done wrong, because Mr Entwistle's position on the Today
programme on the 8th was, I think -- we can look at the
transcript if necessary -- that he supported the
editorial judgement --

A. Yes.

Q. -- defended the editorial judgement that Mr Rippon had
taken.

A. Yes.

Q. When he gets to the Select Committee, having seen
Panorama, which apparently strikes Mr Entwistle as being
a very powerful piece of journalism, the editorial
decision that Rippon had taken the year before appears
to now be cast into doubt. But, in a sense, the blog
Panorama letter -- sorry, is that okay? The line in the
Panorama letter was that we were somehow deliberately
withholding it --

Q. The accusation was that the line in the statement "We
now accept that the Newsnight investigation did not
start out as an investigation into the Surrey Police's
handling of the case against Mr Savile", this is the
accusation, as I understand it --

A. Yes.

Q. -- was slipped out at the last minute as Panorama was
going on air, put on the website the following day,
which allowed all day on the day of the Panorama
transmission this story to be the correction of
Mr Rippon's blog, thereby, it is suggested, deflecting
some of the heat from the BBC and more of it onto
Mr Rippon's shoulders. That, I think, is the
accusation.

A. It is a glorious accusation, I wish I had the power to
deflect and shift blame in this way. The fact was I was
presented with two statements, in which I didn't have
any input. The first was a statement which was
a correction of the blog and the second was a response
to Panorama and it was a direct response to direct
questions from Panorama, and that was the approved line.
The reason that Panorama line was not put out was
because it is absolutely normal practice that, if
a newspaper or programme or journalist asks a question,
you give the answer to that individual, to that
programme. You don't -- you don't make it available to
others until after that journalist or that programme
has -- has written their article or produced their
programme.

Again, with hindsight, I think, had there been
a different approach, I think we would have wanted to
have done things differently, but the fact was that was
what we were given.

When we came back to discuss it later, the argument
we were given was that the blog itself had included both
lines in it, so it wasn't just, um, that it had been
a CPS but it had included the two -- the paragraph in
the blog, and that that was why the correction of the
blog had not included that line and why that line had
been specifically included for the Panorama. So there
was no subterfuge or strategic decision to do something.

Q. All right. Now, the statement that eventually gets put
out about the correction of the blog is bundle 16,
page 85.

A. Yes.

Q. Now, the three corrections --

A. Yes.
RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH LORD PATTEN
errors in it?

A. I don't remember him saying that to me.

MR KROLL: I'm not sure if I can speak, but what George
provided the Trust with --

A. You have seen his note on the blog?

MR KROLL: There is a note on the blog in which he mentioned
that email but we only received that on 31 October.

MR MACLEAN: Right, okay.

If you still have the email at page 198 that
I showed you earlier, if you just cast your eye down the
longer document, the chain of events one, do you see at
the very bottom of 198 --

A. We are just finding our way to 198.

Q. I don't think you will have seen this chain of events
which is a longer version -- or it is the first document
Peter Rippon wrote on the 2nd. But just let me ask you
if you are familiar with the acronym -- it is actually
in the wrong order here -- "MPRL", it should in fact be
"MRPL", at the bottom of the page?

A. Yes.

Q. You are familiar with that?

A. Yes. One of the things which amazed me, looking through
the papers you sent us, was that the Newsnight programme
didn't appear on the medium --

Q. Managed Risk Programme List.
A. Yes, sorry, the Managed --
Q. Risk Programme List.
A. Managed Risk Programme -- actually I think, to be fair, it appeared and then disappeared.
Q. Yes, and that struck you as peculiar, did it?
A. Extraordinary. I mean, this is -- I mean there are quite a lot of general lessons to come out of all this, we will be looking forward to you drawing some --
MR POLLARD: Have you heard of the list, MRPL, before?
A. Yes, absolutely.
MR POLLARD: Okay.
A. Absolutely.
MR POLLARD: Did you get to see it?
A. No. But it was -- it was the source of much of Mark Byford's value to the BBC -- I think I am right in saying -- that he used to police that list. I'm looking at Mr Croll and I think --
MR KROLL: He said he policed programmes. Whether he did it through this document or some other, I'm not quite sure.
A. I think the Executive would have been very reluctant to share the list with us. We have a regular item on our agenda between the Trust and the Executive to consider risk, but I think they would be very reluctant to share with us detail about programmes which might or might not be coming up in the next few weeks or months.

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MR MACLEAN: If I was to -- I appreciate this is not the
Trust's document, I understand that -- if I was to
suggest to you that it had been suggested to us that one
reason -- perhaps the reason -- why the Savile story was
taken off a low rung of the ladder of this list, the
reason for that was that it wasn't apt, this list, to
capture risks which were risks to the reputation of the
BBC, as opposed to other types of risks. Would that
strike you as a surprising proposition?

A. Yes. I think the, um -- I would have thought that one
of the facts to emerge from the last couple of months is
that the BBC is admirably reluctant, perhaps -- perhaps
overreluctant sometimes -- to take any account of its
corporate reputation. I mean, it's what I think makes
it, for most of the time, such a trustworthy news
organisation, that it doesn't -- I mean, you look at the
way the BBC has itself covered this story.

MR POLLARD: Just before we move on, could I just ask you
about the comment you made about, if you like, the
agenda item of risk when you have a discussion with the
executive. What sort of things does that cover?

A. The -- the appointment of a new Director General, the
process of doing that; it covers financial risk; it
covers the costs and difficulties of upgrading our
technology; it would cover the costs and difficulties of
were interviewing him for the job -- is the extent to
which things were run in silos and the lack of any, um,
coherent management team at the top of the organisation.

I think those are two of the reasons which destroyed
him. I mean, I read the papers you sent me.

It was like observing two parallel universes. There
were people working on programmes for television, light
entertainment and so on, and there were people doing
news and current affairs programmes, and it was as
though they were existing on different planets.

MR POLLARD: One of the things that marks out this event
that we are wrestling with the conclusions from,
obviously, is that I think it is fair to assume that if
the Newsnight story had gone ahead, the warning to
George Entwistle would have been reinforced and, at some
stage in the middle of December, he would have had to
make a decision about the Savile tribute programmes and
would presumably have taken them off the air.

But when the Newsnight story wasn't carried on with,
it was assumed by everybody involved that that was okay
then, and the Savile programmes could go ahead.

From your knowledge, do you blame that gap, if you
like, on the silo nature of the Corporation?

A. Yes, I do. I have never believed -- but I will be
interested in what you say about this -- that the two
Savile tribute programmes which took place after the non-showing of the Newsnight programme were of such importance to the BBC's Christmas schedule that they influenced everything. But I do think there was a lack of imagination in -- I mean, they could, as George had suggested at one point, have simply shown the Louis Theroux --

MR MACLEAN: The edgy Louis Theroux piece?

A. Yes, which has Theroux, as I recall, asking Savile whether it was true that he beat -- that he had people tied to chairs and beat them up when he was a DJ in Leeds -- I mean, extraordinary stuff. The audiences for those tribute programmes weren't exactly stellar, I think they were 4 or 5 million over Christmas.

Q. You mentioned earlier Mark Byford and his role --

A. Yes.

Q. -- and then in your exchange with Nick a minute or two ago you talked about the silo structure and so on. I am afraid I can't remember whether you were in your current role when Mark Byford's role --

A. No, he was.

Q. -- was done away with.

A. No --

Q. His role was done away with?

A. Yes, it was, I think as part of an earlier attempt,
happening is itself evidence of some dysfunctionality in
the team, in the programme?

A. Yes.

Q. I think it was Mr Mylrea who described to us the amount
and the speed of the leaking that took place after the
canning of the Savile story as being, in his experience,
to use his word, "astonishing", and these stories have
crept out over the past few months.

Mr Entwistle more or less shrugged and said "Well,
the BBC has always been leaky, people always, when the
referee's decision goes against them, go off to the
newspapers, that's what happens in the BBC". That is
essentially what he said, which one might think was
a little surprising as a response, but would you agree
there's not much to be done, it's just one of those
things, you have to put up with it?

A. No, something which has surprised me -- I mean, it may
be regarded as a rather old fashioned and disingenuous
observation, but I have been surprised by the lack of
professional camaraderie, and the lack of a sense of
peer group loyalties in an organisation which most of
its journalists say they are proud to work for.

I can honestly say that -- and this isn't
a Goody Two-Shoes remark -- I can honestly say that the
BBC Trust is, in my experience, completely dependable,
at the BBC to brief the Director General, that seemed to
me to be a seriously lousy story.

But secondly, more explicitly, you will know that
one of the first questions that select committees ask --
they didn't in George Entwistle's case -- is "Who has
briefed you for this?" I thought, in my political
judgment, that for George Entwistle to have started off
by saying he had been briefed by Brunswick and The Sun
would not have given him an easy ride.

As it happened, he had a very difficult ride anyway,
but I think it is true to say that, while we were
pressing him to get a rather stronger team around him,
the one thing we did suggest was that hiring Brunswick
was not a very good idea.

MR POLLARD: We had the impression from talking to
Mr Mylrea, who was there at the coal face, as it were,
that he was in favour of keeping Brunswick -- I think it
is fair to say that's what he told us -- and, the way he
described it, their fire-fighting efforts were really --
they were exhausted. They were so busy dealing with
press inquiries at the same time as trying to formulate
the BBC line, they need a bit of help with the crisis
management.

That was what, I think, he had hoped they would get
from Brunswick and I think they were a bit exasperated
when they were whisked away as quickly as they had arrived, so it was not, if you like, just the briefing in advance of important public appearances, that's the way he described it to us.

A. The communications department of the BBC is not small. Walking into the Director General's office now you don't get the impression of frantic faffing about. There are two or three experienced people around the Acting Director General, an atmosphere of determined calm and I think the communications advice that he gets is a lot better.

MR POLLARD: You are contrasting that with how things were --

A. Yes.

MR POLLARD: -- in October; was it chaotic?

A. Yes, and we tried, as did Dame Fiona Reynolds and non-executive members of the Executive Board, to suggest to George that he needed to strengthen the team around him.

I think he was not given the support which he could have expected and could reasonably have expected from some of his senior colleagues, and some of the specific advice that he got -- for example on some of his own appearances -- was, I think, pretty bizarre.

MR MACLEAN: Did you know that he had got some advice from
MR MACLEAN: This is "we" the Trust, again?

A. Yes, it was the set of questions from Peter Horrocks on behalf of Panorama which alerted us.

Then it seemed to us to take rather longer than we would have liked to actually correct the blog. I think the argument we were given was that people were consulting Peter Rippon and his lawyers. Then the blog wasn't -- and then one element which was untrue wasn't corrected in the -- admittedly it had not been in the original blog but it had gone into circulation, I think, because of things that David Jordan and others had said about the inquiry having been originally into the Surrey Police. I don't think that was in the blog, but it was actually being said.

MR MACLEAN: That went into the corporate statement, instead, correcting the blog on the Monday.

A. Yes. But we thought it was, um -- we were very angry.

MR MACLEAN: You thought it was all very ham-fisted, the correction process?

A. Yes, ham-fisted and, um -- when I have looked through your papers, the papers you've given us, and looked back over the sequence of events, I am pretty convinced that people knew the blog was incorrect -- I will obviously be very interested to see your own conclusions -- it does seem to me that there are reasonable grounds for
assuming that people knew the blog was dodgy a lot earlier and that we were left defending something which wasn't true.

MR MACLEAN: What could you, as it were, see happening between, let's say, the 8th, which is when Liz MacKean emailed George Entwistle -- that was the morning he had been on The Today Programme. He had actually been sent an email on the Friday night by Meirion Jones but it had not reached him until the Monday morning after he had done Today. Between Monday, the 8th and the weekend of the 20th, 21st, what could you see was going on in terms of investigation or the legal department or the senior management or whoever it was who was trying to get to the bottom of whatever it was they were trying to get to the bottom of?

A. Well, we were -- what we were able to glean about what was happening came mostly from reading the newspapers, leaks to papers and in particular the stories that appeared in The Guardian.

MR POLLARD: Rather than from your Executive?

A. Yes.

MR POLLARD: Am I right in thinking that there's, shall we say, nothing in the BBC Chairman handbook which quite prepares you for that?

A. You are entirely correct. I mean, my -- my rather old
RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH PETER RIPPON (1)
with Liz MacKean a little bit earlier, along the lines
of, "I've got a story I would like to do about
Jimmy Savile". But he was still alive then. Was
31 October the first you heard about a Jimmy Savile
story being potentially in the pipeline?

A. Yes, yes.

Q. What, if anything, did you know about Jimmy Savile,
apart from the fact that it was well-reported that he
was dead? What did you know about him as a person, as
it were?

A. I obviously knew who he was, what his -- that he -- some
people considered him eccentric.

Q. Some people generally? Some people at the BBC?

A. Just generally. That he was, you know, a high-profile
public figure who had just died and people felt he was
eccentric.

Q. So what did you do with this email? I imagine you read
it?

A. Yes, I did, yes.

Q. Go on.

A. The conversation I had with Meirion before he sent this
email -- he said, "Would you be interested in pursuing
this story?" I said I was pretty lukewarm, I can't
remember my precise words, but I was quite lukewarm when
he outlined it. He then sent me this as a follow-up

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Q. I'm asking you what struck you when you read this memoir? What were the main points that you took from it? And did they help to, as it were, warm you up from your lukewarm attitude?

A. To be honest, I was still a little bit lukewarm because you kind of look for the flaws in things when you read them as an editor often, and the Lithium thing struck me quite strongly. And I think Meirion in -- I was aware at that point because Meirion obviously said it in the original meeting that the -- the people who were at the school were often people who had issues with the police, with, um -- well, antisocial behaviour. So I was reading it in that --

Q. That's why they were there in the first place?

A. Yes.

Q. So that was, as it were, a bad start?

A. It -- it fuelled my concern about the -- what the evidence threshold would need to be and whether we would be able to achieve it from -- if we were just doing a story -- if we were doing this, basically this -- a television version of this blog.

Q. Right. So let me ask you this: by the end of 31 October, the end of that day, what was the status in your mind of this potential story?

A. That I wasn't particularly concerned to prioritise it.
But that the way I work with Meirion is I give him a lot of freedom to pursue stories that he wants to pursue. I did not instruct him not to continue pursuing it. I think I used the phrase not to prioritise it or -- I can't remember, but I was aware that it was something that he kind of looked at.

Q. So your expectation would be, tell me if this is fair or unfair, your expectation at the end of that day was that Meirion would go away and work it up?

A. Or not. I wasn't -- I wasn't aware at that point whether he was planning to look into it further or not.

Q. Right. If you go in the same bundle, please, to page 193, and that's a very un-illuminating page, but if you go over the next page you should -- I hope in that bundle there has been inserted a page 193.001.

A. No. Oh, yes.

Q. Then go to 193.002, please, first. You should be looking there at a email to you from Liz MacKean on 2 November.

A. Yes.

Q. That, I think, was a Wednesday. Just cast your eye over that email. The details don't matter but she's giving you suggesting of things that she might follow up and potentially turn into pieces, yes?

A. Yes.
Q. So then turn back a page to your reply:

"Hi Liz, let’s do the JS story with M & I first."

Then her reply to you, same day, 12 minutes past 5 in the afternoon:

"Hi Peter, thanks for getting back to me on JS. It sounds really strong, I will aim to talk to some of the other women affected next week to gather testimonies."

A. Um-hm.

Q. So it looks by this stage as if Liz MacKean at least is fully on board and thinks that she’s looking at something that sounds really strong. So what was your attitude now, are you still lukewarm?

A. Well, because Meirion then came back to me, and I cannot remember the date but it was obviously between this and the original outline that he sent me and said that he had looked at it further, he discovered it was more than one woman in -- who was making the claims and who made -- and he said that the -- they are saying that the police had investigated it and stopped looking at it because they were too old. At which point I felt that that was a much stronger story to tell than just relying on one person’s account from that blog.

Q. So some time between the Monday and the Wednesday, you had a further discussion with Meirion Jones?

A. I must have done, yes.
there's a degree of confidence. It's a degree of
confidence that you can have in the testimony that you
are being shown. You just have to weigh whether that is
sufficiently strong, particularly the kind of threshold
that that gets you to and you have to weigh that against
the threshold of the climate that putting this on air
would be and -- and that's how you make the judgment.

Q. So, yes, I understand the process, but my question was
whether you ever got to this stage of forming a view
that fundamentally there was credibility here?

A. Er, no. Because you -- well, I don't want -- I neither
thought they were definitely credible or definitely not
credible. I was always concerned that that was a big
issue in the strength of the story that we had. But
I never -- well, the point at which I made the final
judgment was, I think, whatever it is, when we got the
final CPS confirmation emphatically denying some of the
things the women had been telling us, that was -- that
was -- that was the point at which I made a final
judgment and assessment about what I felt about the
strength of the testimony we gathered.

Q. Denying -- when you say some of the things the women had
been telling you, you had in mind the notion that an
investigation had run into the sand because he was old
and infirm?
the then current managed programme risk list. Is that right?

A. Um-hm.

Q. It starts with Vision, which is BBC speak for television, and then audio and music?

A. Yes.

Q. Which is BBC speak for radio?

A. Yes.

Q. So we start with Vision, so we have BBC1 programmes first. And then if you go to 70, we have BBC2 programmes.

A. Um-hm.

Q. Starting with Newsnight, do you see?

A. Um-hm.

Q. Academies, phone hacking, tax avoidance.

A. Is it not on there?

Q. What we don't see is Jimmy Savile.

A. Okay.

Q. And Jimmy Savile, if it was on this list, would be somewhere between page 70 and 71, or at the very at least -- at the very most, as it were, 72. It's not there.

A. Okay.

Q. Can you account for why not?

A. No, it's not. No I can't. My responsibility -- well,
Liz Gibbons' responsibility is to tell Sara Beck about stories that we need to put on the MPHRL. What happens after that, I -- it's not -- I don't know -- it's not my responsibility so I don't -- I can't explain that.

Q. Were you involved in any discussion about the presence or absence of the Jimmy Savile story on the MPHRL in November 2011?

A. No.

Q. You didn't discuss it with Helen Boaden or Stephen Mitchell?

A. No. I have never seen -- I have to say, I have never seen this type of document before.

Q. Right.

A. I have seen this type of document -- I have seen the 188 -- that's obviously the programme's MPHRL. I have never seen this form of document.

Q. You have seen, as I put it earlier, the contribution that Newsnight makes up the chain --

A. Yes.

Q. -- but you don't see the final version. I think you said earlier -- maybe you didn't mean to say this -- that you would probably see the managed programmes risk list but didn't give it much focus. I took it to mean the final one, but I don't think you did.

A. No, I mean this, the one we send to Sara.
not something that I focus on hard in my day job. As I say, I have a responsibility to making sure I'm flagging up difficult stories when we are working --

Q. I'm not suggesting that you should in any way been focusing hard on the Managed Programmes Risk List as a whole.

A. Yes.

Q. I am simply asking you whether you remember this particular story being taken off this list in November?

A. No, I was not aware of that. I was aware that -- I was aware -- Stephen Mitchell is my line manager so he's the person that I talk to about difficult stories that I'm working on and he was aware that I was working on it.

So that -- as an editor that's my -- that's the way in which I kind of calibrate my responsibilities in that regard, in terms of letting him know what I'm doing.

Q. Can you help me with why it might have been thought by somebody best to keep this programme off the list for now?

A. I have no idea.

Q. Right.

A. I have no idea.

Q. Look at the email at the top of the page. This is from Liz Gibbons back to Sara Beck --

A. Yes.
Q. -- that same morning, early afternoon, "Okay, I know
   Peter..."

   Who I infer is you?

A. Yes.

Q. "... and Steve talked about the Vision issues
   surrounding Savile, so that sounds sensible".

A. Yes.

Q. What's that the reference to?

A. That's a reference to a meeting I would have had with
   Steve before 22 November when I talked him through the
   story and what we had. And if you look at my witness
   statement, I think I gave as full account as I could of
   the terms of that meeting.

   So Meirion had flagged to me that there were, um--
   Vision were planning these tribute programmes. I felt
   I needed to tell Steve that I was -- that Meirion had
   told me that. So I had -- you know, I had referred that
   up to him, because that's what my job is in that kind of
   context.

