**Reed Smith Meetings**

**12 November 2012**

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**Page 1**

<table>
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<tr>
<th>1</th>
<th>Thank you very much for the two agreements that you have given me. I will make sure that Nick signs those and we send copies back to you.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>A reminder about confidentiality, you have agreed that while what you say to Nick can be used by Nick for the purposes of the review, information you receive from the review, both today and in terms of documentation obviously is and remains confidential.</td>
</tr>
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<td>3</td>
<td>As you said, you will have a chance to have a look at the transcript -- we will require another confidentiality undertaking in relation to that -- and to look at that and to check for typographical errors.</td>
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<td>4</td>
<td>Is that all understood, Meirion?</td>
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<tr>
<td>5</td>
<td>A. Yes -- or, you know, wrong names, those sorts of things.</td>
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<tr>
<td>6</td>
<td>MR SPAFFORD: That sort of thing is fine, of course. Thank you very much.</td>
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<tr>
<td>7</td>
<td>Questions by MR MACLEAN</td>
</tr>
<tr>
<td>8</td>
<td>MR MACLEAN: Could you have a look at bundle A1 -- if you could just be shown that -- and go to page -- it is A1/96.</td>
</tr>
<tr>
<td>9</td>
<td>A. Are these documents I have already seen, or new documents?</td>
</tr>
<tr>
<td>10</td>
<td>Q. I anticipate that most of these documents you will have already seen in a slightly different version. What we have done --</td>
</tr>
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**Page 2**

<table>
<thead>
<tr>
<th>1</th>
<th>those working on that day's programme leave the meeting and go to work on that day's programme.</th>
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<tbody>
<tr>
<td>2</td>
<td>At 11 o'clock the editor and the two deputy editors, maybe one or two other people, have a half-hour meeting where they are looking maybe a little bit are further ahead talking about other issues that are coming up and so forth. That meeting runs until about 11.30.</td>
</tr>
<tr>
<td>3</td>
<td>Effectively there is no point talking to your editor before 11.30 in the morning, because, obviously, there are concerns about that day's programme.</td>
</tr>
<tr>
<td>4</td>
<td>Q. So &quot;Investigations Routine&quot;, how often would an investigations routine meeting take place?</td>
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<tr>
<td>5</td>
<td>A. I think they are scheduled every two weeks. We have maybe about two or three a year.</td>
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<td>6</td>
<td>Q. Would they always be with you? I mean, obviously we have the editor and the two deputy editors and you --</td>
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<tr>
<td>7</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>8</td>
<td>Q. -- would you always be at those meetings or would there be somebody else --</td>
</tr>
<tr>
<td>9</td>
<td>A. No.</td>
</tr>
<tr>
<td>10</td>
<td>Q. -- in your position at those meetings sometimes?</td>
</tr>
<tr>
<td>11</td>
<td>A. No, it would be me. But, I mean, the thing is, they -- although they are always -- they always come up on my diary. Very rarely do they actually happen. So I doubt there was one on that day.</td>
</tr>
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**Page 3**

<table>
<thead>
<tr>
<th>1</th>
<th>Today, 12 November 2012</th>
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<tbody>
<tr>
<td>2</td>
<td>(Proceedings delayed)</td>
</tr>
<tr>
<td>3</td>
<td>(10.08 am)</td>
</tr>
<tr>
<td>4</td>
<td>MR MEIRION JONES (called)</td>
</tr>
<tr>
<td>5</td>
<td>MR POLLARD: Meirion, welcome, first, from me. As you may know, Alan will be doing most of the questioning, with a few additional questions from me. There is a little bit of sort of housekeeping and procedural stuff to come from Richard to start with. So, Richard, please start.</td>
</tr>
<tr>
<td>6</td>
<td>Housekeeping</td>
</tr>
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<td>7</td>
<td>MR SPAFFORD: Thank you, Meirion, for coming in. Just to let you know who is here, we have Richard Blakeley on the end there, who is a barrister, Alan Maclean QC, who will be leading the questioning, Nick you know, and me you know, and Julia Fagelman, who will be assisting me with documents. A couple of points about timing, the transcript writers sitting here, and their fingers get tired, for obvious reasons, so we will go until 11.30. There will then be a short break. We will go from there until lunch at 1 o'clock. Lunch will be about 30 minutes. We will then go for an afternoon session until 3, a short break at 3, and then go on from there until we finish or until 5 pm.</td>
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**Page 4**

<table>
<thead>
<tr>
<th>1</th>
<th>A. Okay, this is a new document to me.</th>
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<tbody>
<tr>
<td>2</td>
<td>Q. Right. Okay. This is a diary, Mr Rippon's diary, for 31 October 2011, and it would appear that there was a meeting, at 11 or 11.30, involving Peter, you, Liz, which may be Liz Gibbons, but you can tell me if that is wrong, and Shaminder Nahal. Do you remember that meeting?</td>
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<tr>
<td>3</td>
<td>A. These are scheduled about once every couple of weeks. They almost never happen.</td>
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<tr>
<td>4</td>
<td>Q. Was there a meeting on 31 October?</td>
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<tr>
<td>5</td>
<td>A. I very much doubt it.</td>
</tr>
<tr>
<td>6</td>
<td>Q. Go to page 102, the same bundle.</td>
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<tr>
<td>7</td>
<td>A. I mean, I did meet with Peter on that day.</td>
</tr>
<tr>
<td>8</td>
<td>Q. Right.</td>
</tr>
<tr>
<td>9</td>
<td>A. But I don't think there was an investigations meeting.</td>
</tr>
<tr>
<td>10</td>
<td>Q. When did you meet with Peter on that day?</td>
</tr>
<tr>
<td>11</td>
<td>A. After the -- essentially the way that Newsnight is structured, you have a 10.30 meeting, which is a programme meeting for that day's programme, which runs from 10.30 to 11.</td>
</tr>
<tr>
<td>12</td>
<td>Q. So that is the NN morning meeting?</td>
</tr>
<tr>
<td>13</td>
<td>A. Sorry, let me just go to that page.</td>
</tr>
<tr>
<td>14</td>
<td>Q. 96.</td>
</tr>
<tr>
<td>15</td>
<td>A. Yes. So at 10.30 there is the Newsnight morning meeting. That runs until 11 o'clock. At that point</td>
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**Pages 1 to 4**
<table>
<thead>
<tr>
<th>Q.</th>
<th>Let's look at what you were doing that morning.</th>
</tr>
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<tbody>
<tr>
<td>A.</td>
<td>Yes.</td>
</tr>
<tr>
<td>Q.</td>
<td>If you go to page 102, you sent an email to Mr Giles, who was the editor of Panorama at 11.59. I'm going to ask you about that in a moment, but just, as it were, keep a finger there --</td>
</tr>
<tr>
<td>A.</td>
<td>Yes.</td>
</tr>
<tr>
<td>Q.</td>
<td>-- and then go to page 107. This is another email from you, 34 minutes later, to Peter Rippon and Liz MacKean. Now, we can see -- and you've seen these emails, they're your emails -- that they're both concerned with the notion of a Jimmy Savile film. You say in the first one at 102.</td>
</tr>
<tr>
<td>A.</td>
<td>&quot;Some of the girls are now prepared to talk about this, which might make a core to a film about what Jimmy Savile really got up to and -- of course he's dead so he can't sue. Actually, the more I think about it, the more it is not a doc and a panorama.&quot; Can you just unpack that for me a little bit. If it is not for Panorama, it's a doc, what would that mean?</td>
</tr>
<tr>
<td>A.</td>
<td>Essentially, I think you will have seen in my statement that around July 2011 I'm in a position where for the first time I think I've got evidence which might lead to be able to say that he is a paedophile. Up to that point it's suspicion, et cetera. I start to get</td>
</tr>
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| Q. | quite quickly, relatively quickly. One is doing a sort of half-hour Panorama. The other would be going for a softer angle, with a lot of Duncroft and the celebrities and all this stuff going on, which could make an hour-long doc. |
| Q. | And that would go out -- |
| A. | So I'm looking at all three options in my head at that point. |
| Q. | So what would be the vehicle be for the doc, the third option? You have Newsnight, Panorama and the third option -- |
| A. | Or you could put it out as a BBC 2 doc, or you could do a BBC 3/4 BBC 2 doc. There were various options. |
| MR POLLARD | Can I just ask you what you mean by "softer" in that respect? |
| A. | I mean soft in that if we couldn't get to a position -- if we got to a position that went further than anyone had gone before, but not far enough for us to say the position we got to, which was that we believed he was a predatory paedophile who preyed on huge numbers of kids in different institutions, we might have got to a situation where we were -- it was very suspicious, there were various stories coming through, but you wanted more of the -- Duncroft was a really strange place, wasn't it? More of a -- almost somebody asking |

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

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

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<table>
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<tr>
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<th>Response</th>
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<tbody>
<tr>
<td>Q. Have you talked with him before this?</td>
<td>A. Yes, definitely.</td>
</tr>
<tr>
<td>Q. Inference from the first line of your email that you had discussed with Rippon and MacKean the fact that there was this web memoir?</td>
<td>A. Yes, exactly.</td>
</tr>
<tr>
<td>Q. So in layman's terms, I am sure I have the journalism lingo wrong - this looks like, as it were, your pitch to Peter Rippon to do this story.</td>
<td>A. Yes, that is absolutely fair. I had a con - I mean, I'm guessing that I had a conversation with him around about the time that I've sent that email to Tom, either just before or just after. More likely just after. He may have been busy for half an hour. I couldn't get in to see him at 11:30. I sent this to cover my back, almost, to say &quot;Look, here's an option&quot;, in case Peter says &quot;I don't -- I don't fancy this&quot;. Then I have a chat with Peter. Peter is enthusiastic, but rightly says &quot;Can you send me the autobiography?&quot;, and, of course, that's what I then do and it's the right thing for Peter to do at that time. He wants to get -- have something in front of him to have a look at.</td>
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<tr>
<td>Q. So one of the points that is made, we can see from page 108, in the penultimate paragraph, one of points that is there right at the beginning from the web memoir is that had -- although hadn't touched the author of the memoir, whom you don't identify by her own name here --</td>
<td>A. Yes. Q. -- that's just an observation, it's not a criticism at all: &quot;... although I watched in a detached fashion as he had full sex with one of the other girls in the dressing room into which we were all crammed.&quot;</td>
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<tr>
<td>Q. So sex by the BBC promises is there from the outset?</td>
<td>A. Yes. A. Yes, absolutely. First -- the very first thing I send says that.</td>
</tr>
<tr>
<td>Q. And is the BBC referring to here as?</td>
<td>A. Yes or No. She's not referred to in this.</td>
</tr>
<tr>
<td>Q. I don't think she is referred to at all. And are those both pseudonyms, are they?</td>
<td>A. I don't think they are. I don't know. We never found those. We found, I think, we didn't. But I don't think she wanted to talk.</td>
</tr>
<tr>
<td>Q. It is also fair to say that one of the points that was made in the web memoir was that the author of it was &quot;perfectly certain&quot; that the BBC had no idea what was going on.</td>
<td>A. Yes, yes. Q. Now, if you go to 140 in the same bundle --</td>
</tr>
<tr>
<td>Q. Do you want me to examine that thought or not?</td>
<td>A. Yes. Q. No, at the moment, but we will come back to it.</td>
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<tr>
<td>A. Yes.</td>
<td>Q. If at the end there are some thoughts that you have not downloaded to us, then by all means do. If you go to page 140, same bundle, on 2 November -- so a couple of days later -- you send this to Hannah Livingston?</td>
</tr>
<tr>
<td>Q. You are just forwarding the same email.</td>
<td>A. Yes. Q. Now, Livingston did a great deal of work, quite a lot of research work, on this story.</td>
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<tr>
<td>A. I think so, yeah. Yes, I am.</td>
<td>A. Yes. Q. How would you describe her role?</td>
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<tr>
<td>Q. How would you describe her role?</td>
<td>A. Okay, essentially what you need to know is I was working flat out on an investigation into vulture funds at the time. I had just come back from Bosnia, I had to start a whole lot of translation of documents from Bosnia, I'm about to go to an edit in America.</td>
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</table>
| Q. I get this one going. I talk to the -- get her to                    | 3 (Pages 9 to 12)
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<tr>
<td><strong>Reed Smith Meetings</strong></td>
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</tr>
<tr>
<td><strong>1.</strong> agree to an on-camera interview. I then essentially leave it in the hands of Liz MacKean, who is extremely experienced, with Hannah as a researcher working with her. So Hannah is working for Liz MacKean effectively over that period, and I'm pretty much out of the loop of that from about the 4th or 5 November.</td>
<td><strong>1.</strong> confusion in some minds as to who had gone to the police and who hadn't; is that right?</td>
</tr>
</tbody>
</table>
| **Q.** Right. So one of the main people that was spoken to was somebody called **[redacted]**. **A.** Yes. **Q.** So if you go to 257, **[redacted]** spoke with Hannah Livingston. **A.** Yes. **Q.** Did you ever talk to **[redacted]**. **A.** Only at a much later stage. **Q.** So at this stage -- **A.** At this stage, no. **Q.** -- **[redacted]** has spoken to Hannah Livingston **A.** Yeah. **Q.** And we can see from 257 that it looks as if the name of **[redacted]** has been suggested. Do you see that? **A.** I don't have that. **Q.** 257, do you see in the middle of the page: "Going to ring **[redacted]** again ..." **A.** Ah, yes. Sorry, yeah. **Q.** Do you see? **A.** Yeah. **Q.** "... and tried to get in touch with a woman called **[redacted]**. She, as it turned out, was the second woman that was interviewed on camera." **A.** Yes. **Q.** And for what it's worth, which may be not much, Hannah Livingston says at the end of this email that **[redacted]** was: "... the most 'sorted' sounding of all the women I've spoken to." **A.** Yes. **Q.** Now, **[redacted]** was one of the ones who had been in contact with the police -- **A.** Yes. **Q.** -- in the past. **A.** Yes. **Q.** And **[redacted]** was not. **A.** Exactly. **Q.** And one of the things that it seems, from reading these bundles, one of the things that happened was that there developed, for some reason which we can explore, some Page 13 confusion in some minds as to who had gone to the police and who hadn't; is that right? **A.** I don't know about that. You will have to tell me about that. **Q.** We will see, for example when we get to the blog and some of the references to key witness from Mr Peter Rippon -- **A.** Oh, you mean in terms of Peter, well -- **Q.** -- there was some confusion as to? **A.** Oh, well, I mean, you can call it confusion, you can call it what you like, but, yes, I mean, he's not saying what happened here. **Q.** We will come to that. We will come to that. Now, Mark Williams-Thomas was somebody with whom you had already worked at this stage; yes? **A.** Yes. Yeah, yeah. I had worked with him over probably ten years. Although, not so much recently. **Q.** So if you go to 208, the same bundle, a couple of days later, 4 November, he emails you -- **A.** Yes. **Q.** -- and he's keen to be involved. **A.** We might already have had a phone conversation. I mean, certainly obviously he would have been aware. We'd discussed this in depth in July when we were at Interpol. Page 15