Q. You are quite right you mention this in your statement.
   If you have it there, it is page 3, paragraph 9.

A. Yes.

Q. Now, paragraph 8, you are at the 14th, which we know is
   the date that the [REDACTED] interview was filmed.

A. Um-hm.
Q. Then by the last sentence of paragraph 9, you are referencing the Surrey Police investigation confirmation on the 25th.
A. Um-hm.
Q. Which is also an important staging post, isn't it, which we will come to?
A. Um-hm.
Q. You say you can't remember -- sorry, you say:
I can recall this had not been established when I met with Stephen."
So in other words you are dating the meeting with Steve Mitchell before 25 November --
A. Yes.
Q. -- or at least before that fact emerged on 25 November?
A. Yes.
Q. And that would appear to be consistent with this.
A. Yes.
Q. Because here we are on the 22nd --
A. Yes, so it was before the 22nd.
Q. It was on or before lunchtime on the 22nd?
A. Yes.
Q. So was the Managed Programmes Risk List mentioned at your meeting with Mr Mitchell?
A. No.
Q. So that would be a matter --
A. I'm sorry, I'm guessing -- I can't remember the full --
this is a meeting I had over a year ago so I can't
remember -- to me the Managed Programmes Risk List is
a kind of bureaucratic compliance issue. The purpose of
meeting with Steve is to talk through the strengths and
weaknesses of a story I'm likely to be doing, so that
kind of compliance in terms of -- it may have been but
I wouldn't have -- it wouldn't have been a priority
issue to discuss in that meeting.

Q. Is this fair? Tell me if this is fair or unfair. So
far as what happened to the Managed Programmes Risk
List, if anything, as a consequence of your discussion
with Stephen Mitchell that is, as it were, a matter for
him as far as you are concerned?
A. Yes.

Q. Right. So the Vision issues we see referred to --
A. Yes -- I don't know if it is wise for me to speculate,
it is probably not wise for me to speculate. I can
guess what that email might be referring to and why they
are doing that, but I probably shouldn't because I'm not
them and I don't why they do it. Do you understand?
I --

Q. If you think you --
A. I want to try to be helpful --
Q. If you think you know --
please. I don't know whether you saw that email the
other day or not, whether you have seen it before, the
short one from Liz MacKean to Hannah Livingston?
A. I don't recall reading that, no.
Q. The bit I want to ask you about is the last sentence.
This is the day after the interview with \[\{\text{A}\}\] and
Liz MacKean is recording telling Hannah Livingston that
there was more enthusiasm for the story in the office
ie the Newanight office, which was a good thing.
Do you recall there being more confidence in the
story in the wake of the \[\{\text{A}\}\] interview?
A. No. I couldn't say that the fact that the interview had
happened made my confidence in the strength of the
testimony stronger or weaker. I didn't -- it hadn't
affected it, so I don't know what that's based on.
Q. So in terms of your scale of lukewarmness or confidence
or whatever -- however you want it put it -- in the
story, you don't recall that being affected by the Ward
interview on the 14th?
A. No, I do -- as I say in the statement, I was slightly
nervous about them doing the interview because
Meirion -- when he initially suggested doing the
interview I had said, "I'm not sure that's wise until
we've kind of got a bigger sense of the strength of the
overall story we're going to tell". And he said, "Well
I have to do the interview now because she's flakey.

That had actually made me slightly more concerned about her testimony. I don't recall whatever conversation we had once the interview had been done affecting my personal confidence either way.

Q. Just help me with your reluctance -- or on you thinking there was a lack of wisdom in conducting the interview at that stage. Why would that have been a bad move?

A. Well, because in the likelihood that I wasn't able to satisfy myself that the kind of threshold of certainly I had about the story was sufficiently high for me to put the piece on air, as was the actual result, it means we have put her through a lot of potentially difficult experience and we're not going to broadcast it. So that -- that was my concern.

Q. But had he she had already had a good deal of contact with Liz MacKean and Meirion Jones and Hannah Livingston, just had not put it on film.

A. Yes, but -- yes.

Q. Now, is it right that at some stage when these stories are developing -- I'm not finished with the Vision. Let's finish that off. Let's go back to paragraph 10 before I jump to the budget. You say in the conversation with Mr Mitchell. You said:

"We were still trying to establish whether there had
those programmes might be. Is that right?

A. Um-hm.

Q. Then you say:

"I got the impression this was the first time he
became aware of these plans".

A. Um-hm.

Q. Why did you get that impression?

A. Because --

Q. Was it something he said?

A. Because he didn't seem aware of it when I raised it with him.

Q. How did he react when you raised it with him?

A. He said -- and this is why I can remember it quite clearly -- he said, um, "Well that's not an issue for you. You need to just follow the evidence on your story", because that's one of the things -- one of the things I think is great about the BBC and why I have enjoyed working there for so many years, is that we in news can make those judgments so boldly. So it stuck in my mind because it was a reminder to me why I think the BBC is a fantastic institution.

Q. Now, if we go back -- if you still have page 276 open in bundle 2 and go back to the Gibbons/Beck email we looked at earlier, the reference to Vision issues. It is Vision with a capital V, so what that means is BBC
to paragraph 11 then. So you recall a conversation with
Helen Boaden a few days later, an ad hoc meeting, part
of a wider discussion. So this was a small part of
a wider discussion.
A. Yes, I mean she will -- she works on the fifth floor of
Television Centre, I work on the ground floor. She will
often come down on her way home and just ask me what's
going on and we talk about anything. And it was that --
it was one of those kind of meetings.
Q. A walk by rather than a meeting?
A. Yes.
Q. You say you had a discussion about Savile's funeral, and
you discussed the need to make sure anything we put on
air would stand up to the intense scrutiny it would get
because of the huge numbers of our audience who revered
him and were still mourning.
A. Yes.
Q. Then you say:
"It has been reported that Helen said in this
meeting that the evidence threshold needed to be as high
as if he were alive and able to sue."
You say she didn't say that.
A. I'm confident that if she had said that, I would have
remembered it, because I wouldn't have thought -- I
don't think that was -- I wouldn't have agreed with it.
So I'm confident she didn't say that.

Q. If she had said that, there are two aspects aren't there? First of all if she had said that there is a question of if that is correct as a matter of editorial judgment, whether the bar should be lower for someone who is dead. That's one aspect of it. The second thing is whether she had, as it were, any business saying that to you in the first place. Right? I want to separate those two out.

Your position is, I think, that you would not agree that it was correct that the evidence threshold needed to be as high for Jimmy Savile as it would be if you were doing a piece about a living celebrity?

A. The reason I don't think that is a very clever metric to make the judgment about the threshold on is because if the person is alive it becomes about defamation. You have to then judge it on a kind of defamation metric about what you can and what you can't say. I just didn't think that was relevant, that wasn't the kind of judgment -- that wasn't a useful way of judging where the threshold would be.

Q. Obviously the dead man cannot sue for defamation.

A. Yes.

Q. I follow that. But that's not quite the same thing as whether, before you identify the dead man as

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run the story is a defamation action, might make you
more rather than less keen to run the story. That's
a possibility, isn't it?
A. Yes.
Q. But that is a slightly different question from whether
you actually shift the evidential bar in the first
place.
A. I'm sorry I don't actually know what you are asking.
Q. Maybe it is too metaphysical.
Now, Helen Boaden and you had a discussion about the
Vision issues in the course of this meeting.
A. Yes.
Q. You can't recall who raised the topic?
A. No.
Q. Can you remember what the substance of the discussion
was about the Vision issues?
A. Again, as with Stephen Mitchell, what I can remember is
us -- I don't know what the appropriate word is, but
I can remember the conversation because it reinforced to
me the fact that BBC News does not have to -- because
she -- sorry --
Q. I'm listening.
A. Can you just ask the question again, I got thrown.
Q. I showed you the bit in the statement where you said
that --
A. Sorry.

Q. -- and my question was: what was the substance of the discussion about the Vision issues?

A. All I can remember again, is, as Stephen had, is her saying very, very firmly, "Don't worry about anything to do with Vision, follow the evidence and make the judgment on the evidence." And the reason I remember that clearly is because it's a -- it's a -- for me it kind of encapsulates the strength of the BBC as an organisation that we -- that that's how we work and that's what those judgments are. That's why I remembered it.

Q. Was she -- did you get the message that she was, as it were, firing a warning shot across your bows about this story: You make, as it were, damn sure you can stand this up?

A. I didn't feel that at all. As I say, in terms of the substance of the story all I can remember her talking about is the fact -- we talked about the funeral and the fact -- and the climate in which we were making -- I would be making the judgment. And I agreed with her assessment that it did mean that there needed to be a reasonable threshold of certainty around, you know, if we were to put it on air, because of the timing and the climate. But I agreed with her, so it didn't feel like
Q. So you understood the reference to, "Off the record Surrey Police", and I think later on there is an email from you, the one about the women and the secondhand --

A. Yes.

Q. -- we will come to it. The secondhand source or --

A. Yes, that is what --

Q. Secondhand briefing, thank you. That refers to this doesn't it?

A. -- secondhand refers to. Yes, the secondhand is because it is Mark that had briefed it rather than the police had told us.

Q. Exactly. Yes. He sends that to you at 14.47 and you consider this to be a very welcome development, if you look over the page.

A. Yes.

Q. So it is all systems go?

A. Yes. I mean the thing I would like you to note from that email is the time between -- is this the Friday?

Q. Pass.

A. It's a -- is the time between -- it's a Friday.

Q. The 25th is a Friday.

A. Yes. So I was -- so the speed with which I respond, I am obviously on my phone so I don't where I -- I'm not in the office, I don't know where I am, but --

Q. We can see that because it is sent from your iPhone,
A. Yes. So I know that Meirion has made a lot of this email and I -- for me, because it corroborated the fact that the police had investigated it, it made it much more likely that the story that he had outlined to me much earlier was going to come together. That's why I responded in that spirit. Because also it is very difficult to get the police to engage with you or establish investigations that they have done in the past. So the fact that Mark had stood this up was a good piece of work. That's why I respond in that way.

Q. Right. Then over the page, please, page 13, Meirion Jones responds and he says:

"We are hoping to interview second victim on Monday afternoon, but we won't know for sure until midday."

And then he suggests:

"Transmission early week of 5 December easily possible. Talk Monday".

Which would be the 28th, I think.

A. Um-hm.

Q. At that stage did you -- perhaps not -- know who the second victim, as it is said there, inaccurately as it turns out, was?

A. No.

Q. You now know that the second person was
Liz MacKean had spoken to all but one of the women?

A. Initially, or -- or eventually, are you talking about?

Q. Well --

A. Are you saying that Hannah only spoke to one person?

Q. No, no, I'm not saying that. No, no. I'm saying that Liz MacKean spoke to --

A. The same --

Q. -- all the women, save for one.

A. Yes.

Q. That one was spoken to by Hannah Livingston.

Hannah Livingston had also, I think, spoken to some or all of the ones that Liz MacKean had spoken to.

A. And made an initial contact with, as far as I was aware.

Q. All I'm asking you is whether you ascertained how many of the women Liz MacKean had spoken to? Because paragraph 15, the burden of those couple of sentences is that "Well, it was a junior researcher who had done these interviews, so I infer I gave them less weight."

If the facts were that Liz MacKean had spoken to all but one of them, that point would disappear, wouldn't it, because she was an extremely experienced reporter?

A. Not necessarily, because it depends on how -- how the interviews and the initial approaches had been done, and whether the victims could easily have been led in the way they were questioned, by either Hannah or Liz.
I would be more concerned at Hannah doing it than Liz, because I think, you know, she's a very experienced reporter, but I still think that that made me concerned about a degree of what I would call contamination with the strength of the evidence.

What I don't -- you know, this doesn't mean that I felt this evidence was -- that we should dismiss this evidence, that it didn't have any evidential value at all, it just meant that the judgment about -- it's to do with my judgments about the threshold. It's not that I felt therefore this evidence was not valuable in any sense and we couldn't believe anything that these people were saying. It was just, again, if it is going to be tested, and particularly if the evidence is tested and falls away, we're then back to this. I started thinking "Hang on, that is going to get tested in that way as well", that's what I mean. That's the meaning of what I'm trying to --

Q. But the most obvious thing in the world, if you were concerned that these -- that some of the interviews had been done by a junior researcher who did or might not know what she was doing -- or might not be experienced enough to do it very well -- the most natural thing in the world would have been to have asked Meirion Jones or Liz MacKean "Tell me, Liz, did you speak to all these
women?" or "I'm a bit concerned the work experience
researcher might not be up to it, do you have confidence
in her?" to which Liz MacKean would have inevitably
replied -- she would have said yes, no, or whatever, but
she would also have said "You needn't worry about that,
because I have spoken to all of them bar one".

A. I assumed that Liz had spoken to them as well as Hannah,
not that Hannah had only spoken to them exclusively, but
the fact that Hannah had spoken to them, in some cases
as I understood it, initially, then the danger of
contamination from asking leading questions or -- was
established as part of that evidence gathering process
and that could be contested.

Q. You see it might be suggested that you are really
scrabbling around for reasons to doubt the viability of
this story.

A. What I'm doing is I'm testing the evidence. I'm
anticipating if we put this on air where it is going to
be challenged, I'm using my experience as an editor of
which bits of it will and in what context. So I know,
if I'm to put it on air, what the -- um -- you know,
that I'm satisfied that in my gut that it's going to
stand up. That's what an editor does.

Q. Let's just finish off paragraph 15. You say you were:

"... also concerned that the evidence could
A. Yes, I mean it's more -- to be honest, the way this works is it is me pushing him to help me reach a decision by expressing the story in its strongest form. That's -- that would be a more accurate interpretation.

Q. If one, as it were, for the moment imagined that Stephen Mitchell didn't exist, it looks as if you, the editor of the programme, are on an all systems go basis?

A. Yes, which is why I have written it as strongly as I can.

Q. So in some way you are, as it were, building this story up --

A. Yes.

Q. -- putting it at its highest, is that right --

A. Yes.

Q. -- to Mr Mitchell?

A. Yes.

Q. Why?

A. To facilitate a discussion about whether this is -- about what we -- how we -- to help me make an editorial judgment about what is the strength of the story.

Q. There is nothing lukewarm about this email, is there?

A. No.

Q. You were not lukewarm anymore, were you?

A. No, he knew that I was lukewarm from the earlier
conversation that I had had with him. This is my
attempt to say this is the strongest iteration of the
story that we've got. Shall we have a discussion to see
whether -- to see what you think about it?

Q. Because what was decisive in the end was what he thought
about it, wasn't it?

A. I can't remember -- I mean, I -- I honestly cannot
remember that conversation, so I don't know. It would
have been about -- we would have been testing the
strengths and weaknesses of the story among ourselves --

Q. Who is we: you and Stephen Mitchell?

A. Me and Stephen Mitchell, as we often do with stories.

In the original meeting you kind of explore and roam
around what -- the stronger bits and the weaker bits.
That's what that -- that's what -- that strong iteration
would have been the starting point of that discussion.

Q. If he was in Belfast or going to Belfast in the
afternoon -- he presumably got there, it's not very far
away, some time later that day, and you emailed him
again at 13.50, do you remember when you spoke to
Stephen Mitchell?

A. No idea.

Q. You can't remember why he was going to Belfast?

A. I can't remember having this phone call, essentially, so
I don't know.
Q. They thought you were trying to kill it?
A. I can't remember the conversations I had with them on that --
Q. Can you remember --
A. -- day, but --
Q. Can you remember referring to there being a "very long political chain" in the conversation with Liz MacKean?
A. No, as I say in my witness statement, I can't remember using those words. But that would but -- as I say, I can imagine myself discussing an editorial chain. I don't know whether I would use the word "political", because that's what there is between Liz and Meirion and me, Stephen and Helen.
Q. But this story, as a matter of chains -- whether they are political chains or not, leave political out of it -- the chain on this story was no longer or shorter than the chain on any other story, was it --
A. No.
Q. -- you agree with me --
A. Yes.
Q. -- to the extent that it might be said that this story was sensitive. Well, so were all the stories on the Managed Programmes Risk List?
A. Yes.
Q. The fact that, as it were, everybody has gone big on the BBC allowing -- well, the fact that some of the alleged assaults took place on BBC premises and therefore, it might be said -- might be said -- is a problem for the BBC, just wasn't the focus of any of it?

A. Meirion and I did discuss needing to go to the BBC for a comment at some point, because some of these incidents had been on their property. But the focus of the work that we had done was around Duncroft.

Q. To the extent that it might be suggested that the script shows that it wasn't really about Duncroft, there is mention of Stoke Mandeville, by the time we get to one of the scripts there is mention of this place in Jersey as well, and that part of the story at least was that Jimmy Savile was a paedophile in lots of places as it were. That was part of it.

A. Those were elements that we were mentioning in the script, but fundamentally most of the testimony we had gathered had been around Duncroft and that was my understanding of where we had been looking at it.

Q. Just to be clear about long political chain, you don't remember this?

A. I really don't remember saying that, I really don't. As I said, the judgment and all the discussions I had were always about editorial thresholds. It really wasn't
anything else other than that.
Q. Mr Mitchell, he presumably was not in favour of this story running, is that right?
A. I honestly can't remember him feeling that -- that strongly. I can't -- I can't recall him having a firm opinion either way and I can't recall the telephone conversation which would probably have happened as a result of this --
Q. When he's in Belfast?
A. -- when he's in Belfast. I mean, he and I -- you know, in order to test the strength of the story you adopt positions and then discuss -- then challenge each other on what is the strength from this perspective, what is the strength from that perspective. But I at no point got a firm sense of his overall feeling about the story, because he's always keen -- you know, because I'm the editor of Newsnight, if I'm going to put it on my programme it's up to me to make the judgment in the final analysis.
Q. Is that right? You, as editor of Newsnight, bear responsibility for what Newsnight broadcasts, but he can have a decisive influence on whether the story runs.
A. Yes, I mean he would -- we have never got to a situation where he has -- he and I have not agreed on what -- on whether or not we're going to proceed or not proceed
about that other girl on interview, the "hopefully" and
so on, we discussed that. But by now you have
identified -- after the discussion with
Stephen Mitchell -- you have identified the key and that
is now the key going forward, and that key will either,
as it were, open the door to this story going out, or it
won't.

A. It was more -- well, it was the fact -- it was a very
important fact and part of the story that we had yet to
bottom out, that I had made a judgment that we needed to
bottom out before making the final decision.

Q. It's the key, isn't it? It's the deal breaker?

A. I use that phrase there. Other things may have
occurred, but, yes -- okay, yes. I would say that
I decided that all things -- everything else maintaining
the same, this -- this would be -- yes, this would be
quite important that we could establish this.

Q. Yes. Now, as you know, there has been some discussion.
Some of these emails have found their way into
newspapers, as you know, and there has been some
discussion, I think, in some of them about your
reference to the words "just the women".

Now, I know what you said in your witness statement,
I have read that, but that doesn't go into this
transcript. What do you want to say about those words,
A. I felt that he was trying to establish a kind of facts
on the ground for another date in order to, um, push me
into making a judgment that I still felt was very finely
balanced, and I felt slightly uncomfortable about that,
so I was trying to make that point.

Q. He was, whether legitimately or otherwise, pressuring
you --
A. Yes.

Q. -- and this is you saying stop?
A. Yes.

Q. Was that something you had encountered before from him,
or was it particular to this case?
A. He -- I mean, Meirion and I have found what can be
a very effective way of working. He's rather like
a salesman, he gets elements of a story together, he
presents it to me in the most strongest and possible
form, for example in the way that I obviously described
his account of it to Steve in that other email and he
expects me to kind of see the -- to be the kind of --
apply the kind of BBC filter to it and to see the kind
of weaknesses in it and say "No, you can't say that",
and knock these things out. So he can be very pushy but
often -- you know, often legitimately pushy, so yes.
Q. But you felt you were, as it were, able to withstand his
pushiness?
Sir Jimmy Savile" or it emerges after Christmas, "BBC covered up paedo Sir Jimmy Savile to fix Christmas ratings", were those the kind of points that Mr Jones was making to you?

A. I can't recall, sorry. I can't recall having a detailed conversation with him about the kind of things he's written here. I tried to make it -- every time we discussed the story, I tried to -- I made sure that it's about the editorial.

Q. It is fair to point out -- and you might, as it were, want to point to the fact -- if we go to page 270 under the heading "Victims":

"We know that the victims believe that the police and CPS covered up for Savile."

A. Yes.

Q. "All they know is that they were interviewed, told what happened, and then a year later they were told that he was too old to press charges."

A. Yes.

Q. To the extent that that is a reference to all of them, that's not entirely accurate.

A. No, it's not. I think there are a number of emails from Meirion you will have been aware of that refer to them collectively in that context.

Q. There is a reference to News International at the
Q.  That is my attitude, yes.

A.  That is my attitude, yes.

Q.  You might also want to point out to us, if we hadn't already spotted it, which we have at page 77:

"I can't be the only journalist with evidence of

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"My story with Meirion is terrifying the bosses. Basically BBC1 is preparing a Jim'll Fix It special for Christmas. Having commissioned the story, Peter Rippon keeps saying he's lukewarm about it and is trying to kill it by making impossible editorial demands. When we rebut his points he resorts to saying, 'Well, it was 40 years ago, the girls were teenagers, not too young, they weren't the worst kind of sexual offences', et cetera."

Just pause there for a moment. That is quite a strong suggestion."