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<th>Page 17</th>
<th>Page 19</th>
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<tbody>
<tr>
<td>1. What was the basis of that?</td>
<td>1. It wasn't an important part of the story, it was an element that comes up very early in the story and stays through throughout.</td>
</tr>
<tr>
<td>2. A. Well, I mean, first of all, you need to remember these are emails firing back and forth. These are not carefully thought out legal documents or whatever. So &quot;know&quot; is very loosely used there. &quot;Believe&quot; would have been better.</td>
<td>2. Q. So it was an unimportant element of the story, was it?</td>
</tr>
<tr>
<td>3. Q. Right.</td>
<td>3. A. No, it wasn't unimportant or important. It was a element. At this point --</td>
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<tr>
<td>4. 8. A. We're being told by the girls -- women as they now are --</td>
<td>4. Q. Why was it there if it was unimportant?</td>
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<tr>
<td>5. 10. Q. How many?</td>
<td>5. A. Because at this point in the story you're chasing every angle you can. That's how you do it. You shotgun at the start of an investigation. You go for every possible line you can and see what's going to come up. So that's one of the lines we're looking at.</td>
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<tr>
<td>6. 11. A. HM?</td>
<td>6. Q. All right. Now, Liz Gibbons didn't fancy this story, did she?</td>
</tr>
<tr>
<td>8. 13. A. By that stage I'd say -- I wouldn't know how many by that stage, ultimately I think -- let me have a look. Ultimately, I think, something like seven -- six or seven of the women.</td>
<td>8. Q. What about Peter Rippon at this stage?</td>
</tr>
<tr>
<td>9. 17. Q. We'll come to that. Ultimately you approached 60, you got 10 responses and they said basically --</td>
<td>9. A. He was very favourable to it at this stage.</td>
</tr>
<tr>
<td>10. 18. A. At this stage --</td>
<td>10. Q. How did he communicate that to you?</td>
</tr>
<tr>
<td>11. 19. A. Well, okay. At this stage I'm not dealing with that bit of it, but I would say probably about three or four women had probably told us that by that stage, by the 4th.</td>
<td>19. Q. Well, you know, we were talking. I was in the office until probably about the 4th or 5th -- probably the 5th.</td>
</tr>
<tr>
<td>12. 20. Q. We'll come to that, but at this stage --</td>
<td>20. Q. Right?</td>
</tr>
<tr>
<td>13. 21. A. Well, okay. At this stage I'm not dealing with that bit of it, but I would say probably about three or four women had probably told us that by that stage, by the 4th.</td>
<td>22. A. So we were having conversations, saying &quot;Look, we're starting to get there. They are talking to us. We are starting to get stuff&quot;, and so on. But there is no serious scrutiny at that stage of the investigation.</td>
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<tr>
<td>14. 23. Q. And you had obtained that information from</td>
<td></td>
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<td>15. Page 17</td>
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</table>
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Friday where he talks about a conversation he had with me around about this time where again he says, "You know, we've got to be careful, he's just died". And he has some of those thoughts as well. So it wasn't completely left field. I mean, to me it seemed very odd but it's not completely left field.

The other possibility, going on to it, is that she could see that it was going to be a difficult story for the BBC. But that would be the other one, but that would be speculation.

Q. It would be difficult or sensitive for the BBC?
A. Difficult, I think.
Q. Why would it be difficult?
A. Well, he's a huge BBC saint. He has been built up as this huge hero. When he died we had almost state funeral coverage, it was -- you know, of his funeral, and so on. It's very -- it's going to be very, very difficult to run a story that says this person who the BBC spent 30 years telling you was a saint was actually a paedophile. That's quite a difficult story.
Q. Now, you mentioned earlier, a moment ago, the email from Liz MacKean that you have obviously seen. If you go to 267, I think that's the email you referred to.
A. Yeah, okay. Yes, that one.
Q. She had had a meeting with Liz, that is presumably Page 21

Liz Gibbons, and Peter, that is obviously Peter Rippon.
A. Yes.
Q. You weren't a participant in that because at this stage you were --
A. I'm in an edit in Brooklyn.
Q. -- as we can see from a little bit further down the page, you were 3,000 miles away.
A. Yes.
Q. So she'd had a meeting, MacKean, Gibbons and Rippon: "She thinks, that's Liz Gibbons, we shouldn't do Js story on grounds of taste. I persuaded her otherwise, especially given the police line."
So that was a reference to the Surrey Police --
A. Investigation.
Q. -- aspect that we just looked at.
A. There was a Surrey Police investigation. You are trying to -- no, may be not trying to, there is danger of confusing two things here. I always thought the fact that the police investigated this and took it seriously, if we could get that, that would be a huge corroborative thing to what these girls were saying, and that was massively corroborative of all their allegations. It didn't necessarily mean it had happened, but it meant you should take them a lot more seriously.
So that is the police line that we were after.
Page 22

There is also a line about whether or not them being too old -- him being too old to prosecute was an angle, but it's really not a serious angle, I mean not compared to exposing Jimmy Savile as a paedophile.
Q. Well, it looks from this email, doesn't it, as though the police line was an important aspect. Obviously we'll ask --
A. Yes -- no, no --
Q. Obviously we'll ask Ms MacKean about this.
A. But I say you are confusing two police lines, here, aren't you? The police line is that if we could show there was an investigation by Surrey Police of Savile at Duncroft, that would be a huge element in our story.
Q. Not if it ran into the sand, though?
A. Yes, it would.
Q. Why?
A. Look, if he had been prosecuted by CPS it wouldn't be a story because we would all know about it, plainly.
Q. Right.
A. There are two possibilities here. One -- well, there are three. One that there was no police investigation, that these girls had made it up, in which case we should be extremely sceptical of everything else they say and we probably wouldn't run the story, because they have told us there was a police investigation.