A. Yes, it is a very strong suggestion.

Q. It might be thought, so what do you say about that?

A. I think it is outrageous. I can't recall this conversation and I'm trying to put the story on air. I think what Liz may misunderstand is that often you -- so in the same way that I write an email to Stephen Mitchell presenting the strength of the story in order to provoke a conversation with him, with them I challenged the story, in order to provoke a conversation with them. You know, ultimately I absorb both views and then I make a judgment.

But I -- that particular allegation about "teenagers, not too young", I -- I can't -- I wanted to do the story, you know, I was pursuing the story. So it
is illogical that I would have -- I would have said
that.
You know, as I say, I can't recall the conversation,
so it is quite difficult for me to kind of rebut it if
I can't recall the detail of it. We were having
conversations, so, I mean --

Q. What about the suggestion that you showed a conspicuous
lack of interest in actually going back to the evidence
that had been gathered at this stage and looking at the
interview with [R.1] and the interview with
[R-3], and at least reading the transcripts?

A. Well, I -- as I say, in the way -- the way I work,
because of the context in which my responsibilities are,
if -- if Liz or Meirion had felt that -- you know, given
I wasn't comfortable that we had got it to a place where
we could put it into the edit -- which is the normal
environment in which I would assess and review and
copper bottom and go back to those source documents --
in order for me to do that before that process I would
need -- the normal way in which I would do that would be
for them to say "Look, we think you should do this", and
I don't recall them ever suggesting that and certainly
if they had, I would have.

If they felt that me doing that would strengthen
my -- their case or make me, you know, understand
that is not a factor that I have to judge in terms of
what story I want to put on air. I can see why he wants
to put that in my mind as a reason for why I might want
to do it, but I have to make the judgment based on what
editorially I'm comfortable putting on air.
So, no. And so I remember when this email came
through he came into my office and we -- he just said
"this email has arrived, I can't imagine this" -- I'm
paraphrasing but he kind of said we've got this thing
from the CPS, I can't establish that fact so I'm going
to have to not do this story. I can't even remember.
We had a long -- he didn't push back.
Q. So the point that Nick raised with you a moment ago,
which is that once the Newsnight story, once that has
gone, there is still this potential problem for the BBC.
That maybe this story is not quite strong enough, but
you presumably didn't have any doubt, did you, that
Jimmy Savile probably was a paedophile? Did you? Had
you formed a view about that?
A. That's a good question. Um, you know, I -- I was -- and
this is just you use your gut, I was kind of 60/70 plus
per cent confident that the testimony we had gathered
was likely to be true. So to that extent I was
confident that he was -- that he had been guilty of the
incidents that we had -- or at least, you know, to an
A. Yes.

Q. You see Liz MacKean's rather pithy response at the top of page 38, which you wouldn't have seen at the time.

A. No.

Q. There is another email. I can show you it if I can find it again. There is an email the same day from Liz MacKean when she said to one of her friends that you were "trying everything to kill it". How do you react to that, is kill the story?

A. A lot of the emails that I have seen that Liz has been sending that weren't sent to me, I will be honest, have surprised me, and -- so, I don't -- you know, how do I respond to that -- which one?

Q. One of the updates, can I give you the reference later? I promise you it says "PR trying everything to kill it".

A. Okay.

Q. I think it is on the same day, the 7th?

A. I wasn't trying to kill it, I would respond to that by saying, and had the CPS confirmed the element of the story that Meirion said stood up within the early stages of us investigating it, or had the letter that the women had been promising that would have confirmed it arrived, I would have -- I would have been satisfied, you know, about doing the story.

Q. Nick, who is more familiar with these bundles than I am,
has found it. It is 29.001 of the same bundle. It is
similar to the others:

"JS is a gathering storm. PR trying everything to
kill it: 'I no longer think it's a Newsnight story, the
girls were 14 and 15, it's not the worth kind of abuse',
et cetera, et cetera."

Similar to the one --

A. These are all things that I can't recall saying from
somebody who is obviously much more disappointed with
the way things are evolving than I was aware at the
time. I would say that one of the great things about
being a reporter is if you get your story on air you get
great kudos for it, if you get your story on air and it
is wrong it is the editor's fault. I carry that burden
and Liz doesn't. I think it's -- as I say, I'm
disappointed to read those emails.

Q. The reference to the "worst kind of abuse", did you have
in mind at this stage on 5, 6, 7 December that right
from the very beginning, from the web memoir, there was
an allegation of what I think is referred to as "full
sex" in the dressing room, not committed by
Jimmy Savile, but witnessed by Jimmy Savile

There were other allegations of what I suppose might
be described as lesser forms of abuse than that
committed by Jimmy Savile in the environs of Duncroft.

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on is why it had to come to such a complete halt.

Obviously, later on in the turn of the year and beyond
ITV picked up largely the same material same contacts
and turned it into a story they felt ready to go with
and obviously had an impact.

Why weren't you of a mind to say "We are absolutely
not ready to go, that's my decision, but either before
Christmas -- or let's take a breath and after Christmas,
let's have another go at it, one more interviewee that
looks credible might crack it"?

A. Okay, I -- there are lots of different reasons for that.
One is there is a kind of natural -- given the resources
we have and the number of investigations we can do and
the amount of time I can have two people working on one
story, six week is at the long end of what we would
normally do for an investigation, so that's a kind of
natural journey and I kind of set -- at the end
I thought, well, if this is what I need in order to make
this judgment -- so that was one reason why we didn't
take it further.

The other reason is, obviously, because we come off
air at Christmas for two weeks, there's a -- it's kind
of a punctuation point in the year, so we just kind
of -- that -- it was also partly because my final
conversation with Meirion he said "Fine, I accept your
It's no more sophisticated than that, I am afraid.

MR POLLARD: Okay. Really, the other point, I just want to get back to it because I think it is important, the issue of the Managed Programmes Risk List, I just wanted to double check that you had a conversation with Steve Mitchell about this issue of -- the Vision issues, as it were. Quite clearly the Jimmy Savile story was on the list, and then it was taken off. It is obviously something we will ask Stephen Mitchell about and Sara Beck, but I just want to be absolutely sure.

You had no involvement in taking that story off? It wasn't an initiative of yours or it wasn't a decision that came out of a conversation with Stephen Mitchell when you said "Right, okay, we're both agreed we're taking it off the list"?

A. I can't think how you framed the question, whether the answer is yes or no. That list is not something that I make kind of judgments about. So my assumption throughout the whole thing was that it was on the list, whether it was on or off the list, I -- wasn't really an issue for me, so I wouldn't have discussed it.

MR POLLARD: So the fact that it was taken off the list at what seems to be a pretty significant time, that came as a surprise to you when you learnt about it --
RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH PETER RIPPON (2)
this about how well sourced Mr Goslett appeared to be?
A. I can't recall this. As I say, I can't recall what
I felt when I received this, er, email. This is when
Newsnight is not on air, so this is something I'm
getting at home over the Christmas break. So I can't --
sorry, I can't recall what I would have -- how I would
have kind of computed it, when I got it.
Q. What in fact you did -- you may not remember now -- if
you go to page 137 is to reply pretty quickly. Cast
your eye over the reply at the top of the page, at
16.04.
A. Um-hm.
Q. Just to work out which day of the week this is, this is
a Wednesday. Okay? So you are qualifying the proposed
statement at the bottom of 137, saying:
"It is not quite right. There was a police CPS
investigation recently in 2007. It was into an historic
indecent assault, however it was not pursued for lack of
evidence. We were trying to establish if it was true,
as the woman alleged that it was dropped because of the
Savile's age and celebrity status. We could not
establish that was the case. PS, the main allegation
she made about herself did not take place at the BBC.
She alleged some other incidents did, involving others."
What, as it were, resource did you go to, to produce
that reply within half an hour?

A. Well, I would have done it from memory.

Q. Right. Do you now understand that the reference to, "The woman", in the second line:

"The woman who alleged it was dropped because of Savile's age and celebrity status...

And then in the PS you say:

"The main allegation she made about herself..."

Your email reads as if it is the same woman, yes?

A. Yes.

Q. The woman in the second line is the same as the woman in the PS.

A. Yes.

Q. But in fact -- I suspect that the reference in the PS is to [REDACTED], and she was not, "The woman", who alleged it was dropped because of Savile's age and celebrity status. They are two different women.

A. Yes, I think that's correct.

Q. You now know that to be the case?

A. Yes.

Q. So, in this email which you wrote from memory replying to the one from Helen Deller, there is an eliding -- presumably an unconscious eliding, but tell me that is not right -- of the accounts of two different women who had provided information to the report or the
investigation that Mr Jones and Ms MacKean had been
pursuing.
A. Yes. That is correct.
Q. And that eliding gets perpetuated, doesn't it, for some
considerable time thereafter?
A. Yes, it does, yes.
Q. So the source of that -- I think this is probably the
first example we have of that eliding or confusion, if
you like. That came from the fact that you simply in
this email, from memory, didn't recollect the detail
entirely correctly.
A. I agree with that to a point. I mean, the initial
elision, I think, occurred because of the way the story
originally evolved in my mind, in my discussions with
Meirion, which was: \[\text{C.\text{C.}}\] has written a blog, two
or three days leer he says:
"I have looked into it more, it's not just her,
there's more than one woman, they went to the police
about it."
That was the moment at which I was under the
impression that \[R.\text{C.}\] was part of the police
investigation.
Q. Right.
A. If you look at the draft script that he sent, which we
discussed last time --
Q. Yes.
A. -- that, I think, perpetuated any perception that that was the case, because it says something like:

"[Redacted] wasn't the only victim, there were a number of them, they went to the police."

Something like that.
Q. I think you didn't get ROUGHSAVILE 5, is that right?
You had the previous version?
A. I think so.
Q. ROUGHSAVILE 2, I think. I think that's right.
Bundle 3, page 189. Just before we -- in other words what you are saying is that it wasn't on the 21st that you, as it were, first got it into your head that [Redacted] had been to the police, that had been your impression for some time from your discussions with Mr Jones when the story was --
A. I had it in my head that -- well, I had it in my head that she was part of the police investigation, yes.
Q. ROUGHSAVILE 2 is at 189. It is in various places but that's one of the places.
A. Yes:

"[Redacted] is not alone in making these claims, we have spoken to ten girls from Duncroft, all telling a similar story, most of them talked to Surrey Police during their recent investigation."
I accept the word "most", but that formulation was
how it was verbally described to me during the
investigation, and that's what led me to think that she
had been part of the police investigation.

Q. Yes, I see. Yes, okay. That's the bottom of page 190?
A. Yes.

Q. Right. Okay.

Now, on the 21st then, with Mr Goslett having raised
these points, you make that qualification to Helen
Deller's proposed line. If you go to 149, the email we
have just looked at is at 150 over the page. Your
e-mail. If you go over the page, you will see it. Again
this is up the chain now. If you go to 150, you will
see the one we just looked at from you, yes?
A. Can I just make a point. These are all emails from me
that I didn't have in my disclosure, aren't they? Have
you noted that?

Q. Well this one, you see, KRL, I think that's right.
A. I just want to make the point, it is slightly
frustrating that I was -- I didn't have all the emails
that I had obviously sent during the period. I don't
know why I didn't.

Q. Right. You mean from us or --

MR PRICE: Did you get my email with the request that Peter
had put in to retrieve his sent box items?

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there was a relatively recent CPS/police investigation
into historic indecent assault. Not pursued for lack of
evidence. It was alleged it was dropped because of
Savile's age, but we could not stand this up. If that
is factual accurate Karen Rosine says she's happy if
that is right."

And then Helen Deller says to you, "Is that okay,
Peter?" And you say, "Yes."

So that's the line that gets developed.

Then we can go to January. You might not have seen
this. This doesn't come from you. Bundle 4, page 224,
do you know who Bridget Osborne is?

A. I don't, no. I'm sorry.

Q. You might not have seen this. I don't know, but just
look at that very short email from Heirion Jones on
5 January. Mr Jones, it would seem, is pretty steamed
up about what he considers to be the non-journalistic
reasons why the story didn't appear. Was he suggesting
to you in these weeks after the final decision not to
run this story that there were non-journalistic reasons?

A. No. He never suggested that to me at all, and I think
as we -- the point we got to in the last session we had
was that the final meeting I had with him, I think on
9 December when the CPS letter comes through, he sat
down in my office and said quite firmly to me that he
accepted my decision and he accepted it was for
editorial reasons.

Q. Had you formed a view, for example Mr Goslett's article
that we just looked at -- had you formed a view whether
Mr Jones really had accepted your decision by this
stage?

A. I was prepared to take him at his word at that point,
yes.

MR POLLARD: Could you just give us a little more colour
about that exchange? Because as you would imagine there
is a world of difference between, "Yes, fine, you are
right, I go for that", and a sort of tight-lipped
resentful, "Yes, all right, that's what you say."

Where did it fall on that spectrum, as it were?

A. I have to admit when you pointed out to me last time he
sent me an email two days before saying he wanted to
have a longer discussion about the editorial reasons and
then when we had the meeting two days later, he didn't
want to have that conversation, it wasn't a particularly
long meeting, we sat down -- I'm at my desk, he's
sitting on the sofa in my office and he said:

"In the light of this statement, you know, I can't
establish the facts that you want established so we're
not going to be able to do the story, and I accept your
decision."
And I said, "Fine, will you talk to [REDACTED] and tell her?" And he said, "Yes". I don't remember much -- I think it wasn't a particularly long conversation.

MR POLLARD: Although it was clear that he thought the story was strong enough without the particular bar that you had set.

A. Yes, but he respected -- I took it that he was respecting my judgment as the editor of the programme and my right to make that judgment.

MR POLLARD: He didn't seem resentful, is what you are saying?

A. Honestly he didn't. I didn't -- that wasn't the impression I got from that conversation, no.

MR MACLEAN: So you thought he had, as it were, accepted the referee's decision?

A. Yes.

Q. So my question then was: did there come a time when you formed a view that he had not, in fact, accepted the referee's decision, despite what he said at the time?

A. Can you expand on what you mean by that? Because he, as recently as -- it is in the email, I can't remember when, but as recently as in the week of the Exposure documentary, he sends me another email repeating that he accepted my decision at the time.
So I was aware he disagreed with it, but he has always maintained to me that he accepted it.

Q. He has always maintained to you that he accepted it.
Did you accept that as a statement of fact?

A. Well, yes. I'm not quite sure what you mean.

Q. Did you believe --

A. I believed that he respected my right and role as the editor of the programme to make that judgment, yes, I did.

Q. Right, okay. Now in January The Mirror starts sniffing around. I don't know whether you remember that?

A. I do.

Q. If you go to page 232, Helen Daller to you and to Steve Mitchell:

"It appears The Mirror are still keen to run this."

In fact they do run a story on the 8th in The Sunday Mirror:

"... Keen to run this despite my efforts to dissuade them. Following a further conversation with the reporter I want to issue an updated line that reinforces what I have said verbally."

Then you see what is set out. So the line that's being defended here is the idea that the story was dropped for other than editorial reasons. That's copied to you and you were content with that and so was
Q. "BBC investigate something and then didn't run it. I will however drip poison about Meirion's suspected role if I get the opportunity."

That is why I have been asking you the questions in the last couple of minutes.

A. There was -- there was a particular issue between James Hardy and Meirion, I can't remember the timing of it, that was nothing to do with Savile where James -- this is from memory and I wasn't involved in it, but from memory I felt James felt quite strongly that Meirion had misled one of his team about something that James had said, um, deliberately. So I don't think those two had particularly cordial relations.

Q. Right.

A. But it was nothing to do with Savile and I can't remember what it was about. It was something about -- I'm sorry, I can't remember the issue. It was another story we were doing. But those -- I think particularly James felt -- I think actually it is fair to say that I think James didn't trust Meirion.

Q. So one might think that we can see from this email that there had been a corrosion of trust by this stage between, at the very least, James Hardy and Meirion Jones?

A. Yes.
Q. So much is perhaps obvious?
A. Yes.
Q. But had there been a corrosion of trust between you and Meirion Jones?
A. You see, I would not like to characterise it like that between me and Meirion. Because he's a very effective journalist in lots of ways and the kind of evolution of my relationship with him involves me finding a way of managing him to deliver the best output that we can for the programme. And that can be -- you know, that can produce great results and it can produce kind of tensions between us. But fundamentally, I have to trust him if I'm going to allow him to put things on the programme for which I'm responsible. So I wouldn't characterise my view of him as the same as James', no.
MR POLLARD: Just before we move away from that, is it likely that James Hardy would have come to that very strong conclusion about Meirion, and that sort of really quite strong reaction, without you suggesting to James that in your view Meirion was leaking? Because he wouldn't have direct contact with Newsnight; he wouldn't have direct knowledge of the way the programme had been put together, would he? He would have to get that from you.
A. I would never have accused Meirion of leaking unless
I had specific evidence that he had done so. So I wouldn't have said that to James. As I say, I --

MR POLLARD: So James would have come to that conclusion, with that really vehement comment, without talking to you about it?

A. Er, yes. Because I think his judgment about Merion was formed -- sorry I can't remember when the incident was. But it was around a particular incident that was nothing to do with this investigation. Before that, and I'm not even sure that was about leaking. It may have been about some other kind of -- what he felt was an unfair dealing or something.

MR POLLARD: Just to put it clearly, you didn't say to James at about this time, either in answer to a question or off your own bat, "Well, I think it is Merion that's leaking".

A. No, I wouldn't. I wouldn't have, no.

MR POLLARD: Okay.

MR MACLEAN: So The Sunday Mirror piece gets done. I think the next piece that appears is in The Oldie, published, I think, in February, and trailed in the Guido Fawkes website, I think, the day before it was published. Do you remember that?

A. Yes.

Q. If you look in this bundle 5.

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Q. So did you — did that kind of register with you, that
this was the kind of focus of what Guido Fawkes is
trailing from The Oldie is now rather different from the
story that you thought Newsnight had been pursuing?
A. My -- I think because at this point I was not pursuing
the story anymore, and there was a very limited amount
I could do to influence or change what Guido Fawkes or
The Oldie wanted to print, it was not something
I focused an awful lot of my attention on. It is about
whether our press office's response to whatever
questions are put to it I need to have a view on, but
beyond that, I didn't consider the fact that the angles
seemed to be evolving slightly, I didn't -- I didn't
contemplate that in great depth, no.

Q. Page 88, is that the Oldie piece?
A. Yes, I think it is.

Q. I think it is. At page 59, between 59 and 66, and then
again from 68 to 73, if you just flick over those pages,
you will see that what is happening there is that
Meirion Jones is emailing himself, from one email
address to the one that begins, "Amazing" —
A. Um-hm.

Q. -- a bunch of emails on 8 February.

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account in order to do your job?

A. "Legitimate reason" is the word?

Q. Yes.

A. Um, I can't see why it's necessary, no.

Q. Right. Then if you go to page 52 -- just going back to Guido Fawkes for a moment -- this, at the bottom there, is the one we looked at a minute ago, right?

A. Um-hm.

Q. You reply:

"Just so you know, there never was a Newsnight report. The evidence about BBC premises was anecdotal, secondhand and 40 years old."

A. Yes, I'm referring there to the Gary Glitter. I felt -- I think I'm referring there to the specific -- when I say secondhand, I think it was [A] claim about what she saw Gary Glitter doing to another party that she couldn't identify.

Q. Yes.

A. That's what I think I'm referring to there. Because this refers to other celebrities.

Q. It was secondhand perhaps in one sense, but it wasn't hearsay in the sense that she put herself as a direct eye witness.

A. No, it was secondhand in the sense that it was about her witnessing something happening to somebody else, whom

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she could not identify, rather than being the victim of
something herself on the BBC premises.

Q. But in another sense it was a first hand account of an
sexual assault on somebody else.

A. Yes it was, yes.

Q. It was not, "A girl came back from the Television Centre
and told me that." That would have been secondhand.
This is I was, "I was there and I saw X do Y to Z."

A. Yes.

Q. Then at page 87 Steve Mitchell sends you an email having
had The Oldie piece drawn to his attention it would
seem -- you see from the middle of the page, 9 February,
10.43, "Please see attached copy of the Oldie piece."
And he sends you an email on the 9th:

"The idea this was dropped for corporate reasons is
fundamentally wrong, as we know. Does anyone on your
team think otherwise?"

Now we know from Mr Jones' email to Bridget Osborne
that he did take that view. But I think you are telling
us that he never expressed that view to you, is that
right?

A. That is correct, yes.

Q. "What I'm not sure is the serious allegation that we
uncovered evidence unknown to the police and haven't
passed that on. Is that true?"
A. It is inaccurate, I know that now, but I believed it at the time.

Q. And nothing -- is this right -- nothing else had happened at this stage, compared to the last time when I showed you the -- we talked about the sliding of the two women. Is that right? Nothing, no new information has come to you, this is just the same thought process?

A. Yes, that's correct.

Q. Is that right?

You see at page 92 Mr Payne and James Hardy are involved and Julian Payne says:

"I will take the DG's view and see where he is on it."

Did you -- I don't think you had any direct contact with Mark Thompson about this story. Did you have anything to do with the Director General's office at all?

A. No, at no point did I have any discussions with the Director General about it at all.

Q. Either to the Director General or anybody on his behalf?

A. No.

MR POLLARD: Just really absolutely for my own clarity, when Mr Maclean asked you about the inaccuracy of the point about, "The women had been to the police", you are saying that your knowledge of that came from,
effectively, the line in the script. Is that right?

A. Well, from my -- the evolution of the story in the way that it was described to me in the first week we got into it.

MR POLLARD: Yes.

A. So the conversation went, and I paraphrase: Jimmy Savile was a paedophile, this woman alleges it in her blog. I say it is just one woman's story, he is not going to write that into telly, two days later or three days later, whatever it was, Meirion came back and said: it's not just her, there are lots of women, there was a police investigation into the whole thing, they said they dropped it because it was too old.

MR POLLARD: I understand.

A. It was that verbal communication that was then reinforced by the script that I read.

MR POLLARD: And at no stage during November -- it is your view that at no stage neither Meirion nor Liz made the point specifically to you, "The woman we have on tape hasn't been interviewed by the police."

A. Not that I can recall. I think there are one or two emails that Meirion sent during that period which would have -- which we looked at last time, which again reinforced that view, where he talks about the Duncroft women and the police investigation as if they were all
one thing.

MR POLLARD: Yes, okay, thank you.

MR MACLEAN: I meant to ask you this at the beginning but

now is probably a convenient moment. You remember last
time we talked about the evidence you have given about
being concerned about the fact that interviews had been
done on the telephone and that they had been conducted
by just -- some of them anyway -- by Hannah Livingston
who wasn't very experienced, and the decision we had
about the importance in this kind of story of
individual, face to face, neutral territory interviews.
You remember that discussion?

A. Yes.

Q. Was that something that you, as it were, tackled
Meirion Jones and Liz MacKean about at the time?

A. We had conversations about my concerns about the
editorial threshold. So I'm -- it is difficult for me
to recall the specifics of conversations, so I can't
specifically recall a conversation in which we had that
discussion, but --

Q. But are you --

A. We must have done at some point. I can't -- I can't --

Q. Is this right, what you are saying is Liz MacKean and
Meirion Jones were made aware by you that you had these
communications that this type of story required a particular
on camera interview about being sexually abused when underage by 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 but she could not identify the girl and, in any case, Glitter is already on the paedophile register."

Now, that was as an answer to your question:

"Everything we got was from the same women the police spoke to, was it not?"

The answer appears to be, "Not quite"?

A. Yes.

Q. Do you agree?

A. I agree.

Q. It is not the very clearest answer to your question, you might think, but he does say that you did have information, or Newsnight had information that the police didn't have.

A. And with hindsight I should have read this e-mail much more clearly.

Q. Because you had found another victim?

A. Because the -- you know, because he's clearly telling me there something that should have alerted me to not repeat the error that I eventually made in the blog which, um -- so I should have read that -- the second
paragraph of that, much more clearly.

In mitigation I would say that this is 10 February.

There is no active investigation. I'm reading this in
the context of replying to a press enquiry, unaware of
what is going to unfold down the line, so I think
I would have just read the first paragraph and been --
and took the first paragraph from that, and I didn't pay
enough attention to the second paragraph.

Q. What about the last sentence? Why does the fact that
Gary Glitter is on the paedophile register, what does
that have to do with it?

A. Because I think if you are going to -- I mean there are
in fact no BBC guidelines about when you have a kind of
moral and civic duty to inform the police of things that
you have. The only guidelines are about when you have
some unpublished material that the police are asking you
legally to turn over, but with PACE orders and stuff
like that.

Q. So it is reactive, no proactive, in other words?

I think we discussed this last time -- maybe we didn't
with you -- the BBC guidelines, there are guidelines, as
you say --

A. There is no guidelines --

Q. -- if the police come knocking at the door, "We think
you might have X, can we have it?" There is a guideline
Q. In any event, the quote from the Newsnight editor then gets hardened by this stage, yes? The BBC now has that, so it can now say in its response to press queries, "The BBC's position is X, Y and Z" and then they add at the end:

"Peter Rippon, the editor of Newsnight has said ..."
And that is it.

Then you go to 127, please, and then Meirion Jones sends you quite a long email in which he has done a bit of digging into Miles Goslett. Did you ask him to do that?

A. No.

Q. Why do you think he sent you this email?

A. Er, because he was aware that there was clearly a lot of leaking going on, so he wanted to assist me with an understanding of where it might or might not have come from, I would guess.

Q. Now, the first thing he does in this email is to suggest to you that he's confident that hadn't been talking to anyone at Newsnight. Well, hang on, is it:

"I have looked at Miles Goslett's claims, we know he is linked to .... but I think he has either multiple sources or someone with access to high level BBC gossip. I am confident he [probably Goslett] has
not been talking to anyone at Newsnight about Savile."

Then he says:

"The only line he wouldn't have got from that is the
Mark Thompson one. Obviously we are most aware of the
two the Newsnight knocking stories and there are obvious
suspicions about where the first one came from."

What does that -- what's he getting at there? What
did you understand --

A. I don't know. Do you mean is he referring to The Mirror
story?

Q. Presumably he's referring to The Mirror story, but the
obvious submissions about where the first one came
from --

A. I have no idea.

Q. -- does that mean anything to you?

A. No.

Q. You sent this on to -- well, first of all at 132 you
replied to Mr Jones saying this was, "Thanks, useful".
And then you sent it to Steve Mitchell, page 136, and to
James Hardy. And you say:

"Meirion's work, after I asked him who he thought
had leaked."

So if that was the question you had raised with
Jones, what did you think the answer was?

A. I can't remember asking him the question. So, um -- so
I don't know what motivated me to ask him that question.

Q. Right. Let's assume, as you say, that you did ask him the question. His answer is the long email we've just looked at. I find slightly hard to detect what the answer to the question is, from his email. You sent an email back saying, "Thanks, useful". I don't know whether you really did find it useful, but can you help me to interpret Jones's answer to the question you apparently asked?

A. I don't quite know what you are driving at.

MR POLIARD: Isn't the inference -- I might be wrong on this -- that you asked him who he thought had leaked, with a pretty strong background view that it was probably him, and this is his attempt to say in a slightly obscure way, "It wasn't me, and here's a few sort of suspects and lines". And you passed the message on to Steve Mitchell, both of you with tongues firmly in cheek?

A. Yes. I couldn't put it better myself.

MR MACLEAN: Right. In fact at 136, you didn't just copy to Steve Mitchell Mr Jones's response about Goslett, which runs from 136, 137 to 138, but also in fact included in that email chain, if you go to 138, is Mr Jones's answer to your question which includes -- the one we looked at earlier, with the two paragraphs, the second paragraph
that we are planning to put on air, so I think we look
at it in a different context.

Q. Were you aware, at any stage, of an email to Newsnight
from somebody called Susan Thompson?
A. Not that I can recall.

Q. Go to 168, please. This is 10 February and this is an
eemail from somebody called Susan Thompson to
Newsnight Internet. Can you help me with that email?
A. That's -- yes, it's a public -- it's an email address
that people who want to email Newsnight collectively can
email. Anna Bolton is my PA who monitors material that
is sent to that address and forwards it to people whom
she thinks it is appropriate to forward them to.

Q. Do you remember if it was forwarded to you,
Susan Thompson? We can see Anna Bolton sends it to
Meirion Jones, at the top of the page, on 13 February.
And you can see, if you go over the page to 169,
that Meirion Jones follows it up.

A. Okay.

Q. Do you see?
A. Yes.

Q. Then if you go to 187, you can see that Meirion Jones
and Mark Williams-Thomas are still in contact, one with
the other. Do you see?
A. Yes.
Q. And in fact Meirion Jones tells us that he passed the
Susan Thompson information along to
Mark Williams-Thomas?
A. Okay, I was not aware of that.
Q. Does that strike you as sensible, appropriate, inappropriate, odd?
A. I mean, well I mean if he felt that we were no longer doing the story, then if he's helping out a colleague then I don't think there is a particular issue with that. But, I'm surprised that he -- it wasn't raised with me.
Q. I think Susan Thompson eventually features in the ITV documentary. Are you aware of that?
A. I am now, yes.
Q. So there wasn't any discussion in Newsnight about, "Oh, Peter, somebody else has come forward..."
A. No.
Q. "... Perhaps we can have another look at the Jimmy Savile business"?
A. No.
MR FOLLARD: Can I just ask, I'm not sure whether you answered the question, did you see that Susan Thompson email?
A. I can't recall seeing it, no.
MR MACLEAN: Do you remember that there was a --
A. It is frustrating to see that. I just want to -- it is frustrating because I wasn't aware that ...

Q. We're about to career ahead as far as April into Mr Goslett's Freedom of Information request, and then we will come to The Sunday Times and the blog in October. Richard, is it time for a short break?

We will have a quick break. Ten minutes.

(11.20 am)

(A short break)

(11.40 am)

MR MACLEAN: If you still have bundle 5, please go to page 218. Mr Goslett made a Freedom of Information request of the BBC in April of this year. That was considered in some considerable detail by the BBC over the next month or so. Were you involved in that to some extent, or not?

A. I was aware of it. But my view was that things that are for the purposes of journalism are not covered by the Freedom of Information Act. So I didn't think it was going to be an issue.

Q. You see there are three aspects to his request. The first is that he wanted written material, produced between December 2011 and March 2012 by several people including you, which touched upon any matter relating to Jimmy Savile. Secondly, a list of meetings concerned
strength of the allegations, it wasn't just about the
CPS angle, which, as I think we will come to later, has
been confused. I think that has become problematic.

Q. Let me just make sure I understood this. What you are
saying is that as we saw, back in the "Reflecting
overnight" email on 30 November, what became the
ultimate key, or fulcrum on which the question of going
ahead or not going ahead turned, was the CPS old and
infirm versus not enough evidence point. But -- but
what? But --

A. Yes, that's true, because I wasn't comfortable that the
strength of the allegations on there -- the strength of
the testimony on its own would -- was something that
I could put on air without this kind of corroboration
about the allegations about the CPS. So the CPS becomes
the key but I'm also aware -- I think people -- that has
been misinterpreted -- think that I was only doing
a story about the police investigation and I was not
interested in the substance of the allegations as well.
That's the point I'm trying to make.

MR FOLLARD: Just for clarity, if that first answer had been
shown to you -- I don't know whether it was or wasn't,
in the end -- you would have said, "That is too focused
on one part of the story, I actually made my decision
not only on that, but also on my judgment of the
strength of the allegations?"
A. Yes.
MR POLLARD: Okay.
A. Well, I don't recall seeing this, so I don't think it
was shown to me.
MR MACLEAN: I'll show you in a minute what you did see.
I will come to it. I will show you, because it is not
entirely clear to me what you did see. You saw an email
with some response, but whether you saw these answers to
the questions, I'm not sure.
A. I don't recall seeing this.
Q. Then question 2, that's about Mark Thompson and
Helen Boaden.
A. Yes.
Q. Then number 3:
"Since December 2011 has anybody from the BBC ever
been in touch with either Surrey Police or the CPS or
any of the women Newsnight interviewed."
Number 4:
"Internal inquiry, who made the decision?
"This was a purely editorial decision taken by
Newsnight."
Are you comfortable with that as an answer, S?
A. Er, yes. It was a decision taken by me, yes.
Q. 6:
will go from James copying their legal department, the
to editor and group managing editor. It has been through
the lawyers and HBSN. Hopefully it all makes sense."
And you say "all fine by me".

I'm afraid we don't have the answers to the specific
questions, but what we do have is the response email at
349.

A. Yes.

Q. But you do see that the response at 349 in the third
paragraph does say:

"We were pursuing a particular angle relating to the
CPS/Police which we were not able to substantiate and
which was therefore not broadcast."

A. Yes.

Q. That is the same line to the answer to the question that
you qualified a few minutes ago.

A. Yes.

Q. So --

A. I should have --

Q. It is true, you would say, would you, that you were
pursuing that angle, and that was --

A. And the fact that we were unable to substantiate it was
the moment I decided not to broadcast.

Q. So that's not the whole story?

A. It is true, but it's not the whole story, yes.
of day, would say that you were pretty seriously
underplaying -- even on the facts that you knew -- what
the case was. I mean, "More sexual harassment than
assault", sort of takes out of the equation of fact that
everybody accepted that these kids were underage. What
are your feelings about that email now?
A. It's clearly written in frustration at this story not
going away. And, um, I would have phrased it more
accurately had I known it was going to become subject to
an inquiry such as this.

MR POLLARD: Okay.

MR MACLEAN: Leave aside the inquiry such as this for
a moment. It is obvious -- maybe it's not obvious, but
The Sunday Times is now pressing, other broadcasters are
going involved: did you go back and look, for example,
at the material that Newsnight had gathered, the note of
the interviews and the web memoir, to remind yourself of
what the facts were? Because you have been operating
really from memory from the beginning of the year,
hadn't you?
A. No, I didn't do that until I wrote the blog.
Q. We will come to that. So you are still operating, in
these responses, from your recollection of what had gone
on, rather than going back to check what you had?
A. Yes.
Q. What about Liz MacKean and Meirion Jones, who knew at least as much about the story as you did, and probably more, for good reason? One thing you could have done was sit down with Liz MacKean and say, "This damn Savile stuff is not going away, can we sit down and see if we can agree what the facts were?"

A. We didn't do that until we're -- until much closer to the Exposure documentary.

MR POLLARD: Was that partly because it was a raw subject between you and them?

A. I think potentially, that was -- that was one of the reasons. I think it's fair to say I had my suspicions about what was fueling a lot of the press stories and so, given, you know, my role in this is about managing, helping the press office manage a story that's being broadcast rather than my day job which is doing journalism on Newsnight. I didn't, um -- I think that -- I didn't feel it was appropriate at that time to focus on it in that kind of -- to go back and review it and do all that, I didn't feel appropriate at that time.

MR MACLEAN: You see, for what it is worth, the final response is provided to The Sunday Times at page 366. It is not copied to you at the time, it is sent to a bunch of people at the Sunday Times, if you want to see what went to The Sunday Times --
I read your blog, it doesn't answer all of the allegations made against us. I think we make a problem for ourselves by running away from this story."

Then he says:

"Even though we would be very late starting on it, can I ask you to reconsider?"

So he wanted Newsnight to be dealing with the story on the Tuesday night.

Q. What was your attitude to that?

A. I tried to make a judgment on a day to day basis on what the strength of the story was and what we could meaningfully add to it. And the thing that was difficult was -- I didn't want the programme to appear to be, um, kind of self--- self-pleading for itself, and then there was one particular, conversation, I think it may have been that day, where I had had a telephone conversation with Jeremy in the morning, who was very keen for me to come on my own programme that night and be interviewed by him about it, which I just felt would be very difficult because I'm granted this gift by the licence fee payer to put stuff on BBC2 for 47 minutes a night, and it didn't seem appropriate that I should use that for my own -- to kind of plead my own case. So it was a very unusual and slightly difficult judgment to
make as to what we were doing on the programme, or how
we reflect the story on the programme.
Q. Did you take advice from others about what the
appropriate answer was to the point that Mr Paxman was
raising?
A. I -- I can't recall specifically, but I would assume
I may have spoken to Steve Mitchell about it. I would
have almost definitely spoken to my deputies about it,
because we have a meeting at -- we have a daily
editorial meeting where we discuss what we're doing on
the programme that day. So we would probably have
discussed whether we should or shouldn't be doing it in
that meeting.
Q. I think it might help to jog your memory if you go to
page 204. These are text messages, between you and
Steve Mitchell --
A. Right.
Q. -- on the 2nd, the same day, the day the blog goes up.
In the afternoon, Steve Mitchell, Hewlett, that is
Steve Hewlett --
A. Yes.
Q. -- a BBC broadcaster who does media programmes, who had
called Mitchell about you. And then this one, the
afternoon, 16.38:
"Need you or Helen to sign off the blog."
Why was that? Why did they need to sign off the blog?

A. Because anything -- since Hutton, there is a very strict compliance process around anything which is published by editors in the BBC's name. So anything that I write -- any blog that I write has to be signed off by my line manager and agreed by the press department, which we can get on to if you want. So I'm not allowed to publish anything -- I'm allowed to do anything -- ironically I'm allowed to do anything on my programme between 10.30 and 11.15 that I like and be responsible for it, but I'm not allowed to publish anything written in the form of a blog without it being signed off corporately.

Q. So we have been told -- it has been described to us as follows, the blog. "The editor's blog..." Tell me what you think about this:

"The editor's blog is a site where editors across BBC News explain stories and share their dilemmas and other issues with the public".

A. I agree with that.

Q. "Their blogs are not always overseen or checked by management and I do not believe that the detailed supervision of a blog lies within managerial responsibility."

A. Um, I don't agree with that. I think the --
particularly after Hutton, it was decided -- and
actually I used to write the blog quite a lot before
I was even editor of Newsnight, but it was then decided,
as part of the new formal compliance process, that
anything that we wrote had to be signed off by, um, line
managers/press office.

Q. So if I was to tell you that Steve Mitchell wrote those
words and Steve Mitchell tells us that:
"I do not believe that the detailed supervision of
a blog lies within my responsibilities".
You would disagree with that?

A. Well, yes, I would. And if you are -- I'm using the
word "sign off" there, you will see in that text
message.

Q. Yes.

A. So sign -- I'm using those words because that's what
I understand the process is -- publishing blogs requires
a sign off and that has to mean something more than --

MR POLLARD: Is it written down somewhere, do you think, the
sort of clear rules for this?

A. I can't recall them. It may have been written in the
Neil Report which was written after Hutton. So it may
be explicitly stated in there. But I have certainly --
I mean you can look. I used to regularly write blogs in
the spirit of which you originally described them and
was then, I think, put off -- and I think quite a lot of
editors were put off -- because of the level of
compliance required to do it made it a less, er,
attractive a way of communicating with your audience.

MR MACLEAN: We will come to this particular blog on
2 October. I assume this was no ordinary blog, is that
fair comment?

A. That's fair, yes.

Q. So even if it were right that blogs weren't routinely
overseen or checked by management -- which is not your
understanding, I think, of the process -- but even if
that were true, that sometimes they weren't, presumably
this particular blog was in a rather different category?

A. Er, yes. I would agree with that. I think you can see
from the number of people involved in the email chain
discussing it before it's published.

Q. Yes, we will come to that.

Then it is suggested to you:
"Editors do liaise with the press office on
publishing their blogs"?

A. Yes.

Q. That's the BBC News press office, I think?

A. Yes.

Q. So it would seem it might be said, as an outsider, that
it is a bit odd -- as you say, you are able to put
whatever you want on your own programme, you don’t have
to check with the press office about that, you may need
to liaise with them afterwards, but before you stick
something on this blog, the press office puts its
tuppence worth in?

A. Yes, which is why I think a lot of us who used to write
fairly regular blogs found the process rather more
laborious than it needed to be.

MR POLLARD: Does it also -- as well as being laborious,
does that arrangement compromise, in your view, what the
blog actually is? Because I’m just sort of struggling
to get a clear definition of whether it is, if you like,
part of the BBC’s journalism, in which case it’s within
the, if you like, the editorial circle, or partly in
what you might call a sort of PR area which would be the
only reason why you would have the press office
involved.

Was there a confusion, say, in your mind and in
other editors’ minds?

A. I wouldn’t call it a confusion, but I do think you are
right to highlight that, and I think the fact that it
became more corporate -- it sounds like a negative word,
but the fact that the press office was more involved
does make what I felt the value of the blog, which is
just another means of trying to explain to your audience
and communicate with your audience about the kind of
dilemmas and issues that you deal with as an editor on
a day to day basis -- yes, you did feel that there was
a conflict in that. You will see that there was a real
marked -- I mean I used to try to do something every
week, every couple of weeks, and then I just stopped
because it just -- it just seemed to me to be something
very different and much more formal once the
(inaudible).

MR POLLARD: Did the press office like to get involved, or
like to have their say on it?

A. I mean, it's one of those things that if you ask
somebody and they don't have a -- and they kind of
acquiesce and don't have a view -- I think people feel
they have to suggest something, otherwise what's the
point of them? And I think you can see that from the
way the blog was written, everybody has to say
something.

MR MACLEAN: Just looking on the text message: JP, that is
Paxman, isn't it?