Page 23

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

6 (Pages 21 to 24)
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<td>1. A. Because I'm worried about the relationship between</td>
<td>1. Q. -- 286 is not very illuminating -- to 285, those are the</td>
<td>1. Q. -- 286 is not very illuminating -- to 285, those are the</td>
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<td>Surrey Police and</td>
<td>notes that she sent you.</td>
<td>notes that she sent you.</td>
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<tr>
<td>&quot;let's put it that way.&quot;</td>
<td>2. A. Yes.</td>
<td>2. A. Yes.</td>
</tr>
<tr>
<td>4. Q. We know later from the bundles -- and we will come</td>
<td>4. Q. You yourself at this stage had spoken to any of these</td>
<td>4. Q. You yourself at this stage had spoken to any of these</td>
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<td>to this if necessary -- that a &quot;we had</td>
<td>people or none of them?</td>
<td>people or none of them?</td>
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<td>contacted some of these women.</td>
<td>6. A. No.</td>
<td>6. A. No.</td>
</tr>
<tr>
<td>7. A. Yes.</td>
<td>7. Q. Just</td>
<td>7. Q. Just</td>
</tr>
<tr>
<td>8. Q. And you say -- you may be right about this -- there</td>
<td>8. A. You have to remember I'm in America working sort of</td>
<td>8. A. You have to remember I'm in America working sort of</td>
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<td>is a correlation between the people who are contacted and</td>
<td>-- I'm not criticising you, I'm just asking questions.</td>
<td>-- I'm not criticising you, I'm just asking questions.</td>
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<td>the people the police had spoken to?</td>
<td>10. A. No, but I'm just trying to explain. I'm in America</td>
<td>10. A. No, but I'm just trying to explain. I'm in America</td>
</tr>
<tr>
<td>11. A. I mean, let me -- let me say here and now, I don't</td>
<td>working right round the clock on this. It is a horrible</td>
<td>working right round the clock on this. It is a horrible</td>
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<td>evidently know that. These are emails you are</td>
<td>edit, everything goes wrong. I then fly back to London</td>
<td>edit, everything goes wrong. I then fly back to London</td>
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<tr>
<td>sending between yourself at that time, you have</td>
<td>13. but I have to go to The Guardian to an edit suite there,</td>
<td>13. but I have to go to The Guardian to an edit suite there,</td>
</tr>
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<td>suspicions and you say -- you know, so I'm making no</td>
<td>because it's a joint co-production. I'm not reading</td>
<td>because it's a joint co-production. I'm not reading</td>
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<td>judgment on whether &quot;we did or didn't do</td>
<td>this stuff at this time.</td>
<td>this stuff at this time.</td>
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<tr>
<td>anything. If you see what I'm saying --</td>
<td>16. Q. I'm not being critical, I'm merely the hired help asking</td>
<td>16. Q. I'm not being critical, I'm merely the hired help asking</td>
</tr>
<tr>
<td>17. Q. Right.</td>
<td>17. questions.</td>
<td>17. questions.</td>
</tr>
<tr>
<td>18. A. -- in terms of any &quot;we had or anything</td>
<td>18. A. No, no, I'm sorry, I apologise. What I'm trying to say</td>
<td>18. A. No, no, I'm sorry, I apologise. What I'm trying to say</td>
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<tr>
<td>like that.</td>
<td>is that over that period, except for the 14th, I'm not</td>
<td>is that over that period, except for the 14th, I'm not</td>
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<td>19. Q. Were you worried at this stage that others were on to</td>
<td>really back on this until the 17th. So Liz is pretty</td>
<td>really back on this until the 17th. So Liz is pretty</td>
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<td>the same story, so there was a bit of a race going on</td>
<td>much running this at this time.</td>
<td>much running this at this time.</td>
</tr>
<tr>
<td>22. here?</td>
<td>22. Q. Right. Okay. Now, at this stage there was only one</td>
<td>22. Q. Right. Okay. Now, at this stage there was only one</td>
</tr>
<tr>
<td>23. A. No, the prime -- yeah, well, primary -- yes, partly, but</td>
<td>woman who was willing to go on the record, wasn't there?</td>
<td>woman who was willing to go on the record, wasn't there?</td>
</tr>
<tr>
<td>primary concern there is I think -- you will see from my</td>
<td>24. A. Yes.</td>
<td>24. A. Yes.</td>
</tr>
<tr>
<td>submission that by about 4 November we were starting to</td>
<td>25. Q. And we see that from 289. Another email from</td>
<td>25. Q. And we see that from 289. Another email from</td>
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7 (Pages 25 to 28)
Reed Smith Meetings
12 November 2012

Hannah Livingston to you and Liz MacKeen. You see she makes that point about a third of the way down the page. Do you see "So far the only woman", and she names her
A. Yes.
Q. Hannah makes some other observation:
"What we know for certain ... Jimmy Savile used to visit Duncroft."
Well, you've known that for decades. A photo of him with girls at the school, and you knew that he used to visit.
"Duncroft was an approved school."
Well, again, you'd known that for years.
Then she says what definitely needs confirming was the presence of a police investigation, and you were in touch with the reporter chap that is obviously --
A. Mark.
Q. -- mark Williams-Thomas. And then a few of the girls have referenced a letter they received from the police saying there would be no further action taken against Mr Savile because of his age.
So she splits the aspect of the police into the two points that you made earlier, namely whether there was an investigation at all, and then if there was one --
A. Yes.