A. Yes.

Q. "JP still pushing to do it tonight. I think we should
consider it."

A. Yes.

Q. So here we are at 20 to 5 in the afternoon considering
Paul Mylrea.

A. Yes.

Q. What's his role in all this?

A. He's the head of communications for the DG, for the corporate centre.

Q. So his involvement is an indication that the very top of the organisation is now involved in this?

A. Yes.

Q. If I could say, perhaps uncharitably, he's the mouthpiece for the Director General; is that right?

A. Yes.

Q. A fair summary?

A. Yes.

Q. So Mr Feeney sends this to you:

"Latest attempt by The Guardian to keep this going."

Mr Feeney suggests a statement that pretty much sticks to what we said before:

"Are you happy with our approach? Essentially we don't unpick our previous statements."

Then it is the same stuff.

A. Um-hm.

Q. You see The Guardian's questions, from Mr Sabbagh, over the page:

"I am told Newsnight initiated investigation in October 2011. Peter Rippon initially said a film would
only be broadcast if it could be established if
Surrey Police had investigated the allegations."

Now that suggests that the first -- initially the
key was establishing that the police had investigated.
Is that right? I mean, is it right that that was ever
the key?
A. No.
Q. "Surrey confirmed this to the team, so passing the test
set." Is that right?
A. That wasn't the test.
Q. Because you hadn't set that test?
A. No.
Q. "Rippon consulted his superiors, a new condition was
introduced to ask the CPS were they did not proceed to
prosecute."
And then on the basis that the CPS said insufficient
evidence:
"On that basis the film was canned, even though
victims [plural] were willing to go on the record."
That is partly right, isn't it? That that was the
reason why the film was canned. That was why it was put
in the can, right?
A. Yes.
Q. Victims being willing to go on the record. In fact
I think the only victim on the record was [REDACTED].

Q. That's correct, yes. Well, anonymously on the record.

A. Yes.

Q. Anonymously on the record?

A. Yes.

Q. Okay. And then we can see the questions that The Guardian asked. You passed that on to Steve Mitchell and he asked, "Do you want to come up?"

A. Yes.

Q. We see the BBC’s line on 1 October, at page 60. In fact this is --

MR POLLARD: Could I just ask a question? You may be going back to this: I just wondered, if we go back to page 11, after that message from Steve Mitchell to you saying, "I would talk to him, emails seem more prone to leak", where there is a pretty clear laying out of Heirion Jones' case, did you talk to him?

A. Yes.

Q. And what was the gist of that?

A. It was a more temperate version of this email in verbal form. Me telling him -- reminding him of my reasons for dropping it and I was particularly, you know, because I don't want anyone to rewrite -- I was very concerned about this whole -- I thought that rewriting history thing -- it was very unfair to make that allegation.
MR POLLARD: Yes.

A. So I wanted to discuss to him that we -- discuss with
him -- I can't remember the details of it, but it was
basically a conversation which, from what I can
remember, was amicable and was reasoned and --

MR POLLARD: In your office?

A. In my office, yes, in Television Centre. At this point
I have two offices, but it was my office in
Television Centre.

MR POLLARD: Yes.

A. So it was a perfectly -- it was a reprisal of what --
why I had done what I had done, so far as I was aware,
so far as I can recall.

MR POLLARD: So presumably the conversation reached the
point where partly he was saying, "Look, you gave the
go-ahead on November 25" with, "Excellent, let's pull
the TX plan together." And then you would say to him,
"That's not an absolute green light because I had other
things in my mind, namely the CPS letter." And you set
that out.

So how did the conversation go at that point? It
seems to me you have absolutely reached the point where
you are discussing his view of the bar that was passed
and your view of the bar that had to be passed.

A. I know this is unhelpful, but I can't recall the details

91

11/417
of the conversation. I do remember us discussing, you
know, the idea that it was -- I do think -- I do think
we went back over this. You know, he need to understand
that the reason I didn't want to run it was for
editorial reasons and these were the editorial reasons,
and he needed to -- he can disagree with it, but that
was my judgment at the time and I reiterated, you know,
that, and I think that from memory he -- again he
accepted that it was legitimate for me to do that.

MR POLLARD: I absolutely get that. The discussion was
about how you judged the evidence. He didn't suggest,
did he, at that meeting, that you were pressured,
either, if you like, internally through the editorial
chain or by wider BBC corporate interests?

A. No. He really -- he didn't, no.

MR POLLARD: Okay, thank you.

MR MACLEAN: Now, did you get to page 60? If you go to 61,
that's the email we just looked at from Paddy Feeney to
you regarding keeping it going. And your reply starts
at the very bottom of 60, being twelve minutes later:

"Paddy, yes, I'm happy. For your information the
account is inaccurate."

And then Helen Deller, a few minutes later, sends
you and Paddy Feeney the email at 60:

"The Sun have been on now."
And she quotes something that The-Sun have said to her about [A]. And then she says, Deller says:

"I suggest highlighting the following element of the statement to them and briefing, if this is correct re the woman, for background. We had no reason to believe that the information was not already passed to the police."

I.e. [A] information. But of course it hadn't been, because she hadn't been to the police?

A. Yes.

Q. Your reply to this email is at 73, "Yes it is the same woman." That was true, it was:

"We had nothing that she would not have told the police already."

A. Yes, because at that point I was under the impression that she had been part of the police investigation.

Q. Yes. Then at 91, an hour later, you obviously had a further thought because you say to Helen Deller:

"Just to add on this, what was alleged about Glitter and Starr was a long way from anything the police would have considered helpful. With Starr it was not even abuse or with anyone underage."

Now, where did that come from? Had you been back to -- had you spoken to somebody or had you looked at some information you had, or was that just a further
A. Sorry, that was just a thought from memory, or it may have been a conversation with Meirion. I can't -- I remember at some point -- sorry, it is so difficult because you are not making notes of every conversation that you are having.

I do remember having a conversation with Meirion about the [AI] allegations and the fact that she'd not accused him of abusing her in the interview that she did with us, therefore the only allegation against [blank] was that he -- excuse me, but he pulled some pubic hair out of his trousers and waved it at somebody, and that wasn't -- and so it wasn't considered that serious. And that the -- you know, that the [blank] allegation was this, you know, she couldn't identify who the person was and, um, therefore evidentially how valuable would it have been? And I think that he said, you know, that he was saying that he thought that they already knew about it -- that the police already knew about the allegation from a separate person.

But, sorry, I can't recall whether that was as a result of that conversation or whether I was just remembering it.

Q. Okay. If you go to 144 --
MR POLLARD: May I just raise one further point? Sorry, to

go back to the conversation that you had with Meirion

after the exchange of emails and "let's talk rather than

email". I appreciate it is difficult, you can't

remember this conversation word for word and why should

you be able to, but when you were putting to him the

idea that you had in your mind that the CPS test was

a key one for you, did he not at that stage, as he might

be expected to logically, say:

"Yes, but the important thing to remember about the

CPS line is we had a brand new witness who had never

spoken to police and who therefore would be, if you

like, outside the importance of that CPS letter."

Because that's his case in many ways.

A. Yes, I can't recall the nature of that conversation, but

had he told me at that point that ] had not

been part of the police investigation, I clearly would

not have written the blog in the way that I wrote it.

MR POLLARD: You would have remembered that?

A. Yes, if it is the day before I would have remembered it.

As I think you can see from my witness statement

I actually then have a phone conversation with Meirion

later on that day where, you know, he uses this phrase

which I remembered because I was -- basically all the

women had been involved in the police investigation.
suggest that these women weren't credible.

A. Yes, I think that's fair. I felt slightly hamstrung when I was writing the blog about how fair it was to someone like [Q] for me to say -- you know, for me to appear to be kind of criticising her or doubting her, particularly in the context of the hundreds of other people I think at this point that were -- that were coming out. And I didn't think it was -- so yes, I did feel slightly hamstrung by the extent to which I wanted to make that explicit in the blog. And also some of the issues I had about the way the testimony had been collected, I didn't want to get into that either because it would have looked like I was criticising my team.

Q. If you go to 155, on 1 October in the evening, 9.30 at night -- which day of the week is this?

A. Monday.

Q. It is a Monday. You had obviously been back at this stage to what you call the original blog. That is the [Q] web memoir?

A. Yes.

Q. And you quote bits of it. And then you say:

"Obviously we cannot second-guess the stories publicly and I have no reason to defend JS but also note she was on Lithium at the time."
Q. Helen and George, he says?
A. Either him and Helen or him and Helen and George.
Q. Was this it, or was there a conversation around this about briefing notes?
A. Er --
Q. Are these the extent of the instructions, if you like?
A. I think they probably are, yes.
Q. When he says:

"It might be a good idea to draft a briefing note..."

Did you understand you could have emailed back and said, "I don't think it's a good idea, I'm not doing it", or was this an instruction?
A. I, er, I couldn't think of a good idea why it wasn't a good idea, if you see what I mean, so I was happy to do it. In fact I was more than happy to do it, because I was quite keen for -- to get -- I felt we needed to get a more -- an account of what I had done written.
Q. What was the timeframe for doing this?
A. He didn't set a timeframe, but he meant now -- I mean he wanted it, so it was kind of something to prioritise and do as soon as possible.
Q. So you replied 20-odd minutes later, over the page:

"Will do by lunch time. I agree it may be a good
story.

A. Yes.

Q. But that would not apply to something that was only
going to Steve and --

A. I agree.

Q. Look at 180, the one you had in mind a minute ago, "For
now it is for internal consumption."

So it looks as if you have picked up on the point
that you appear to be contemplating at 9.11, something
that is going to the public -- and he's, as it were,
correcting you saying:

"No, no no, it is for internal consumption, so the
full version. If this goes on, as you say, we may need
to put an edited version out there. For now I want
Helen and George to know the full story from you."

So by 9.14 it is clear that the first task at least
is an internal, full version for internal use.

A. Yes.

Q. So what you did then was send something to
Steve Mitchell and Helen Boaden at 12.15, page 191.
This is the chain of events.

A. Yes.

Q. What had you done between 8.43 and 12.15 in order to get
to this document? What had you looked at?

A. I went back and looked at the original blog that
had written, and the final statement we got from the CPS were the two kind of source documents I used and the rest I did as best as I could recall, as Steve had requested.

Q. What about ROUGHSAVILE 2, which was the script, if script is the correct description?
A. I may have looked at that. I can't recall whether I did or I didn't.

Q. We can see you went back to the web memoir, because you have the link to it there, don't you?
A. That's the link?

A. Yes.

Q. And then you explain your initial view that it wasn't really a Newsnight story. Meirion then came back, said there was more than one woman and the key witness was alleging the police had investigated it but had dropped it on the grounds he was too old.

A. Yes.

Q. And then you see in the next paragraph, third line:
"The key witness said in her original blog ..."
So this document proceeds on the basis that that's the same key witness?

A. Yes.

Q. So it is the same point we had before?
A. Yes.
it may be you were doing other things as well?

A. Yes, as I said, this is an extraordinarily busy period, an unprecedented busy period for the programme because we are effectively running two different programmes. So it would have been significantly less than that, yes.

Q. I'm struck by the fact that you are asked to do it, "As best as you can recall". You weren't asked, for example, to produce a briefing note making, as it were, damn sure you go back to the source material and getting every detail correct. You are asked to produce a briefing note, "As best as you can recall"?

A. Which is what I did.

Q. Which is what you did. But it is immediately being interpreted or taken to be:

"The detail behind our existing public position; namely that Newsnight had focused on a very specific approach and when this didn't stack up, dropped the project on editorial merit."

Is that in effect not the same telescoping of what the story was really about that you have been critical of earlier this morning?

A. I think you could read that like that, yes. I think you could.

Q. But you didn't -- that didn't set off an alarm bell for you, did it? What we're going to see, I think, is that
going to be a warts and all account of the truth. Is that a fair way of putting it?

A. Not quite. I would be restricted in the way I could describe what happened in order to -- because I wanted to steer away from elements of witness reliability. But I do refer to that in the blog, as you can see. I don't ignore it. It is part of the blog.

Q. Would you say it was your idea to write the blog?

A. I -- I can recall arriving at work about 10 to 10.30 that morning. So this is after having been asked to write this. And bumping into Helen from the press office as I was -- I bumped into her as I was entering the building and we just had a kind of general, "How are things looking today?" And as a result of that conversation -- I can't remember whether she suggested it or whether I suggested it, but from that it became -- so I can't remember whether I specifically suggested it or whether she suggested it, but it was as a result of that conversation, I think I picked up the idea that I could possibly do something, yes.

Q. What did you understand the purpose of the blog to be?

I don't mean the editor's blog generally, but the purpose of this post on the editor's blog.

A. Personally for me I felt that a -- the Newsnight audience could reasonably -- given the amount of
coverage of the Exposure documentary that was likely to happen because it was going to transmit the next day, and there had been some press coverage of why I had taken the decision I had taken -- I felt that the Newsnight viewers would probably appreciate an account from me as to why, when they are watching this Exposure thing wondering why I hadn't run the piece I run -- that they would deserve an explanation of that. That was the spirit in which I agreed to write it.

Q. So the purpose from your point of view was to explain why you hadn't done the piece?

A. To the audience.

Q. To the Newsnight viewer?

A. Yes.

Q. So if I were to suggest to you that it has been suggested to us that you decided to write a blog in order to make it clear that you entirely rejected the allegation that pressure had been put on you to drop the Savile investigation, is that a fair description of the purpose?

A. I mean that was part of it, because there had been significant press coverage the day before, which is why I dealt specifically with those two issues. Sorry, the two issues that the press -- sorry, the two issues that the press kept talking about were whether we were

11/428
Q. Copied to Mr Mylrea:

"After much consideration and consultation with Sara Jones, this is now the proposed line. Any feedback, could you call Jess [that is Jessica Cecil, presumably] or Paul [I infer Mr Mylrea] ASAP."

It is the same point; a number of serious allegations by Jimmy Savile:

"Allegations of a serious criminal nature which only the police have the proper powers to investigate."

So that's really the same point that gets developed into the BBC line.

A. Yes.

Q. Had you been involved in the much consideration and consultation with Sara Jones?

A. No, none at all. But at the point at which this became policy we obviously then did disclose all we had to the police as requested.

Q. Because that was the corporate instruction, as it were?

A. Yes.

Q. That was the BBC's position?

A. Yes.

Q. Let me just show you at 341 -- it touches on something that you mentioned earlier, the same day, just after the blog has gone up, Helen Deller to Paddy Feeney at the bottom. They are trying to track down what the
you to Steve Mitchell at 7.30 that evening:

"I will get a script to you this time tomorrow.

I just need to iron out a few bits with Meirion first.

He's interviewing a second victim on camera tomorrow".

So that's what we have. Then the next thing we have

in writing is the one at 214, which is what I call, "The

pondered overnight email --"

Q. -- at 9.37 the following morning.

MR POLLARD: I just wondered whether, having looked at those

emails last week, anything had come back to you about

the course of that day and whether you did have

a conversation or you sort of followed it up in any way

with Stephen?

A. I pondered this because I wasn't aware of the email when

it first -- the --

MR MACLEAN: The 118 one?

A. Yes, the 197. If I had felt the conversation was

significant I am sure I could recall it. But

I genuinely can't. I thought when we spoke last time

you made a very good point you said -- I said it was

Meirion's account, but you said, "But you don't

attribute to him." I was pondering that afterwards but

that is very routine. I think if I had attributed it to

Meirion it would have made Steve think that I was
distancing myself from that judgment.

So what I'm doing -- they send me the script,

I think, the day before. This is the period at which
I'm trying to make a decision about -- and when I'm
engaging slightly more fully with the material I have
and the judgment that I need to make, so I'm kind of
exploring the editorial terrain as much as possible.

And I mean, I -- I think it's a particular
characteristic of Stephen that whenever -- his mantra,
you know, is that editors edit, and it's very clear to
me that that's the judgment he wants me to make. I
can't think of any occasion -- I can't think of any
occasion where he's -- where I've felt that he's taking
a particularly strong one way or the other view on
a story, and --

Q. It was the same day that you got the script.

A. Was it?

Q. You remember 143, 9.51, ROUGHSAVILE comes around. And
then you remember 11.30:

"If you haven't looked at ROUGHSAVILE, ROUGHSAVILE 2
is better."

Do you remember? 159? Same bundle, page 159. So
143 is 9.51 from Meirion Jones to MacKean, Livingston --
A. Okay, all right.

Q. Then 11.30:
"If you haven't read the last draft yet, read this one."

A. Okay, so I then --

Q. 11.30. Then within two hours, you send the email to --

A. Yes.

Q. -- Mitchell.

A. So what I have done is I have just kind of summarised the script and sent it to him. I mean, the likelihood is we would have had a conversation but as I say I can't -- I can't recall the substance of that.

MR POLLARD: Okay.

A. I'm trying to -- I can't think what else to say.

MR POLLARD: I think what you are suggesting, if I may say so, is you did ponder it overnight, without a conversation, it would appear, with Steve Mitchell. You pondered it overnight and came to a slightly different conclusion.

A. No, I think I -- I mean I probably did talk to Stephen. What I'm trying to remember is would that conversation I've had with him, how would that have -- did that affect the decision that I took? I can't recall, so I can't make that judgment. But I would -- I would counsel, though, don't -- it's quite normal for me to kind of -- not play devil's advocate, that's not the right phrase, but to kind of express stories in
with Meirion Jones on the 1st. He told you then, did
he, that all the women -- he was confident all the women
had been spoken to by the police?

A. Yes, I called him that afternoon because the press
office were pushing me because this was one of the
allegations that was repeatedly getting asked of them.
So I called him just to reacquaint myself with the
explanation as to why we -- he felt very strongly
throughout that we didn't have any evidence that should
have been handed over to the police. And as part of
that conversation I -- I very -- had a very firm
recollection that he said -- I mean I said to him, it's
true, isn't it, we didn't have anything because all the
women had been part of the police investigation anyway.
And he said, basically that's right, and anyway we
didn't have anything that would have been of evidential
value, or something like that. And I remembered that
very clearly, which is why I put it in the blog.

Q. He said basically that's right? He says that on
1 October, he again told you that we had more
information than Surrey Police had in 2007 to 2009.
I think there is a divergence of --

A. There clearly is. Because after this he and I then had
a conversation with Liz to try to establish what the
situation was. And he, as far as I was aware, I felt he
changed the account that he had given me on Monday to --

Q. Right.

A. -- to say that we -- to agree with Liz.

Q. Could you have misheard or misinterpreted at that

meeting? Because it appears to have been a key point of

Mafrion's, I think, all the way through, or for a large

part of this journey, shall we say, that the key plus

about -- was that she was new, if you like, to

the story. That she hadn't been -- that she hadn't been

talked to by the police back in 2007.

A. I think you can see from a lot of the email chain why

I was under that impression. I think part of that is

because the ambiguity in some of the emails that he has

sent to me. Had he told me that that wasn't the case,

then I'm confident I would have remembered it. The main

reason being in that the claim that all the women had

spoken to the police is an explanation for the

conclusion that we didn't have anything evidential --

which we can see from the subsequent emails -- that we

agreed on.

Had I not been left with that impression based on

that conversation I had with him, I would have simply

just used a different explanation. So I was -- I was

very sure and I was struck by when he, um, challenges

the truth of that, he doesn't -- he just says it's
"I can see that the producer, Heirion Jones, the reporter, Liz MacKean and the press office, Helen Deller, were copied in and Peter undertook to brief the press office on the correct line to take. So far as I was concerned the blog had addressed the main issue; that is the reasons why Peter dropped the investigation and any dispute about other details in the blog was being addressed with press office involvement.

"That continued to be my view for the rest of the week. I didn't hear any more on the subject and on Friday 5 October I asked that my weekly email message to staff include a link to the blog. I remained concerned however about what I now realised was a fractured relationship between Peter Rippon and the producer and reporter. At this time, and in the following days, my main concern was the argument over why Peter had dropped the investigation."

Now, what about it is one thing to brief the press office to stop using the line, but what about correcting the blog?

A. I should have corrected it.

Q. Why not say, "I want to correct my blog"?

A. Well, the reason I didn't -- I should have, and the reason I didn't was that -- as you can see from the emails -- that I felt that the substantive point about
evidence of value to the police, however you want to
phrase it, still stood. So that particular error was --
didn't undermine the conclusion of the main point I was
trying to make in the blog.

So that was the strategy that I proposed at the
time, but I accept I should have corrected it.

MR POLLARD: Can I just ask a question, just an observation
really, I was just staring at that sentence on page 80:
"We're agreed that we have never had any information
about anyone alive that the police should have been told
about."

I suppose with the welter of questions that have
been asked about this whole matter, that has certainly
been challenged, hasn't it, that line? In other words,
that perhaps that should have been -- that was not
something that journalists sitting together or
individually should have decided. And that by this time
in October, before making such a clear assertion as
that, perhaps either the police or a lawyer should have
been spoken to?

I mean there was information about [redacted], and
arguably about [redacted]. Whether it had strong
evidential value or not, there was certainly evidence
that, I guess, on the face of it, police should have
been told about, wasn't there?
earlier this week. I was happy with his decision then
and I remain so now".