Q. -- whether it was not proceeded with because of his age, and whether there was a letter, and that assumes some importance, doesn't it, later in the story?
A. Well, maybe. We will see.
Q. Well, it does, doesn't it? We can see from the -- it does assume, rightly or wrongly, some importance --
A. Well, I -- I would say it doesn't assume any importance in the story. It does assume an importance in reasons given for dropping it. But it doesn't assume any importance in the story.
Q. So --
A. It's not an important element.
Q. It's not an important element --
A. No.
Q. -- in the story --
A. No.
Q. -- that the investigation was or might have been dropped because Savile was older and infirm?
A. It is there, and we've got it in script and so on in case we find that's true. But plainly, without that line it would still become the biggest story of the year.
Q. Why is it in the script if it's not an important element?
A. Because it is there as something we would have hoped to get, we might get. In all probability -- if you want to jump to that script, we can talk about that line. The way it would have been scripted, I think in the end, would have been: the girls say the prosecution was dropped -- the girls say they were told the prosecution was dropped because he was old and infirm, but the Crown Prosecution Service say it was because there wasn't enough evidence. And they completely reject that.
Q. We will come to the script.
A. Yes, I know.
Q. Some of the Friends Reunited material --
A. Yeah.
Q. -- which she mentions at the bottom of the page, you had looked at that, you had been following that for some time.
A. Yes, no, absolutely.
Q. It's true, isn't it, that some of that material definitely did suggest that the police had said that Savile was too old to prosecute; yes?
A. Yes, absolutely.
Q. We can see that, for example, if you go a little bit later in the bundle and pick it up at 299. This is the Friends Reunited material, isn't it?
A. Yes.
Q. Yes?
| Q: a quarter of my time into this. Three-quarters into vulture funds. That lasts two or three days. I have then set up the interview with [blank] I know we're making progress the rest. I then essentially do nothing on this until the 14th. And because she has agreed to do an interview on the 14th, that is obviously overwhelmingly important, I take a day out completely from vulture funds, and on the 14th I concentrate on that. And the film then goes out on the 16th, so 15th and 16th come back on vulture funds. 17th is when I'm back on this. | A: Yes. |
| Q: What had happened then, because so far it looked as if it was Surrey and now suddenly it might not be? | A: There is confusion that turns out ultimately to be caused by the fact that there was also a complaint to Sussex Police. So somebody is saying it is Sussex. So we think, well, it must be Sussex rather than Surrey, then. We were wondering about this. |
| Q: Now, just before we dive back into the chronology of all this, just take a step, as it were, back. You mentioned earlier this story not having been commissioned at a certain stage. | A: No, I'll get there in a second. But amongst the various sources we are getting, we are getting somebody who is staying it's Sussex. |
| Q: That was Williams-Thomas saying that? | A: One of the girls? |
| Q: 25 November. Up until that point, working away on something, it might go nowhere. I should say, even if it's commissioned there is still only a 90/95 per cent chance it is going to come to -- it is still possible it won't be made. You know, one in twenty may be don't at that point. But at that point you are told you have a budget, you have a transmission date. There is a big board on the wall of the Newnight office with all the films that are going to be coming up over the next month. It is signed up there for 7 December. Editing is booked by Liz Gibbons. You know, all that stuff starts to happen, and it's a real thing there. It's not just a hope -- hoped for thing, it's a real thing which you are then -- you are pulling the sync at the interview, you are pulling together your script, you are pulling everything together now. | I complained to Sussex Police. |
| Q: Right, okay. By whom is it commissioned? | A: It turns out -- |
| Q: So A victim from somewhere? | A: Yeah. It turns out there was, and she did go to the police, and, you know, it's in the police log. But it caused us confusion, I think. Could they have got Sussex/Surrey confused? Mark meanwhile has gone to Surrey Police and said, "Did you investigate him?" And they are saying "No". So we have got a possibility of Sussex. At the moment the people he's talking to in Surrey are saying "No, he didn't". |
| A: By Peter, clearly. He says "Prepare for transmission. Excellent, prepare for transmission". | Q: "Nothing to do with me". He's gone -- you know, he's not the right person at that time. So we're worrying about which force -- you know, which force has done this. |
| Q: That's not a certainty of broadcast, but that's the greenlight? That's the critical greenlight? | Q: Right. So if you go to 26, it looks as if Livingston has been back to [blank] and [blank] is sticking to her story that it was Surrey, and she's able to say that it was at Staines Police Station. |
| A: That's the greenlight, yes. | A: Yes. |
| Q: We will come to that, because we're not quite there -- | Q: She has not managed to track down the letter yet -- |
| A: But there are still -- obviously there are still hoops we have to jump through and so on. You know, things could go wrong, we might have legal problems, there are all sorts of things that can go wrong. | A: Yes. |
| Q: Yes. Let's just go back to the chronology then, bundle A2, at page 8. These are emails between Hannah Livingston and Liz MacKean. We can obviously take them up with them. So we might not spend a long time with you. |
| Q: But on 10 November from Liz MacKean to Hannah Livingston: "One detail we really need is the police force that handled the investigation. Your source suggests it wasn't Surrey." | Q: -- but is having another look "and will email me if she

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1. Notwithstanding the fact that she appeared to be the most sort, according to Hannah Livingston, on her view?
2. A. At that point of the people talked to. Remember, Hannah had not talked to our key witness, who was I was the only person who had talked to. So out of the others, she appears sort, she is organised, et cetera.
3. But I think -- I came to the view of that she was quite manipulative and I actually -- you know, I didn't want to go any further pressing her for a letter because I was starting to get suspicion about her.
4. MR POLLARD: That was some time in the future?
5. A. No -- well, before the investigation is pulled.
6. MR POLLARD: Right.

---

Q. -- because I think what you just said will perhaps become a little clearer when we just follow the next few days.
1. If you go to 35, this is the next day,
2. 11 November --
3. A. This isn't right -- there, sorry, yes.
4. Q. Yes. Some of them have been forwarded on more recently to the BBC and then sent to us. You see 11 November:
5. "Hi [omitted]
6. "Good to talk to you just now. You mentioned you had emails from two others.
7. "I will speak to you soon and in the meantime, if you have luck with the police letter, I'll be fascinated to see it."
8. A. Yes.
9. Q. So MacKean is following up this notion of the letter.
10. A. Yes.
11. Q. And then if you go to 45.
12. A. Yes.
13. Q. Now, there's a visit to [omitted] is in the offing here, and that was to interview [omitted]
14. A. Yes. Which I thought was crucial.
15. Q. Right. That takes place on the 14th. We will get to that.
16. A. Yes.
17. Q. But look at the email at the top of the page, from MacKean to Livingston copied to you:
18. "(Me) - I'll meet you at Birmingham ..."
19. Do you see?
20. A. Yes.
21. Q. And then I think that should be -- the hole punch is through it but obviously it is:
22. "Long chat with [omitted] probably all the same stuff she told you you being Livingston not you. She has agreed to do an anonymous interview."
23. A. Yes.
24. Q. Is that what happened? Did she do an anonymous -- does that mean a piece on camera? What does that mean?
25. A. In this case -- I mean, there are various types of anonymous interviews, but without going through them, in this case what we were getting from these women was they were so scared, they said, of being revealed in any way. They were not even prepared for us to come and be in the same room as them. They didn't trust the media.
26. Therefore, all they -- what they were prepared to do was to be interviewed on the phone, to agree that we could use what they said. In some cases we went back to them saying "We plan using this, are you happy with what we're going to use?" And I assume we did that with [omitted]
27. Q. Right. Look at page 57, please. I don't know if you
28. Page 38
29. Page 39
30. Page 40
are back in the country, it looks as if you are.

A. I am, but I'm in The Guardian edit, that one. It's a Sunday and I'm editing a film at The Guardian at that point.

Q. Right. But you are going to tomorrow; that's a Monday, the 14th?

A. Yes.

Q. And you will be in the office on Tuesday.

A. Yes.

Q. Then you talk about some other matters that I think we're not directly concerned with.

A. That's about -- that's the story about it's nothing to do with Savile.

Q. Yes, I'm not interested in what the topic was --

A. Oh right, fine.

Q. -- I'm interested in what your gambit is?

A. Okay. Well, again, it was used -- it was used slightly jokingly, but it sounds -- it sounds awful when it --

Q. And so there, it sounds like I'm being really pompous

A. [Inaudible]

Q. So this gambit is sanctioned by the BBC guidelines, is it?

A. It's -- I mean, there is nothing specifically about it in the guidelines.

Q. It is in accordance with them or not in accordance with them?

A. There's nothing about it in the guidelines.

Q. So you are comfortable about using this technique?

A. Yeah. Yes.

Q. I understand. Let's get back to the matter in hand.

A. Yes.

Q. This is Mr Rippon's response to the email that we just looked at.

A. Yes.

Q. This is the 14th. Is this the morning of the interview?

A. Yes.

Q. And he asks:

"How are we getting on with corroboration."

Q. re Savile?"
**Reed Smith Meetings**

**12 November 2012**

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<td><strong>A. Yes.</strong></td>
<td><strong>background and --</strong></td>
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<tr>
<td><strong>Q. Much later on.</strong></td>
<td><strong>A. Yes, yes.</strong></td>
</tr>
<tr>
<td><strong>3. A. Yes.</strong></td>
<td><strong>3. Q. -- manipulative nature, if correct, would be all the more reason why the editor of one of the BBC's major news programmes should be most anxious to ensure that there was corroboration.</strong></td>
</tr>
<tr>
<td><strong>4. Q. These are the Duncroft photos and Friends Reunited and so on, and then you quote again from the self-published account which wrote.</strong></td>
<td><strong>4. A. Oh yeah, totally agree. Totally agree with you.</strong></td>
</tr>
<tr>
<td><strong>5. A. Yes.</strong></td>
<td><strong>5. Absolutely agree. Yeah, 100 per cent. But what I'm trying to say is that if you are asking me is my judgment that most of the women we talked to are extremely manipulative? No, they weren't. Some of them were.</strong></td>
</tr>
<tr>
<td><strong>6. Q. And there's a long quotation from it.</strong></td>
<td><strong>6. If you are asking, you know, were they intelligent, probably half of them were intelligent? You know, more intelligent than average.</strong></td>
</tr>
<tr>
<td><strong>7. If you go to page 310 in the middle of the page, do you see &quot;I knew about it because ...&quot;?</strong></td>
<td><strong>7. Emotionally damaged? Almost all of them were.</strong></td>
</tr>
<tr>
<td><strong>8. A. Yes.</strong></td>
<td><strong>8. Criminal background? Perhaps half of them were.</strong></td>
</tr>
<tr>
<td><strong>9. Q. &quot;... Duncroft's head Maggie Jones was my aunt [and so on].&quot;</strong></td>
<td><strong>9. Do you see what I mean, I'm saying these -- they are all -- I'm not making the same judgment about all these factors.</strong></td>
</tr>
<tr>
<td><strong>10. And you explain you kept an eye out for Duncroft content: &quot;We've messaged a large number of Duncroft girls and have talked to a dozen -- half of whom gave detailed and convincing accounts of abuse by Savile and his friends who give names of others who they say were abused.&quot;</strong></td>
<td><strong>10. Q. We know that Hannah's view, anyway, was that -- I know she didn't speak to that's an important aspect, you've made that point --</strong></td>
</tr>
<tr>
<td><strong>11. Then you say at the end: &quot;It goes without saying that most of these girls are intelligent and emotionally damaged, but with a criminal background and suspicious and extremely manipulative which makes them particularly difficult to deal with or get them to trust us.&quot;</strong></td>
<td><strong>11. A. She's the key witness, we always have to remember this throughout this.</strong></td>
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<tbody>
<tr>
<td><strong>A. Yes.</strong></td>
<td><strong>1. Q. I understand, but so far as Hannah was concerned, was the most sorted and, in your judgment, she wasn't as it were --</strong></td>
</tr>
<tr>
<td><strong>Q. So the question I put to you a moment ago, came from your own email.</strong></td>
<td><strong>2. A. Later on, much later on.</strong></td>
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<td><strong>4. A. Yes, no, but I --</strong></td>
<td><strong>3. Q. -- wasn't very sort?</strong></td>
</tr>
<tr>
<td><strong>5. Q. But you disavowed it.</strong></td>
<td><strong>6. A. Much later on. No, I mean, she's saying sorted because is giving her detail and all sorts. Most of these women are being very &quot;I don't really want to talk about it. I don't remember. It's a long time ago&quot;.</strong></td>
</tr>
<tr>
<td><strong>6. A. Yeah, but if you look at that there's a long -- there's a long list there of different things. So most of these girls are intelligent, some of them aren't, emotionally damaged, criminal background, suspicious, extremely manipulative. This is a list of some of the features these girls -- I would not -- or women.</strong></td>
<td><strong>7. Q. is sorted in that she is saying &quot;I do remember this&quot;. She gave us loads of names. She has loads of contacts. She's the most sorted. However, as time went on, I came to feel that she was also the most manipulative.</strong></td>
</tr>
<tr>
<td><strong>8. I would not individually, if you picked that out, say &quot;most of them were extremely manipulative&quot;. Do you understand the distinction I'm making? This is a list of things which between them are there.</strong></td>
<td><strong>8. Q. Okay. Let's just jump back a little, please, to page 83 of the same bundle. There a there is an email from somebody called Anna Adams to you on 15 November.</strong></td>
</tr>
<tr>
<td><strong>11. Again, this is not a legal document that I have written. This is just a very quick note that I've slammed out to Mark Williams-Thomas, and at the end of it I'm saying, you know, it goes without saying these girls are intelligent, emotionally disturbed, damaged, you know, criminal background, some of them didn't have a criminal -- you know, suspicious, extremely manipulative. I'm just giving a list of the sort of problems that we're having with them.</strong></td>
<td><strong>12. A. Yes.</strong></td>
</tr>
<tr>
<td><strong>25. Q. But these factors of emotional damage and criminal</strong></td>
<td><strong>19. Q. Who is Anna Adams?</strong></td>
</tr>
<tr>
<td><strong>Page 46</strong></td>
<td><strong>20. A. She's a very good investigative reporter who was with us on attachment for a bit.</strong></td>
</tr>
<tr>
<td><strong>21. Q. So she's working for the BBC at --</strong></td>
<td><strong>22. A. On attachment for Newsnight.</strong></td>
</tr>
<tr>
<td><strong>23. Q. -- that stage?</strong></td>
<td><strong>24. Q. -- that stage?</strong></td>
</tr>
<tr>
<td><strong>25. A. I did the story about Azerbaijan with her and buying the</strong></td>
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12 (Pages 45 to 48)
1. Q. Now, she sends you an email which is headed "Peg!!"
   with three exclamation marks.
2. A. Yes.
3. Q. That, I assume, is a peg for the story, is it?
4. A. I think she's saying a peg in terms of -- is this for
   MR POLLARD: It's Christmas schedules.
5. A. Oh, it's Christmas schedules, sorry, yes.
6. MR MACLEAN: It's the Richie Jim'll Fix it.
7. A. Yeah.
8. Q. So peg is a peg for your story.
10. Q. And you emailed back -- we don't need to look at it --
    but you'll remember you emailed back to say "Yes, you're
    not the first to spot that", on the next page?
11. A. Yes.
12. Q. Your story and what she's getting at, and you are
    agreeing with her, I suggest, is that it would be
    a particularly potent story if Newsnight's developing
    story ran ahead of what became the Shane'll Fix It at
    Christmas?

---

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

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wished to know was had the police investigated and taken it seriously.

Q. What was necessary to run the story was that you got the details about the police investigation, wasn’t it?

A. No. No. You keep using this -- tell me if you have a problem this phrase, that what was necessary to me was that the police had investigated and had taken it seriously.

Q. Look at page 100 --

A. I mean, do you have a problem -- if there’s a problem with that, then, you know, try another formulation of words on me and I will either agree or disagree.

Q. Well, let’s try the formulation at page 112.

A. Right.

Q. This, I think -- if myself understood it correctly -- it’s a little difficult to work it out because the email from Liz MacKean to you above it has been redacted?