Q. And you wanted him to change that, to harden it up, if
you like, at page 67, to "supported". I think that
change didn't get made, is that right?

A. No, but I didn't feel strongly about that. I mean
I was --- I don't think there is a hugely significant
difference between the two words.

Q. Okay.

Then page 84, if you put 9 away and go back to 8,
Paddy Feeney to Helen Deller on the 3rd:

"We are truly sorry for the ... She says she's
deceived, angry, et cetera, but no direct accusation."

That is the reference to [A]

"How about we are truly sorry for the disappointment
and any distress caused by [A], and other contributors
by not broadcasting their stories. The BBC decided in
the end that we couldn't reach the standard of proof we
needed to broadcast. That was the only criterion."

Was that line developed by reference to you at all?

Is that how you would have put it?

A. I can't remember whether that was done in consultation
with me. I may well have let that go, though, if I had
been shown it.
"We can be much stronger on the second line to
The Mail. We believe the allegation being made about Mr
Glitter was already known to the police. We were also
unable to identify or trace Mr Glitter's alleged
victim."
That first sentence, you say that's what
Meirion Jones told you?
A. Yes.
Q. So at 134, which has been redacted and we can't see all
of this, but you were happy with those responses,
including the one to The Mail we see at the bottom of
the page.
A. Yes.
Q. This is all moving quite quickly. You see:
"I need to get ITN's statement to them in the next
hour."
These press enquiries are all rush rush, aren't
they?
A. Yes. I think from what I can recall ITN ran the
interview with [REDacted], who they can't include in the
Exposure documentary without giving us any right of
reply, at lunch time, so the press office was quite keen
to make sure they did give us a right of reply in an
evening broadcast.
Q. David Jordan you mentioned. If you go to page 192, if
you look at the bottom, in the evening, re Media Show.

So he has been on The Media Show, I think, by this stage
and he says:

"Thanks. I hope I didn't misrepresent your position
in any way and it was sense. Happy to do Newsnight
tomorrow, once I have watched the programme."

Then you say:

"Your defence was great."

I suspect that might have been to -- you might not
really have felt that his defence was great, is that
right?

A. I, um -- I was pleased that he did The Media Show
because I think there was some discussion about whether
I should go on The Media Show, which in the context of
me feeling that I was being slightly paranoid, maybe
not, about being hung out to dry, I was quite resistant
to the idea of me doing The Media Show because I didn't
want to be -- I felt that other executives needed to
engage on the story. So I was wanting to be supportive
of him doing it for me.

Q. Right. We can see what you said to David Jordan. You
were just trying to slightly readjust his sights, as it
were?

A. Yes.

Q. In case he gave any more interviews?
I think on 8 October, and gave an interview in the 10 past 8 slot. Do you remember? Did you hear that?

A. Yes.

Q. What did you think when you heard that?

A. I remember listening quite attentively for how he would describe his view of me. And I can't remember the language that he used but I was reassured by it. I don't remember what phrasing he used around the issue of what the nature of the investigation was, I'm sorry.

Q. Then in bundle 9, at page 366, by 7 October -- this is -- I think it is the second page. I am afraid I can't remember what the second -- you see the 7 October, 8.40, a second page?

A. Right.

Q. I think this is -- I'm not sure what it is. But what I want to show you is the middle of 366:

"Thanks Paddy. Paddy, not sure how to deal with this now, think there needs to be disciplinary, not sure we can keep referring people to blog. Let's have a chat a bit later. Am amazed by the brazeness of his briefing."

Then at 365, Helen Deller:

"May need to find out if there is any truth in Panorama doing a programme. Meirion had emailed the whole of Newsnight telling them that's where he's
A. This is what I found quite frustrating at this point, because it became clear to me that once Steve Mitchell called me, which must have been about this time -- I can't remember if it was -- it was after the MacQuarrie process had started, which was the result of that email that Meirion sends George on the 5th.

After that process started I get a call from Stephen Mitchell saying, "Two people from your team are unhappy about some of the public statements being made. Ken MacQuarrie is going to talk to them. It's not a complaint." But he couldn't tell me whether it was about the blog or whether Ken MacQuarrie was going to talk to me or -- at this point I realised that I needed to change the blog. Because I think if -- if this has become a big corporate investigation -- I'm assuming it was about the blog, so I start saying, "I need to change the blog", but the issue I have is that unless I know precisely what it is that is being disputed in the blog, I can't change it. Ie until Ken MacQuarrie tells me the detail of what is being disputed, I felt I couldn't change the blog because the -- you know, the prospect of having to change it twice was not something I was prepared to contemplate.

So at that point I feel I get snookered, because I'm saying, "We need to change the blog", but nobody is able
to inform me or give me the information I need to be
able to do that. So that's either on the 5th or the
7th, I'm not sure precisely when Stephen calls me.

Q. Right. Then Steve Mitchell told us that he had met
Liz MacKean on 8 October. Liz MacKean, having
complained about the blog, the "utter bollocks" email
and so on. He then basically, what it comes to is he
says that once he heard that Ken MacQuarrie was
investigating the points made by MacKean and Jones about
the blog, that it was now a corporate process as he put
it and he -- these were my words to him -- he
essentially downed tools so far as any taking it forward
from his end was concerned. It all became a matter for
the corporate BBC and it then proceeded eventually to
the 22nd when corrections were made?

A. Yes, and from my perspective -- I mean he's my line
manager so he's who I'm talking to, and we probably
had -- we certainly had two, it was probably three phone
conversations where I'm saying, "Do you know what this
MacQuarrie process is going to be, because I need to
know whether he's going to talk to me and if I'm going
to change the blog I need to know what specifically is
being disputed."

Q. Right.

A. That -- sorry, go on.
he was not put under -- brought under any pressure from
any of the management chain, in his own division or
elsewhere, to make a different judgment than the one he
made."

Then he is asked, "Was it is good call?"

"With the benefit of hindsight I think we could all
wish that Newsnight was able to go as far as ITV went,
but on the basis of what he knew at the time I totally
support his judgment. You can't use hindsight."

And then he's asked about the rumours about
Jimmy Savile which he says he hadn't heard at the time.

A. Yes.

Q. One might think -- one can see why you were buoyed up by
what was said by the Director General.

A. I was reassured by that, yes.

Q. Bundle 11, now. We're trotting through.

On the 10th there was a lunch. Lord Patten, I think
there was a Q&A thing at a lunch, do you remember that?

A. I was not there, but I remember seeing the transcript of
it.

Q. He was asked various questions by members of the print
media, I think?

A. Yes.

Q. If you take this bundle, page 74.

Mr Webster hasn't given up. He's asking some
Q. There weren’t any other people close to the
investigation other than Liz MacKean and Meirion Jones?
A. No.
Q. No.
A. But I asked them -- Liz volunteered to me that neither
she nor Meirion had leaked that.
Q. And you were pretty upset about that, weren’t you?
A. I was very frustrated, because -- I keep using this word
“frustrated”, but I had spent at least a week trying to
get the BBC to engage with me on what it was in the
MacQuarrie report, the MacQuarrie investigation, so
I could then take steps to correct what was in the blog.
But I had heard nothing back at all. So to read it in
The Guardian was a little bit frustrating.
Q. And your frustration is evident from page 407. Or at
least reportage of your frustration. We see that the
culprits of that -- if that is the right word -- are
identified by Helen Deller as:
“MJ and LM. Pete is v upset, have done best to calm
down.”
That is your frustration evident, isn’t it?
A. Yes.
Q. Now Mr MacQuarrie’s draft file note is in bundle 11,
page 191. On the 10th. You didn’t have any contact
with Mr MacQuarrie at all?
A. Um, yes, I think that was caused by the emergence of the

[CA3] interview which Liz MacKean had used
in a clip form on the programme.

Q. It was going to be on that night?

A. That night. So that had emerged during the day and
I was then slightly taken aback by the fact that this
interview existed. And I didn't know, until that point,
that it had been recorded. So, er, I think that's
probably what is fuelling that.

Q. Except for the reference on 29 November email to, "Two
on tape".

A. Yes. Well that -- but, yes, although I -- yes.

Q. Which is inconsistent. If you had ever known, you had
forgotten?

A. Yes.

Q. Newsnight dealt with the story that night. Did you know
about Mr Entwistle's gold, silver and bronze structure
for dealing with the Savile story?

A. No.

Q. So if you look at 368, at the bottom:

"George would like a gold, silver, bronze structure
to coordinate work on the Jimmy Savile allegations."

And then the members of the gold team, George is the
gold commander, Roger Mosey is the incident commander.
Lucy Adams, she's a HR person, is she?
A. Yes, because I'm operating under the assumption that
Stephen and Helen -- they, being my line managers so
they are the people who I communicate up the tree
through. So this is yet another attempt by me to deal
with the issue of the blog and it needing to be
corrected.
Q. Did they ask you to do this?
A. No, I volunteered it, because I was very concerned that
it needed to be corrected.
Q. You say:
"In order to assist the corporate decision."
So you obviously knew that there was --
A. Clearly, because within -- quite soon after the blog was
written it became the main corporate defence of the
BBC's position.
Q. So then you set out why you wrote what you did. We can
read what you --
A. Yes.
Q. -- say. You make the point that:
"It wasn't until her ITV interview last week after
I wrote my blog that I was aware that she was saying she
had not spoken to the police. None of this undermines
the reasons I decided to pull the piece, which, as
I make clear, was about the police investigation and
having to weigh issues like credibility of testimony."
And this is in quotation marks:

"Basically all the women we spoke to had spoken to
the police and anyway we didn't have any evidential
about anyone alive that would have been useful to the
police."

You are saying that was a direct quote from your
discussion with him on 1 October?

A. That was the piece of that conversation that I seared
into my mind, yes.

Q. And then you set out the bit in the blog.

A. Yes.

Q. Then you say at the end:

"I hope this will assist the process in deciding
what we may need to clarify on the blog."

What happened, so far as you are aware, to that
e-mail? What was the consequence of it?

A. I have no idea. I have no idea what happened to that,
what was done as a result of that email.

This is a Friday, I think, yes? Or is it not,

I don't know.

Q. I don't know.

A. Anyway, it doesn't matter. I --

Q. Yes, it was a Friday, yes, Friday lunch time?

A. Yes. So I -- I don't know what they did with it. But
it is clear what I'm trying to do.
Q. Right?

A. Certainly in those last three days I got the distinct impression that I was being set up.

Q. Right. What gave you that impression?

A. Well, the fact that it suddenly became imperative that I had to correct my blog, when, um, I had been asking to do that for a significant number of days and nobody had raised it -- engaged with me on the need to do it. And then the sequence of events -- it just became apparent that, um -- that that was what was happening, I felt.

Q. And the correction of the blog then, that was a function, was it, of the Director General's appearance before Parliament?

A. Yes, so I got a call on the Saturday morning. This is the appearance is on the Tuesday. So the Panorama right of reply is in, I got a call on the Saturday morning from David Jordan saying, "You need to rewrite the blog". Me saying, "Yeah, I do need to rewrite the blog". He and I then discussed the best point at which I should do that. He felt it needed to be done before George appeared before the Select Committee. I agreed and said I can do it for Monday morning. I then had a call on Sunday morning -- and David was going to help me with the wording for the correction --

Q. Just give us the dates then. The Monday is the --
MR POLLARD: 22nd.

MR MACLEAN: Monday is the 22nd.

3 A. Yes, so I had the discussion with David Jordan on the 20th in which we decide yes, I need to rewrite the blog, we will do it for Monday morning and David will help me with the wording on Sunday afternoon. I then get a call from Helen Boaden on Sunday, kind of midday-ish, saying: you have to rewrite your thing in the next three hours, which I thought was a little bit hostage to fortune because, you know, my main concern through this period is if I'm going to issue a correction, it need to be definitive. The more time pressure we put on making that judgment, the more the risk is it won't be definitive.

I then got a call an hour later from the head of HR for News saying that, um, it was likely that I was going to have to come off editing Newsnight because of what had been written in the blog. I then got a call --

Q. Because of what was written in the blog?

A. I think -- I can't remember whether he actually made that connection at that point.

Q. Right.

A. But I certainly said, "Are you asking me or telling me you want me to step aside"? And he said, "Well, if you don't agree, I'm going to tell you". So it felt like --
again it felt like there was something going on, of
which I was being manoeuvred into a position that I was
not particularly comfortable with.

Q. And the head of HR for News, who is that?
A. Richard Thurston is his name.

Q. Right.

A. Do you want me to carry on with the narrative?
Q. Yes, I do, I think, yes.

A. So then I -- I then contact Paul Mylrea and say, "What
corrections do you want me to make?" He doesn't seem
very sure. So I suggest four corrections. He says,
yes, do that, but you must do it by 5 o'clock. That
again creates a problem because David is not able to
help me with the wording, which I'm very keen to get
right this time.

Then I get -- whilst we're working on the wording,
I get another call from Steve Mitchell is saying, "You
are being moved aside, it is because of what you are
doing for the blog and there is a discussion going on as
to whether you are going to -- the correction is going
to be issued by you or whether it is going to be issued
corporately."

I then sent the suggested corrections that we came
up with to Paul Mylrea at around 5 o'clock as discussed,
and then didn't hear anything as to what they were going
to do with it. I then got a call from the press office
saying that the Daily Mail were asking whether I had
resigned. That was the Sunday.

Q. The 20th?
A. Yes.

Q. You had a long conversation I think on the 17th with
Helen Boaden, is that right?
A. Possibly. That's the --
Q. The Wednesday, I think.
A. Okay.

Q. In the middle of the week, do you remember?
A. Possibly.

Q. And she was concerned about how you were bearing up
under what must have been a considerable strain, amongst
other things?
A. Okay. I had a number of conversations with Helen. So
it is quite likely I did have one, yes.

Q. You got a telephone call from Chris Patten, I think?
A. I did get a phone call from Chris Patten, yes.

Q. What did he say?
A. He was concerned because he had heard that a Sky
television crew had tried to doorstep me outside my

house.

And
Now it is a hypothetical question because you haven't, but it is just a final opportunity for you to say what you might want to say about whether you think you should actually have seen the interview?

A. I -- I don't think seeing the interview -- I don't see why seeing something with an eye makes it -- gives you any more help in making a judgement about whether something is true or not. I don't believe that, I really don't. I think the kind of concerns that I had that I was weighing would not have been swayed by having sat down and watched the interview.

MR POLLARD: And yet you do have a view that vulnerable people should be spoken to face-to-face rather than on the phone, that being a personal, "look in the eye" view. Isn't that comparable?

A. That is a way of collecting testimony that's considered more -- that's considered stronger. I suppose, I think that's a fair -- I think that's a fair point. But I have seen the interview because I saw it on Panorama and it didn't change my view of whether I had made the right judgement or not.

MR POLLARD: No.

A. It didn't.

MR POLLARD: Okay.

Peter, thank you very much for taking the time to
RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH MARK THOMPSON
A. Yes.

Q. -- and part of the News organisation doing an investigation into that person?

A. Yes. And that is the kind of thing which potentially, although it raises questions because of what Nick said, which is how do you ensure separation, one of the things which in principle this list, um, was introduced to avoid would be two different parts of the organisation doing just so, a tribute on -- I mean, the theoretical danger being BBC1 transmits a tribute programme while BBC2 is transmitting an exposé about the same person.

Q. Yes. So we found this BBC document, which is applicable to, I think, specifically independent producers doing programmes, the BBC Business and Production Guide, and what it says under the heading, "Managed Risk Programme List", is this:

"BBC Vision (of course this is in the context of BBC Vision) maintains a Managed Risk Programmes List. You will know that your programme has been put on this list, either because this will be specified in your commissioning specification or because your commissioning executive will have informed you. The Managed Risk Programmes List ... (Reading to the words)... or reputational risks, rather than regular concerns around health and safety, competitions, voting
or awards which are managed through different procedures."

And then it explains:

"Intrinsic risk is, for example, a legal issue, or a very difficult editorial policy decision. Secret filming might be an example."

And then reputational risk:

"This would be any programme which, although not ostensibly about a difficult topic, could damage the reputation of the BBC."

Presumably that is accurate. That is the BBC's own definition of the Managed Risk Programme List?

A. I suspect each division potentially would have come up with their own way of describing it. I'm not sure -- I don't think that is necessarily a standard text about the managed programme list, but I think it's a fair -- it's a fair summary. What it doesn't include, and I guess this is more of an internal manner than an external manner is the point about contention or conflict between -- because a further benefit of a list is, as I have said, that it gathers information from across the entire BBC. But nothing in that piece you just read out from Vision is inconsistent with my understanding of the list.

Q. If we look at, as it were, the ones that were on had
highest level of the list last year, we can see that
there is quite a broad range of type of risk. For
example if you go to page 009 --
A. Yes.
Q. -- which is the second one for BBC2, there is something
called The Space Dive. This fellow who recently jumped
from space to earth, you may remember?
A. I do, yes.
Q. You see the risk is, "Commercial risk, product
prominence"?
A. Yes, Red Bull.
Q. And then there is health and safety and there is a legal
risk, all in the same programme.
A. Yes.
Q. There are all sorts of examples, but if you go to
page 11 there was something about Wikileaks and there
was a reputational and a legal risk.
A. Yes.
Q. Do you see for that one, Wikileaks, the transmission
date slot in the third column from the right is, "To be
confirmed. Early 2012".
A. Yes.
Q. What was your understanding of how close a programme had
to be to transmission, or a piece had to be to
transmission to get on to this?

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A. I think -- I think the answer is that -- that that is not -- that wasn't really a parameter. The important thing is you have to -- in this list is you've got a BBC team who are sufficiently far advanced with a -- a programme, be it an investigation, be it a comedy or a drama, there is a very high likelihood or a high likelihood that is going to happen and it raises issues.

In a sense I think it is worth saying that the issues are potentially -- almost all of the issues become potential issues, even when the programme is still in preparation and work in progress. So potentially an investigation -- when I was editor of Panorama we did an investigation about Robert Maxwell which took well over a year to get to air. And we didn't know until very, very late in the day whether or not we were going to be able to broadcast it. It was a very difficult investigation and the concerns around defamation particularly were very high --

MR MACLEAN: He was a litigious character.

A. I have the writ still. He jumped off the yacht a few days after he gave me the writ. But the point is, I would say an investigation like that, a set piece, long range, I would expect to have made it on to the list, even if the TBC was -- had a question mark after it.
In other words, very substantial investigations, um, even if they were very long range, or -- I mean, a television drama can have a lifecycle of two years, but if one is thinking of doing a -- the BBC isn't or wasn't, certainly -- if you are thinking of doing a, um, based-on-history drama about the sex life of a member of the Royal family, past or present, the fact that you have that in development is something one would like to see on had on this list, even if it is years ago, because even at the point of casting or something this could become an enormous reputational issue. So, in a way, the proximity to transmission itself I would say would not have been a criteria. I think scale and preparedness, I think it was always accepted that, um, daily news and current affairs programmes like Today and Newsnight, who are sometimes generating not just long range investigations --

Q. That is events at the moment, that is different.

A. It is complicated because both Today and Newsnight will sometimes do investigative pieces. Sometimes they will be investigative pieces on, as it were, a 48/32-hour turn around, sometimes they will do investigations which are going to take much longer. I think it was recognised about the list that the list would not completely capture -- and we were not asking BBC News to
completely capture as it were, every single real-time
investigation that the daily programme was going -- and
I think by the way it is worth saying that it seems to
me, you know -- it is entirely a matter for Nick and for
you -- there is a case for -- a practical case -- for
saying whether or not there should be a change, I mean
a recommended change, to this list, such that it
captures in real time all of the investigations that are
taking place, not just the ones which are set piece and
in advance. There will be a case for having a record in
real time of what is going on, even if, as it were, the
things arrive quickly or it doesn't yet feel at a stage
where historically it would have been on the list.

Q. I think --
A. I think it is worth thinking about anyway.

Q. Let me try and focus on the particulars of this story.
I have seen a letter that you wrote to an MP called
Mr Wilson.

A. Yes.

Q. You will be familiar with this letter?
A. Yes.

Q. One of the points you make in it is you say:
"There is a list, which is compiled by the BBC's
editorial policy department, of potentially sensitive
programmes."?
copying in the relevant commissioners, I think, is what
is going on here.

Q. You see it is Danny Cohen has this thought about the
Jim'll Fix It special at Christmas.

"Loved BBC personality take the place ...(Reading to
the words)... (turn outs that is Shane Ritchie) it will
be a homage to him and would, I think, feel like a real
Christmas treat."

Then they start talking about the rights issues and
so on.

A. Yes.

Q. So from there it is in Danny Cohen's basket as to what
to do with these commissioning, as far as BBC1 is
concerned, and the controller of BBC2, so far as BBC2 is
concerned; is that right?