A. Why?

Q. Well, that’s a very good question, but it’s not a question for you, Mr Jones, but we will take that up with others. There have been some very peculiar redactions. But I can only read the words I have been given, I am afraid.

A. Hang on, I can -- I tell you what, I can --

Q. Well, can we deal with it in the break?

Page 53

A. Okay, I was going to say I can find it for you, if you want.

Q. That would be very helpful. As I understand it, the bit at the bottom that we have been allowed to see is a post put by Liz MacKean on Friends Reunited.

MR POLLARD: Over the page, do you mean?

MR MACLEAN: In all events, whatever it is, the bit I want to show you is the last paragraph on 112, where Liz, presumably Liz MacKean, says:

"Now, however, they feel it’s time to set the record straight, and what he did was wrong. For us to run this story, respecting confidentiality when people have asked for it, we need to get the details about the police investigation a few years ago."

That’s the line which I used to you a moment ago --

A. Okay.

Q. -- that you baulked at?

A. Yeah, well, this is Liz’s email not mine.

Q. No, I appreciate that:

"They contacted a number of former pupils who eventually got a letter saying the inquiry would be dropped because of JS’s age. If you can help us with any gaps that would be fantastic and much appreciated."

A. Yes.

Q. So for Liz MacKean at least it would appear that what was critical to standing up the story with in the can was getting the details of the police investigation.

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

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

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

That’s what we’re after there. It’s much more fundamental. It’s about getting the letter.

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

Mark Williams-Thomas has approached Surrey Police, they are saying -- they are not helping. We need -- we need a case number or an officer.

Where at the same time someone has said that the police officer was called Angie. We’re ringing everyone called Angie who was a police officer at Staines police station. We’re trying to find any way of getting to that police investigation.

Q. Right. Let’s look, then, I think you would say making that point good, at 117. There is a reference to -- there’s an email to somebody called who had been in contact with Liz MacKean.

A. Okay, I don’t know who, I am afraid.

Q. It doesn’t matter, I don’t think. But you can see, if you go to 116, that we can see what was somebody who had been at Duncroft, okay, do you see from 116?

A. Yes.

Q. "I was at the school from", et cetera.

A. Yes, not useful.

Q. The details don’t matter. The bit I want to show you is 117, second paragraph from Liz MacKean to "We really need to track down one of these letters -- no luck so far. At the very least we need the name of the investigating officer so we can approach the force involved."
A. Yes, we desperately --
Q. -- it's the letter?
A. You know, you would think that the police would just confirm that there has been an investigation. Obviously they don't want to do that, for whatever reason, so we're desperate to find a way in. And we've still got this problem about Sussex, we don't understand why Sussex keeps coming up.
Q. Meanwhile, Hannah Livingston is still researching away in the background, isn't she?
A. I assume so. This is the day my vulture film goes out.
Q. Okay. She gets to the point, doesn't she, where she thinks she has identified the girl, as she then was, that was having sex with, so it is alleged --
A. Is this the thing?
Q. -- in the BBC?
A. I think this isn't it?
Q. Yes.
A. Where is this?
Q. Well, is that right?
A. Yes, I mean I haven't got the email in front of me but I think -- I think at one point there is a suggestion
Page 57
from somewhere that it I don't know where it is from, I would have to look at a email or something to -- it -- it turns out to be probably wrong. But obviously if we could have found the girl who was having sex with that would again have been a great -- a great line to have gone with.
Q. So if you look at 124, first of all, that's the same email we have just looked at; yes?
A. Yes.
Q. So we can follow that back to 123, working up the chain.
A. Yes.
Q. Then we get to 122, and it's too dark for us to make out but there is a photograph there of and together with somebody else?
A. Yes.
Q. Hannah Livingston is going to go through 52 episodes of Jinn'll Fix It to see if she can find when visited, and so on. As we know, in the end it turns out to be a Clunk Click which she looks at and she does in fact track down which particular one it was with and one of the other girls?
A. Which turns out to be another really useful bit of corroboration for us.
Q. Look at 121. This is Livingston to MacKean: 
"It's good they're getting back to us and especially
Page 58
so quickly. Well done for mailing all 40+ of them!!" And she has identified three girls in the photo, one being another being "Tracking down would be ideal as thinks she's the girl she saw having sex with."
A. She must have phoned or something, I assume.
Q. And MacKean says:
"... brilliant you registered that... I was thinking we could do with corroboration about that incident."
A. Yes.
Q. So at that stage it looks as if there is -- well, Hannah Livingston appears to think that she may at least have identified the person that remembered with
A. Yes.
Q. So what happened to that little tributary of the story?
A. Um, became unsure about it, and then pretty confident that it wasn't
Q. To whom did she communicate that?
A. I think to me. I think to me.
Q. When was that?
A. Later on this.
Q. Later on? Later on when?
A. Probably in the week probably -- I don't know, probably
Page 59
somewhere in the 20s, I don't know, of November. You know, when you are doing an investigation you get things like this where you think you've made a break through and then it turns out -- when you go back through it and check it through it turns out not to stand up so you don't go with it.
Q. And the woman herself was never tracked down or contacted?
A. No, we couldn't find her.
Q. Now, meanwhile Liz MacKean is drawing a blank with the police, isn't she, if you go to, for example, 137?
A. She has been talking to more of the girls, as they were.
A. Yes.
Q. "None can help us with cops unfortunately ..."
A. But she then mentions who we saw mentioned earlier --
A. Yes.
Q. -- who will do an on-camera interview.
A. Yeah.
Q. And she does, but not with Liz MacKean but with you.
A. Yes.
Q. And that's the one that wasn't in the can --
A. On the 30th script, yes, because it's done on the 1st.
Q. When the script is getting developed, which we'll come
MR MACLEAN: I think that is probably right. We will come to that.

MR POLLARD: On the Monday.

MR MACLEAN: Helen Weaver is concerned with a part of the BBC called Impact, isn't she?

A. Yes.

Q. Impact across the BBC of stories that are broadcast?

A. Essentially what used to happen was that various bits of the BBC would come up with a good story and it wouldn't get picked up by the rest of the BBC. So they brought in an impact team to make sure that if somebody had a scoop there was a team there to make sure there were enough hands to get it out for the 6 o'clock news, 10 o'clock news, all across radio, on the web, everywhere.

Q. To make the best of a good story.

A. Because otherwise you are so focused on your story you haven't got the time yourself to do all that, yeah.

Q. So if you go to 194, by this time Impact is on to the case of this developing story?

A. Yeah, I was surprised at that when I saw that going back. Quite surprised. I think that must have just been a casual conversation something that led to that.