A. Yes, and the respective commissioners. The
commissioners commission across the networks, again to
coordinate between networks. So between -- between the
people who are copied in on this email and the other
channel controllers with George, you know, in a sense,
sitting on top of the whole edifice, they will work out
what is going to be on which channel, I guess.

Q. Can I now take you to your Christmas drinks?

A. Yes.

Q. You invited some people to Christmas drinks who had

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played a particular role, I think -- it wasn't everybody
in News --

A. There are thousands of people in News. This was
basically -- it had been a very big year for News, 2011.
There had been the, amongst other stories, the Japanese
tsunami, the Arab Spring, the international financial
crisis and Eurozone crisis and indeed a number of other
big stories as well. And this drinks party, which took
place late in December --

Q. On the 20th?

A. Yes. Um, we could find out, no doubt, but my
recollection would have been something in the order of
something between 80 and 120 people, maybe.

Q. If it helps, it is in rooms 4 and 5 on the sixth floor.
Now I've never been there --

A. That is fully consistent with that kind of number.

Crowded room, probably -- probably -- my guess would be
slightly more than 100 people rather than slightly less.
And they are all people they have literally -- they had
brought a driver who had helped us in Cairo over from
Cairo, and many correspondents, foreign correspondents,
News crews and some of the domestic teams. There had
been quite a few domestic stories and we had quite a few
people from local radio as well. My role in a sense,
I invited them to say thank you. I did a very brief
speech and I think we showed a video and I went round
the room and tried to shake every single person's hand.
So that's how the evening went.

Q. You met -- one of the people you spoke to was
Caroline Hawley?

A. So it turns out. To be honest I couldn't by the
following day, as it were, remember who I had spoken to
on this matter. Indeed, as recently as October this
year I speculated with Dan Sabbagh of The Guardian that
it might have been an external journalist. So I could
not remember who had said it. I literally would have
had maybe as many as 100 conversations, but certainly
a very large number of very, very brief conversations
and I concluded the evening with, in the way these
things do, a kind of number of small mental notes, most
of which are people wanting to come round and talk about
their careers and sort of, "Would you help me with this,
that or the other?"

But one thing was this phrase, "You must be worried
about the Newsnight investigation into Jimmy Savile".
So this was one of a number of points, but to be honest
I couldn't remember by the following morning who had
raised it with me. I discovered quite recently, because
in that sense she came forward, that it was Caroline.

Q. So before you walked into this party, what was your
state of knowledge about Newsnight investigating

1  Jimmy Savile?
2  A. I can't recall knowing anything about it before going
3     into this party.
4  Q. You knew neither that it had started nor that it had
5     stopped?
6  A. I didn't know it existed. I can't completely rule out
7     somebody mentioning, but I can't remember it. As it
8     happens, I think Caroline's recollection of the
9     conversation seems to accord with mine. It was the
10    first I heard of it, I looked very surprised when she
11    raised it.
12  Q. Can you remember anybody else who was there -- I do not
13     mean there at the party, who might have witnessed the
14     conversation?
15  A. No. I can remember the phrase. I remember somebody
16     raised it with me. But I didn't really remember that it
17     was Caroline.
18  Q. So the phrase that stuck in your mind --
19  A. I remember seeing Caroline at the party because I had
20     seen her in Tripoli, in Libya some period shortly
21     before. But the phrase that stuck in my mind is, "You
22     must be worried about the Newsnight investigation into
23     Jimmy Savile".
24  Q. Do you remember what you said?

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A. I think very little, actually. I think I was very noncommittal. The entire conversation with -- with Caroline probably wouldn't have been more than a couple of minutes and this would have been almost one statement followed by me frankly probably backing away slightly. And that's because whoever said it to me -- and I now know it was Caroline -- the -- the editor in chief role, it is a little bit like the Lord Chief Justice meeting someone at a cocktail party who says, "You must be worried about this murder trial that is going on in Liverpool". There isn't a way of engaging with it which is going to be helpful. The right thing to do is to take away the thought and to check it out, as it were, with the relevant part of the organisation, rather than sort of sailing into a, "Really, do tell me more", sort of thing.

So it was a -- I think a casual remark. That seems to be Caroline's recollection as well. I believe it was the first time I had heard about it. I didn't attach particular importance to it. It is very important to say that at this point -- and it is very different from our mental state at the moment, at this point the name Jimmy Savile doesn't ring alarm bells. Is there no sort of -- in my head there is no memory of a "dark side" or anything. I have not heard anything about Jimmy Savile,
to be honest, over the years and it is more than just an odd little phrase. So it sticks in my mind and I follow it up afterwards.

Q. Nothing lodged in your mind about sex or sexual abuse or --

A. No, I don't believe so. Not in this conversation, no.

Q. So when this lodged in your head about, "You must be worried about the Jimmy Savile Newsnight story", or however it was you (inaudible) --

A. Yes.

Q. -- what did you do with that?

A. I cannot remember precisely what I did except to say that at some point shortly thereafter, and it may have been on the phone, it may have been in person, this was very close to Christmas and if it was in the next 24/48 hours it would have been on the phone if it was later it might have been in person, it might have been at the start of January. I raised it with colleagues in BBC News. I have to say I can't remember precisely who I raised it with. I think it was probably Helen, it might have been Steve Mitchell. And, um, I believe it was Helen who came back to me and said in pretty short order: oh well, they were doing an investigation into Jimmy Savile, um, but the programme themselves decided not to proceed with it for editorial or journalistic

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reasons.

In other words I took from that that Newsnight had indeed, um, had an investigation, but they had, er, I would have assumed this was probably Peter Rippon, it might have been the actually production team themselves, it might have been Peter Rippon had decided not to go ahead with the investigation, in the normal run of business and you know I have been an investigative journalist and editor of Panorama myself and I know that many, many investigations begin and then go nowhere and you can't -- either there isn't a story there or you can't stand a story up and you just abandon it and go on to something else. That is a very normal thing to have happened.

Q. At that stage did you get some indication of the content of what the investigation was into?

A. No, not really.

Q. You still didn't know it was about sexual abuse?

A. No. I speculated a few weeks ago to a journalist from The Times that I might have formed the impression it was something to do with sex. But not -- I'm quite clear that the conversation with Caroline, which was very brief indeed, didn't include anything about what the investigation was about, and I certainly don't recall it from Helen either.
using the expression "firewall" in the context of you
essentially saying I would not have been involved in the
decision not to run the story.

A. Sorry, I don't recall this. I don't recall this,
however I have read this account and it's -- if she said
to me -- you know, if she had said to me were you
involved in the decision-making I may well have put my
hands up just like this and said, "No, I wouldn't have been"
and indeed was not. So it is what -- the one thing
I come away from this conversation is this, you know,
phrase about, "You must be worried about the Newsnight
investigation into Jimmy Savile".

Q. What it comes to is you -- what stuck in your head is
you must be worried about, so you checked with
Helen Boaden, "Should I be worried about?" And were
reassured.

A. Correct, correct. That's the precise material content
of the entire thing.

MR POLLARD: But your sense is that in either the one or the
two conversations with Helen Boaden you formed the
impression somehow that the Savile case was about --

A. As I say, I -- I, in an interview with Ben Webster of
The Times possibly unwisely speculated in October 2012
about what pie might or might not have formed

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a contribution impression of back in last December. The
truth of the matter is -- as it were by inference not
because I had been told by either Caroline or Helen in
my recollection, but as it were you know you go through
a list of money, sex, drug, I suppose and so on, but
that -- the truth is very straightforward. I had heard
something from a colleague, it turn outs
Caroline Hawley, which raised a question mark. I didn't
address it with Caroline at the time. I thought that
would have been unwise. I subsequently addressed it
with the people I took to be the right people,
Helen Boaden and BBC News, received reassurance and
indeed got the sense the whole matter was closed,
crossed it off my list and went off to worry about
something else.

MR POLLARD: But it wouldn't have been improper in the
conversation with Helen to have said what was it
about --

A. Yes, I could have done. I mean -- in other words
I don't -- I'm not going to say, you know, not least
because I don't think I, to be honest, this as you will
very fleeting, I mean the key thing is these are not --

MR POLLARD: Wouldn't any journalist say, "What was it about
then?"

A. I -- I didn't, is the most straightforward thing to say.

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Q. So when did you first become aware that you were being, as it were, roped into this story?

A. To be honest, I missed these press stories in the -- in the -- in 2012. Um, I mean the context of 2012 in my job was it was an unusually busy period for a number of specific reasons. The golden -- the Diamond Jubilee and the Olympic Games are essentially the biggest broadcasting events in our history. We were mobilising the big new broadcast centre in Salford, we were also getting the New Broadcasting House going.

In January/February the announcement that I would be stepping down and the search for a new Director General began. So it was an extraordinary busy period and I was also out of the office much more than I normally would have been.

Q. Was it March you resigned? My note says 19 March?

A. That was when it became a public announcement but speculation about it began in late January because of an interview given by the chairman. So that is the context of this particular year.

The way the, um, I -- was briefed about the press was I would get a physical pack of press cuttings every day. These packs are potentially very substantial, 100, 150, 200 pages is not potentially unusual, so very substantial packs of information. I sometimes read
News -- the corporate press people I think know this is going on as well, I'm told now -- believe that they have a very clear understanding of this story. I believe that members of the press team had talked to Peter Rippon directly and satisfied themselves in the same way that the senior management in News was satisfied that Peter had reached the decision not to proceed with the Newsnight investigation entirely on his own. They felt that what they were dealing with were relatively low level mischievous stories with no foundation and they could get on with rebutting them. They therefore didn't think they needed to raise it and put it on my radar explicitly.

Q. You now know, I assume, that there was a Freedom of Information request by Mr Goslett in April?

A. Yes.

Q. Which the BBC responded to about a month later?

A. Yes.

Q. Essentially relying on the journalism at cetera --

A. Derogation, yes.

Q. And essentially telling Mr Goslett politely to go away. Were you aware of that at that time?

A. No. The BBC gets literally thousands of FOIs and I would only ever be involved in FOIs if they related to me personally, in a kind of expenses or, you know, some
sort of, as it were, quasi-private capacity, or if there
was -- if they wanted my opinion about whether
something, you know, fell into the derogation
or section 36 or whatever. So it would be very rare for
me. So what would happen typically is that my office
would refer FOI matters to the team who dealt with FOI,
or, if necessary, to the BBC Trust.

Q. But this one didn't come to you. So I think the next --
I think there are two other aspects I want to touch on
as briefly as we can. In the end of August, The Sunday
Times --

A. Yes.

Q. -- is sniffing around. And they sent something to the
BBC which also flagged --

A. It did.

Q. -- in the same email the fact that ITV was doing
a piece.

A. Yes.

Q. And raised a series of questions. And then on
7 September, which is very close to the end of your
period as Director General --

A. Yes.

Q. -- there is a letter from ITV.

A. Yes.

Q. You -- we've seen, obviously, the letter from
Mills & Reeve that went --

A. To The Sunday Times, yes.

Q. -- to The Sunday Times on behalf of you and Helen Boaden. Just tell me what your involvement was in the Mills & Reeve letter?

A. So the, um -- kind of my movements over this period are -- Olympic Games is 27 July to something like 12 or 13 August. I then went immediately to the United States, briefly to New York and then went to, um, to have some holiday with my family in New England. And my first day back on the office was, I think, 3 September. My last day in the office was the following Wednesday, 1 September. So there is a period of about a week and a half which, um, is really my last -- my last chapter as Director General.

And the background here is the team, Jessica and the two assistants, are actually principally working for George. George is installed as Director General designate, he's preparing for his first day in office and quite understandably the entire team is focused on giving him the best possible start. I'm in and out of the office, I've trips over these twelve days to Northern Ireland and BBC Caversham and also a lot of meetings which are -- essentially a lot of meetings to go and say goodbye to people outside the office.
Q. You are on a farewell tour in effect?

A. Pretty much. But there are some matters of housekeeping and other matters which come up.

Now what I understand to have happened is this, the letter from the Sunday Times -- the letter from ITV was I believe addressed to George Entwistle, because ITV I think assumed that George was already in charge and I think was dealt with entirely by George and the BBC eventually responded to ITV in some way.

We will come on to that will we?

Q. Up to a point we will cover that.

The ITV letter came in addressed to Mr Entwistle because they thought he was the Director General?

A. Yes.

Q. He -- I will show you it was sent to your office.

A. Yes.

Q. But you are quite right. It was eventually responded to after you had left.

A. And I don't believe, um -- I don't recall ever seeing the ITV letter or indeed being aware that ITV were preparing a programme. Now although The Sunday Times letter came in, it was obviously related because it was obviously some kind of early -- it was based on some early insight or intelligence from the ITV programme.

My point about the ITV letter is to be honest,
although it may -- I am sure it came into my office
because my office was the office of the Director General
and it was, as it were, addressed to the
Director General, albeit, it as it were, to the incoming
one rather than to the outgoing one, I didn't see it and
it wasn't copied to me and it was dealt with separately.

MR POLLARD: Did you as you say you saw The Sunday Times
letter or not?

A. No, let me --

MR POLLARD: (Overspeaking).

A. I'm trying to deal with the ITV letter. The
Sunday Times letter I did not see the original
Sunday Times letter, which I think actually was not
a letter but I now know was an email sent to one of the
members of press team inside BBC News. This is --

Helen Keller I want to say.

MR MACLEAN: To Helen Deller from Mark Edmonds at The Sunday
Times, on 22 August.

MR CHRISTIE-MILLER: Shall we just separate ITV letter from
Sunday Times letter, because they seem to be getting
conflated slightly?

MR MACLEAN: I was actually asking about The Sunday Times.

A. To be fair, I am sure this is my fault for doing it.
I have made some remarks about the ITV letter and then
I will deal with The Sunday Times letter.
Q. You are quite right, 22 August, Mark Edmonds to
Helen Deller. If you want to see the questions, if you
take bundle A5 and go to 273.
A. 273, did you say?
Q. 269 is, I think, the original email.
A. Yes, I'm reading it.
My understanding is this comes into the press team
inside BBC News:
"I'm currently on holiday and will be on holiday for
another twelve days or so. In my absence...
I'm contactable by telephone and also by email,
albeit occasionally -- I have looked at my private email
throughout the entire period and I can find nothing go
back to 2011 and my private email or any text or
anything on my phone, my -- so there is no communication
with me about this at all while I'm away.
What seems to have happened is that the -- the press
people, both inside news and I now understand that it
is -- the news press team and BBC News management with
some knowledge of corporate press have been dealing with
this in fact for, you know, for a number -- for many
months. It hasn't, you know, popped up, went down,
popped up again, but there has been a period where they
have got a way of thinking about this, and a way of
rebutting it, and that -- it's established.
And they are -- I now know -- also at this point extremely confident that they understand it, the thing very clearly, and know what the lines of rebuttal are. In this case, they decide, um, that the best way of dissuading The Sunday Times Magazine from publishing allegations about Helen Boaden and me being involved in a conspiracy to suppress the Newsnight investigation is to send a letter from an outside law firm, which I guess carries the implication to a newspaper getting it that there is perhaps a greater chance that an individual will sue you for defamation, than if it feels like it is simply a push back from the BBC.

By the way, this tactic is not by any means uncommon. I have known of this many times in the past of the press and legal teams deciding that the right thing to protect a given member of staff or presenter is to send such a letter.

So by the time I come back from holiday, they have already formulated a kind of tactical plan for dealing with this incoming letter from The Sunday Times.

Q. Can I just show you that, so that we get the timeline?
A. Yes.

Q. Attached to The Sunday Times email that I showed you there were a number of specific questions, if you look in bundle 5, at 287 and 288. At the bottom of 287, do
and the 6th?

A. Is this the question -- let's just get the -- So my -- my recollection is that what happens -- firstly, I have no involvement at all with Mills & Reeve. I never meet them, I don't know the name of the firm that have been asked to do this. There is no briefing and there is no questioning by Mills & Reeve of -- of me or anything -- there is no contact at all. I have to say I do not recall having any briefing from an in-house legal team either. It is not impossible that, um, one of the lawyers spoke to me very briefly.

Q. Let me show you.

A. Yes.

Q. If you go in this bundle -- you have the letter at 212.001?

A. Yes.

Q. If you go back to page 183 --

A. Yes.

Q. -- you will see that we are -- we're not being greatly assisted by some of these emails not being available to us. You see at the bottom of 183 it has been redacted or covered up for privilege reasons. But it looks as if there is a long chain of emails here.

A. Yes.

Q. Most of which we can't really read. But if you go to

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186 at the end of the chain that's the -- there's
a response from James Hardy on the 29th August, and you
see Mark Edmonds says, "Thanks for this".
A. Yes.

Q. They are not going to run a piece imminently, and there
are all sorts of chains involving Nadia Banno, who is
a BBC lawyer, all the way up. We get to 183:
"Don't see any reason not to send this, but both
Helen and Mark would need to agree."
Because it is going in your name. And it appears
from 183 that you are happy with some suggestion from
Nadia.
A. So, so -- so he my recollection is as follows: that
Amanda Churchill, my assistant, basically says to me,
um, Paul and Nadia want to send a letter, a legal
letter, back to the -- back to The Sunday Times, because
The Sunday Times are threatening to allege that you and
Helen were involved in a conspiracy to suppress
a Newsnight investigation into Jimmy Savile. I know
that is completely untrue.

Amanda is saying, you know, they want to send
a letter. Now, Amanda's recollection is that she can't
remember exactly what happened. She thinks it is likely
that she physically printed this thing out for me,
is presumably a covering email from Nadia and the draft
letter, the Mills & Reeve letter underneath it.

I have to say I'm very clear that I didn't read the
detail of the letter. What I would have said to Amanda
simply is, it was my practice to typically follow the
advice of the -- particularly when the press department
and the legal department were both recommending
something, I would typically say yes to it and my
recollection is I simply very quickly verbally said,
"That's fine, send it". And then what Amanda does after
that is she simply sends this one-liner back to
Paul Mylrea simply saying, "Mark is happy for the letter
to be sent".

So what I did not do is -- you know, I thought that
what we were dealing here is with a newspaper which was
going to allege that Helen and I had been involved in
a conspiracy to suppress this investigation. I knew
that to be completely untrue. I'm told that the most
effective way of killing it is to send a legal letter,
I agree to it.

Q. We see that from the last paragraph of the letter, which
is essentially saying, "If you print this, we're going
to sue you". That's the implication.

A. Yes. What I accept of course is had I indeed read the
letter in detail on about 5 September, I would have
indeed seen not just the allegation about the
suppression of Newsnight, but I would have seen some of
the -- there were a couple of references in the letter,
I know, to the underlying allegations about
Jimmy Savile.
Q. And BBC premises in particular?
A. Indeed.
Q. We see that from the bit that is quoted in the first
page of the Mills & Reeve letter --
A. Indeed.
Q. With quotes from the Sunday Times Magazine.
A. Some of them are from The Sunday Times. I accept that.
And to the extent that I didn't read that, that is
clearly a missed opportunity on my part.
MR POLLARD: When you say -- you used the phrase, "I didn't
read the detail of the letter".
A. Yes.
MR POLLARD: Does that mean you did or didn't read the
letter?
A. To be honest, I can't recall reading the letter at all.
I mean it is perfectly possible the thing was handed to
me and I said, "That's fine, send it".
MR POLLARD: How would you know it was fine it was handed to
you --
A. Because I thought this was again -- the business of
press handling in the BBC because there are so many
incoming allegations and points from different
newspapers, often it happens in -- in fairly summary
fashion. And if Nadia and Paul were both happy that
this was the right thing to do, my -- you know, my view
would have been that's fine, send it.

MR MACLEAN: So you didn't have any direct contact with
Mr Lawrence at Mills & Reeve?

A. No.

Q. And on the 17th we get the ITV letter which is in the
same bundle at 229.

A. Yes.

Q. And I'm not sure what day of the week that is, but there
is the ITV letter sent on 7 September. It arrives at
17.37, and the actual letter is at page 230.001. And
the eventual response to it -- certainly if you go to
287, there is an email from Valerie Nazareth, who
I think is another BBC lawyer --

A. She is.

Q. -- to Peter Rippon on the 21st, saying, "I think you
should see the statement being sent to ITV."

A. Yes.

Q. So obviously by then there is a response?

A. Yes.

Q. And it looks as if, if you go to page 239, this is an
e-mail chain about the ITV letter. I want you to look

11/483
is. Knowing what we now know, how little email traffic there is about this subject between my office and the rest of the BBC.

MR POLLARD: Yes.

A. I think it is striking, because when a topic of potential corporate interest arises, it's very visible. As you know the BBC loves email and you probably know from carrying these great packs around there is vast amounts of it. What is striking to me, looking at the way this topic is dealt with, is how little email there is on it with me. And I think -- I think, you know, for what it is worth, I can't tell you why that is the case for certain but I think the most likely explanation is that my colleagues thought that this was a really well understood matter and they could adequately deal with it without drawing me into it.

MR POLLARD: You don't think somebody should have brought it to your attention?

A. I think in retrospect it would have been much better. Because I think that even if they are completely unfounded, the mere fact that such allegations are being made is obviously of corporate interest, I think. So in retrospect I think it would have been better if -- if certainly by February and the press reports in February, it had been brought to my attention.
RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH NICK VAUGHAN-BARRATT
"Some years ago we decided not to make one in advance and that decision has been agreed by successive controllers."

A. Yes.

Q. Can you unpick that for us? First of all, who is the "we"?

A. "We" the BBC, "we" those involved at the various times. The "we" would have been -- it depends how long ago we're talking. I mean, as a sort of -- to explain what tends to happen -- what tends to happen is that every time there's a new controller, because the controllers could effectively commission these films without ever having to transmit them or have them on -- or pay for them, because the money was separate from the controller's budget, every new controller that you met would firstly, through a bit of fear of not wanting to find themselves to have the right programmes around, and also lack of experience, would want to commission a huge -- a substantial number of obituaries because they say "Oh my God, what happens if this person or that person dies", without really thinking of the consequences, which is you would end up, once every couple of weeks, pulling an episode of Casualty and the series would never finish.

So there would have been meetings with new
controllers of BBC1 and BBC2 which I would be present at, and new commissioners and various other people, where you would have shared the folk memory.

What you would have said to them was "Think hard about this, does this person pass the Casualty test?"

Because we're talking about spending £100,000 or £50,000 or whatever the film will cost, for a film that you might never run. Firstly, this person is not very old or ill -- there are clearly people who are getting on, but they are not frail, they are not ill and -- the channel controllers wouldn't want to be caught out. On the other hand, you can't make films and update them every few years. It becomes a bigger operation than you want.

So I would have probably briefed a couple of new channel controllers in the sort of few years that Savile was getting older. They may have asked about him and I would have certainly advised them not to do it.

Q. He hadn't been, as far as I remember -- I remember him as a child on Jim'll Fix It -- he hadn't been on the telly much, had he, in the last ten years?

A. I don't think so. Not that I recall.

Q. So, nonetheless, he would still crop up in these discussions?

A. Yes, he would crop up in the discussions. Because, you
know, all sorts of odd people crop up in the
discussions. So yes, he would have cropped up in the
discussions. I can't remember a specific controller
asking me about it, but I'm pretty sure that there were
a number of conversations over the years about him and
probably, certainly dozens, if not hundreds, of other
people, so it was only one of many. You know, he
certainly didn't pass the Casualty test, as I would call
it.

Q. Just to be clear about this, this agreement by
successive controllers is --

A. Yes.

Q. -- is it, a fairly fleeting mention of Savile's name
along with dozens or perhaps several dozen others?

A. Yes.

Q. So we run through -- we can all think of names, dredge
up names, no doubt -- but you run through and the reason
why Savile -- there was no obit film made in advance was
that he frankly wasn't a big enough star to pass the
Casualty test?

A. That's right. That's right.

Q. So far as the successive controllers were concerned, if
they had thought about Savile at all, they had only done
so fleetingly --

A. That's right, yes.
Q. -- and the reason he's not on the list is not because of 
rumours about his dark side or whatever --
A. No.
Q. -- but because he was not a big enough star?
A. No. That's right, although certainly there was one 
meeting which I cannot recall where towards the end --
I can't recall the nature of the meeting, which meeting 
it was -- there was certainly one meeting where he was 
starting to get ill and, you know, there was a more 
serious discussion.
Q. That's this one, that's the one you referred to?
A. Yes, in which I said, you know, there's a darker side, 
and anyway --
MR POLLARD: This is the one you mentioned in your --
A. My initial note, yes. But I genuinely can't recall who 
was there. I want to five meetings a day or something.
MR MACLEAN: I will come to that.
Is that a sufficient archaeology of the reference to 
"agreed by successive controllers", or do you want to 
say anything more about that?
A. Um --
Q. On one reading, there is a kind of formal meeting, 
item 1 so on the agenda is Jimmy Savile, and there is 
a half an hour discussion --
A. No, no. Absolutely no. It is casual references,
I would say. "Casual" is the wrong word. I would say it is fleeting references, because he is low down the list in terms of fame.

Q. So he wasn't a near miss for the Casualty test?

MR POLLARD: There was a --

A. I don't think so.

MR POLLARD: -- network obit which done after he died, wasn't there, a network programme, on 11 November?

A. That was around the funeral, wasn't it?

MR MACLEAN: I was coming to that. My next question was going to be: there is a distinction between these formal obits, on the one hand --

A. These pre-made obituaries.

Q. -- and then running some sort of tribute once somebody has died, on the other.

A. That's right.

Q. I was about to ask you the extent to which -- how does this process of "We're not going to have a pre-made film" relate to, once somebody has died expectedly or unexpectedly, then you get this process that we see at the end of October?

A. Right, if it's -- there are two scenarios -- as it happens in this instance, three scenarios because I think one was made by the Nations and Regions --

Q. Yes --
studio for and previously a documentary series called Savile's Yorkshire Speakeasy, which was a television documentary series where he travelled around Yorkshire, which I was a researcher on and spent quite a lot of time with him.

Q. Right, okay. So your knowledge of the "dark side to Jim", did it come from your particular experience working with him in the 1970s or from intelligence you gathered at the BBC more generally --

A. Well, let me tell you what I mean about the "dark side of Jim", if that would help you.

Q. Yes.

A. I want to say from the outset that, until he died or until these stories a few weeks ago, until the ITV documentary, I had never heard any accusations of illegal activity -- well, activity with underage girls. I had never heard those stories, or rumours. I had heard rumours about him abusing his position at Stoke Mandeville, a long time ago -- I'm talking about I heard these rumours in the 1980s when I didn't work at the BBC.

MR POLLARD: What does a mean "abusing his position at Stoke Mandeville"?

A. Well, you know, there appeared to be stories that he was -- there were accusations that he was having sexual
relations with patients at Stoke Mandeville, which
I think have come out recently, and I had heard some of
those allegations, but not about underage girls. I had
never heard that accusation.

MR MACLEAN: You had heard, if I put it this way, sex
allegations but not underage sex allegations?

A. Yes. If I can start from the beginning, I will tell the
story. I worked with him from 1971, not all the time.
I worked with him on a number of programmes from 1971 to
1980, roughly.

In the first bit of that work, I was a researcher so
I was meeting him regularly to talk through stories,
travelling with him to film locations, going to
locations, meeting him in various places like his flat
in Leeds, and Leeds General Infirmary, the BBC canteen.
He didn't have an office or a manager, so he was someone
that you had to go to where he was to meet him.

You know, I knew him as well as you know anybody you
work with. I wasn't a personal friend but I knew him
fairly well and he was strange, he was, er, a bit
creepy -- I think the women in the Production team would
say that.

He lived a very itinerant lifestyle, he didn't seem
to live anywhere. He would be in his flat in Leeds
sometimes or living in the hospital, or
Stoke Mandeville, I never went to Stoke Mandeville. So to find him you would have to ring a number of kind of numbers: Stoke Mandeville, Broadmoor, Leeds General Infirmary. He had his flat in Scarborough where he kept all his mother’s clothes which he had dry cleaned every year and kept in dry cleaning bags. He had an apartment at an hotel in Bournemouth, as far as I remember.

So he had lots of places where he stayed and lived, he didn’t appear to actually live anywhere, he was itinerant. He didn’t appear to have any, um, close personal relationships.

I got the strong impression he was a misogynist. He certainly told me on one occasion, perhaps more, that he never wanted to get married or have a serious girlfriend because they would just be after his money. Um, and he was strange. But I never -- in all the time I worked with him in BBC in Leeds -- I never heard a complaint about his behaviour, inappropriate behaviour. I never saw any inappropriate behaviour, with one exception, which wasn’t inappropriate, but which later became a concern.

I never heard anybody complain about him, but he was strange, he was a weird character. He clearly, in his years before he started being a broadcaster, you know, he had been a dance hall manager in Manchester and had
had a bit of a rough experience. He had got bouncers and, you know, he had obviously been quite a tough -- a rough and tough kind of person. He had been a wrestler, and I think he was a, you know -- so he was a slightly --

Q. He was a coal miner at some point as well.

A. The story is -- I think he had been a coal miner, broke his back, Bevin Boy, couldn't go to war, went down the pits, broke his back, came out of that, started running dance halls, discos, did a bit of wrestling.

He wasn't quite an Arthur Daley character, but he was a shady character with a bit of a shady past, and he, um -- he was strange. I mean he wasn't a man that you could have a -- you know, he didn't drink, for example, he never drank, he didn't appear to socialise with people. He was weird, and that's what I meant by his dark side. He was a very strange man.

Um, in terms of his sexuality, I have to say that I thought he was gay in the 1970s. You know, it wasn't that long since it had been illegal to have homosexual relations. A lot of men in show business and other fields used -- you know, covered up their sexuality by having friends who were women and, you know, the sort of, you know, being cheerful around women and putting their arms around lots of girls and things. All those
things he did on location.

If you were filming a piece to camera with him, he
would get you a pile of women and girls whatever, to be
around and put their arms around him so he looked more
exciting. Obviously, when I saw the stuff on Top of the
Pops, that was what you thought he was doing, trying to
make himself look butcher than he was.

He certainly didn’t like children, younger children.
I think he said that publicly. I think he said to the
Louis Theroux film and others. He wouldn’t -- for
example, if you were filming and there were children
around, he would not want to sit and talk to them
afterwards. He would want to get away from them as
quickly as possible, or get away from everybody, really,
as quickly as possible.

There are so there were two sides to him; there was
his public face of the cheerful chappy, arm around lots
of girls, and this man who didn’t have any friends,
didn’t seem to like women, didn’t seem to live anywhere
and was a bit weird.

Q. After shows that were shot in studios, were there
parties in the dressing room afterwards?

A. No, he went -- my memory is he went, and he just
disappeared. That’s my memory.

MR POLLARD: What was the one exception you --
A. There was one occasion in the early 1970s when I went to collect him to go filming, a fairly normal thing to do, and he emerged from -- I think -- the block door of his flat, rather than the flat itself, with a girl and he asked if we could drop her off and, er, she didn't look distressed, I don't remember her being particularly young, and we took this girl to a school and dropped her off at the school. All I can remember about it, I remember it being a Catholic school, but it didn't surprise me particularly because Savile was a prominent local Catholic, had friends in the Catholic community, and the only friends of his I had ever come across were sort of people who were prominent members of the Catholic -- so the fact that there was a Catholic girl --

To be honest, if I came to your house and there was a girl there and I knew you didn't have any children, and you said "Can you drop this girl off?" I would not automatically assume you were a paedophile. This was -- you know, I was young, not long out of university. It didn't strike me as particularly odd. Later when --

MR POLLARD: She wasn't in school uniform?

A. Not that I remember.

MR MACLEAN: She was a school girl?

A. Yes, we dropped her at the school and she was a school
You could make a tribute about Jimmy Savile on Top of the Pops or how wonderful Jim'll Fix It was, but very hard to make a documentary. Do you think, Nick? Do you --

MR POLLARD: I understand that, absolutely.

A. That's why I think I formed the view we shouldn't make one. But I certainly hadn't heard the rumours of illegality until a few weeks ago and I was quite shocked.

MR MACLEAN: So you don't, as a matter of principle, see anything unusual or odd about the BBC deciding to run some sort of tribute programmes to Jimmy Savile, as it were, celebrating his work as an entertainment person on television on the one hand, without dealing with his private life on the other?

A. That's not a judgement I'm -- I don't think my judgement on that would be helpful. "I don't know", is the answer. I haven't thought about it.

Q. One obvious question is: why the BBC bothered to do tribute programmes to Jimmy Savile at all?

A. That's not a question -- I mean I wasn't part of that decision-making process so I don't know. I'm not trying to evade, I'm trying to say I don't -- I didn't think about that. I'm happy to think about it.

MR POLLARD: The implication of what you have been talking
man"?

2 A. Conflicting nature of the man. Yes, the conflicting
3 nature, yes. It is not code -- I suppose it is sort of
4 code. I mean, Nick is a programme maker: would you
5 understand what I meant by that if you had seen the
6 Louis Theroux film?
7 MR POLLARD: I'm not sure that I would, actually.
8 A. Okay, well, maybe it was an ill-judged email. There are
9 probably many of them.
10 MR POLLARD: Because the Louis Theroux programme --
11 A. I think you are reading too much into this. I think
12 what I'm saying to George here is:
13 "It is Saturday afternoon. I have just heard that
14 Savile is ill. We haven't got an obit for him. I don't
15 think we should make one. The guy is pretty complex and
16 difficult and there is a dark side", is what I'm saying.
17 MR MACLEAN: But these emails do proceed on the basis of
18 there being some common currency, if I can put it like
19 that. And the common currency might be that he's
20 a weirdo, it might be that he's some sort of sexual
21 predator, and it might be that he's a paedophilic sexual
22 predator, or it might be something else.
23 A. Well, I didn't know that he was a paedophilic sexual
24 predator at the time.
25 Q. So the common currency, is it, is that he's a weirdo?
RELEVANT EXTRACTS OF
TRANSCRIPT OF INTERVIEW
WITH JAN YOUNGHUSBAND
films that have been made years before which are waiting
to be updated, but, um, I didn't know what we had, which
is why I asked, and the reply came that there wasn't
anything.

Q. Apart from -- well, let me ask it differently. What
knowledge did you have of Jimmy Savile, apart from the
fact that he was dead, on 30 October 2011? What did you
know about him?

A. I didn't know a lot because I have had never worked with
him. I know -- what I -- what I knew was only from sort
of the general sort of almost rumour, if you like, that
he wasn't -- that he was a slightly strange man.
I mean, you only have to look at him to see that, but
I knew two things really. I had worked in charity
before, so -- and there had been rumours there that his
work around charity and money wasn't exactly
straightforward, and then also that I had heard rumours
about his -- just his general behaviour but not, you
know that he -- that there was a sort of dark side to
his general behaviour but I didn't know anything
specific about him.

Q. We will come to dark side in a minute. What rumours
about general behaviour had you heard and from where?

A. Well, outside the BBC not inside the BBC, but generally
speaking I think people -- because of the Louis Theroux
film as well, there was a lot of speculation about whether, you know, he was -- what his -- you know, whether his sexual life was not quite right.

I think, to be honest, I thought maybe he was into boys, I don't know, but it is the entertainment industry where there is a lot of rumour and gossip.

Q. This is while he was still alive?

A. Yes, while he was still alive, in the sort of last year of his life, really, partly prompted by the Louis Theroux film, I think people were saying "Well, what is really going on?"

Q. The Louis Theroux film was some years before.

A. Yes, but I think we all -- there was a sort of general view that things weren't all what they might be, but nobody really knew what.

Q. It strikes me -- or perhaps it might strike somebody as slightly odd that Jimmy Savile was much of a topic of conversation in the last few years? He had fallen off the radar, hadn't he, more or less, in terms of being on television?

A. Yes, but he obviously is a famous figure in television. He is a major figure in television as a television presenter and as a public figure and, you know, actually until recently much loved by the public.

Q. So, as you mentioned a moment ago and in your timeline,
you didn't just email Mr Dolling, you sent, a minute
later -- if you go over the page -- an email to
Nick Vaughan-Barratt asking what the obit position was?
A. Yes.
Q. He gives a reply over the page --
A. Yes.
Q. -- within about 25 minutes or so:
"Some years ago we decided not to make one in
advance and that decision has been agreed by successive
controllers."
What, if anything, did you know about that, apart
from what's in that email?
A. That was just a point of fact really.
Q. That was news to you, was it?
A. Yes, it was news to me. I just wanted to know: is there
an existing film and, you know -- and it was just a pure
point of information, do we have a film or not, and we
didn't.
Q. So it looks as if you then reply saying "Okay, thanks
for letting me know". Then you sent -- well, we can see
if we go over the page that Mr --
A. Yes.
Q. -- Vaughan-Barratt then sent you another email. If he
hadn't sent you the email at 9.17 on page 88 and matters
had rested with your email at 9.15, what would have
happened? Would that have been it? You would have
said: "What's the obit position?" he said, "We haven't
got one", you would say "Thanks for letting me know".
Would that have been the end of it, from your point of
view?

A. No, as a commissioner my responsibility is to the
channel controllers, so my job is to then say -- ask the
channel and the Head of Vision "Do you want a film about
Jimmy Savile? There isn't one". I was sort of
anticipating that they would ask me if we had one, and
so I wrote saying "We haven't got one. What would you
like to do about this?"

Q. Before you did that, you got this further email, didn't
you, from Mr Vaughan-Barratt at page 88?

A. This one, yes.

Q. So he has told you at 9.13 that there isn't one:

"... decided not to make one in advance and that has
been agreed by successive controllers", he says."

You say:

"Okay, thanks for letting me know."

He then has a further thought, as it were, and says:

"We decided that the dark side to Jim, I worked with
him for 10 years, would make it impossible to make
an honest film that could be shown close to death. But
maybe one could be made for later."
A. Um-hm.

Q. You email back saying that you completely understand:

"I completely understand."

What was your complete understanding, precisely?

A. Well, um, you can't -- there was an area of his life

which people felt through rumour was not what -- you

know, we didn't understand or know about and you

can't -- you can't make a film about somebody unless you

know about their life, and when you make an obituary, it

is a film about somebody's life. It's not a film about

their work. It is their whole life and so what I took

from Nick's point was he -- him also saying there was

a dark side that we don't know about meant that we

couldn't have made a film about him because we couldn't

have dealt with his private life.

Q. So there is a distinction to be drawn, is there, between

an obituary which deals with somebody's life --

A. Yes.

Q. -- and a tribute which deals with their work?

A. Yes.

Q. Is that the distinction?

A. Yes, that is right. Obituaries are made in advance.

Then -- we don't make obituaries of every famous person,

just a few where making it in advance is necessary for

reasons of getting interviews prepared. But with a big
entertainer or somebody, you know, in the --
an entertainer or a famous star of some kind,
Whitney Houston, say, there is already so much material
about that person that you can quickly gather that in
and make a film overnight if you needed to. So there
was not always a need to make the film in advance.
Q. As we understand it, there are relatively few obituaries
which are in the can, on the shelf, for people who
haven't died yet, is that right?
A. Yes, that is right. Really the general rule is that,
  um, we only need to prepare films in advance when --
  when that person dies you have to change the schedule
  and put that film out immediately. So you can imagine
  the kind of people that would apply to.
Q. We interrupt this programme to --
A. Yes, "We interrupt this programme because this has
  happened and here is a film".
Q. Or we're not showing Casualty tonight --
A. Yes, we're not showing Casualty because that -- but that
  is somebody very, very important.
Q. Did Jimmy Savile fall into the "We must pull Casualty"
category?
A. He wouldn't have done, because: (a) he -- you know, in
  his case there would have been -- it would have been
  considered fine for there to be news coverage and, in
fact, what happens now is that the News covers
everything. Say, when Whitney Houston died, she was all
over the papers, all over every broadcaster. So in that
case we would say "There is plenty of footage of this
person and we can make a film very quickly as a tribute
to her at a later date".
Q. That --
A. But that's a decision of my superiors of how quickly the
film should go out.
Q. But such a film to be broadcast at a later date that can
be put together quite quickly, that is not the same as
an obituary, is it, or is it?
A. No, that's a tribute.
Q. That's a tribute. So you had -- when you sent this
e-mail back to Mr Vaughan-Barratt on the Sunday morning,
you appear to have been proceeding on the basis that you
and he had a complete understanding of what he meant by
"the dark side to Jim".
A. Yes.
Q. So just help me to understand precisely what that dark
side comprised of.
A. Well, it, um -- from all I knew -- all I knew about the
dark side was, as I said before, that I knew from my
charity work that there was speculation about his -- the
financial side of his life, and, um, there had also --
there was speculation about his sexual life because he
lived with his mother and he seemed like a pretty weird
guy. I didn't know any more but there was a general
view around, I think with people, that he was a strange
guy.

Q. Did you know that Mr Vaughan-Barratt had any
understanding about the charity side of things?
A. No.

Q. The money --
A. He just -- it is purely an email. We didn't discuss it
at that point.

Q. I'm just trying to work out whether you really did have
a complete understanding, you see.
A. I see.

Q. It may be that --
A. I didn't have -- when he said -- I think if you say
someone has a dark side and you have heard rumours about
someone, you assume, okay, yes, he did. In fact, um --
I didn't -- we didn't compare notes on what we meant by
"dark side" at that point.

Q. So is this a fair summary, I'm just trying to understand
what we can get out of these emails --
A. Yes.

Q. -- there were two aspects to it, so far as you were
concerned. You had some direct knowledge, I think, of

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