Q. They haven't been formally notified at that point.

A. What she says --
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<tr>
<td>1 victim in the can. We're working on it&quot;. That's at an 1 that.</td>
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<tr>
<td>2 earlier stage. 2 Q. Because that was a view that you came to?</td>
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<td>3 Late November there is proper contact between us and 3 A. That was my belief at that time, yes.</td>
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<tr>
<td>4 the Impact team. 4 Q. That he had been lent on from on high?</td>
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<td>5 Q. But the story was that he had abused girls in the care 5 A. Yes.</td>
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<tr>
<td>6 home and that Surrey Police had investigated and decided 6 Q. That was your belief, you say, at that time. Is that</td>
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<td>7 not to proceed with the investigation. 7 still your belief?</td>
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<tr>
<td>8 A. Yes. 8 A. Yes, but it would be quite complicated to explain it</td>
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<tr>
<td>9 Q. That was the story. 9 all, but I think he was lent on. I think -- I think</td>
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<td>10 A. Yes. 10 Helen raised the bar, according to what George said in</td>
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<tr>
<td>11 Q. Not just he had abused girls in a care home and 11 the Select Committee, and I think he took that as a -- 12 an indication about what he should or shouldn't do. So,</td>
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<td>12 Surrey Police had investigated. 12 yes, I do think he was lent on, but I can't say it as 13 a matter of fact, I wasn't there. I don't know what</td>
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<td>13 A. No, and that they hadn't gone ahead, that's clear. 14 happened. But that was the impression I got.</td>
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<tr>
<td>14 Q. Right. 15 Q. The information that was given to Parliament recently 16 can't have been -- can't have had an impact in your mind</td>
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<tr>
<td>15 A. Because otherwise he would have been prosecuted and that 17 then -- 18</td>
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<td>16 would have been a story in 2007/2008. 19 A. No.</td>
<td></td>
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<tr>
<td>17 Q. The fact that they had investigated, it would then go to 20 Q. -- for you to form the view that he had been lent on 21</td>
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<td>18 the CPS and it would be the CPS's decision -- 22 from very high up? 23</td>
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<td>19 A. So in fact that is factually wrong, then. They had 22 A. No. I mean, my view has been formed by two things. 24</td>
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<td>20 proceeded; they had given the file to the CPS. 23 One, 180-degree turn on a story, and, two, the 25</td>
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<tr>
<td>21 Q. It would be for the CPS to decide what to do about it. 24 indications he gives me and Liz MacKean that this is 25 stuff coming from above.</td>
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<tr>
<td>22 A. Yeah. 26 Page 65</td>
<td></td>
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<tr>
<td>23 Q. She says -- you wouldn't you know about this but she 27 Page 67</td>
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<tr>
<td>24 says she discussed the stories with her colleagues, 28</td>
<td></td>
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<tr>
<td>25 Joe Mathys, if I've pronounced that correctly -- 29</td>
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</table>

| 1 A. That's right. 1 Q. Right. We will come to that. |
| 2 Q. -- and David Gibson. 2 So at all -- |
| 3 A. That would be later. That won't be the 18th. 3 A. And, three, the putting up an arbitrary barrier to it 4 Q. And they agreed it was a very good story. 4 being broadcast. That's the three things really, that's |
| 5 A. Yes. 5 (inaudible). |
| 6 Q. I'm taking this out of order, because it is convenient 6 Q. That's what we will come to when we get to the 7 to deal with this now -- 7 transmission date being fixed and then the story -- the 8 A. Sure. 8 editing being pulled? |
| 9 Q. -- a few days later, if you can't be sure of the date, 9 A. Yes. |
| 10 she was told that the story had been dropped. Then she 10 Q. So as the lawyers say, is this right, at all material 11 said this: 11 times the impact team formed a view, which was your 12 "I bumped into [you] in the corridor at TVC [that's 12 view, that this was a very good story, it was going to 13 obviously Television Centre] and asked why it has been 13 have a big impact? 14 shelved. He [that's you] replied that Peter Rippon had 14 A. Yes. I mean, if you go to 29 November, Jo Mathys's 15 been 'lent on from high'. I asked how high and he 15 email, that's probably the best demonstration for what 16 replied very high." 16 they think. |
| 17 Do you -- 17 Q. They wanted Liz MacKean all over the place when the 18 A. This is a new email to me. 18 story was broadcast? |
| 19 Q. It's not an email. 19 A. Yes. |
| 20 A. It's new information that I've not been given before. 20 Q. Yes? |
| 21 Q. No. 21 A. Yes. |
| 22 A. It sounds extremely likely that I might have said that. 22 Q. If you go to page 210, the same bundle, this is an email 23 Q. Did she ask you -- 23 from Mark Williams-Thomas to you about something else. |
| 24 A. You know, I don't remember this conversation, but it 24 It is not completely unrelated, you might think -- |
| 25 doesn't sound, you know, unlikely that I would have said 25 A. No, it's a different story. |

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17 (Pages 65 to 68)
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<tr>
<td>Q. -- it's a slightly different story, isn't it?</td>
<td>A. Yes.</td>
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<tr>
<td>Q. This is 18 November. If you go back a page, we've got your reply. So the first sentence is to do with this other story, &quot;Good idea&quot; et cetera. Then you say: &quot;By the way, we are still trying to get one of the Duncroft girls to find their letters. Some of them seem to think it was Surrey Police and at least one thinks it is Sussex.&quot; Then you mentioned this earlier: &quot;We only have first names of interviewing officers -- Becky and Angela ... not much use.&quot; Then speculation about what rank Angela was and so on: &quot;They all say they were contacted by an officer who asked them whether they knew anything about any visitors to Duncroft approved school in Staines. The officers were careful not to mention any name. Then they all say they said 'you're talking about Jimmy Savile' and told what happened to them and were told that he was being investigated about sexual assaults on minors.&quot; Then you say: &quot;Most of them think they were interviewed in about 2009, although one thinks it was earlier and that about a year after they were interviewed they received a letter not naming Savile saying the individual had been interviewed but that CPS ...&quot; I think that's the first time we have seen reference to them: &quot;... had decided not to pursue the case because he was old and infirm. One of them [and we know this is because we saw this earlier] thinks that she was 'interviewed under caution' and so was slightly intimidated.&quot; But that doesn't sound quite right because why so earth she would be interview under caution, that would be bizarre.</td>
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<td>Q. Then you mention one of the Duncroft girls going to see Savile doing his TV show. Remembered it was Clunk Click. You thought she was wrong about that, but in fact she was right, and this was unknown. A. Yes.</td>
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<td>Q. And then you mention the episode there, and a similar trip with somebody else at the bottom. Then you say at the bottom: &quot;We're still hoping to get one of the police CPS letters which would make this all a lot easier.&quot; A. Yes.</td>
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<td>Q. So we now see that the CPS is involved.</td>
<td>A. Yes.</td>
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<th>Question</th>
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<tr>
<td>Q. You have made reference to the CPS.</td>
<td>A. Yes.</td>
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<td>Q. Who had, as it were, worked out that it was the CPS and not the police that had kyboshed the investigation?</td>
<td>A. We didn't know which one it was.</td>
</tr>
<tr>
<td>Q. You are proceeding here on the basis it was the CPS?</td>
<td>A. No, it says &quot;police/CPS&quot;. The problem was in those circumstances apparently -- this seems odd to me -- but you can either end up with a letter from the police or the CPS.</td>
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<tr>
<td>Q. Yes, but --</td>
<td>A. We didn't know which one it was, that's why it says &quot;police/CPS&quot;.</td>
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<tr>
<td>Q. No, I can see the oblique at the bottom of the page, but in the third paragraph --</td>
<td>A. Yes.</td>
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<tr>
<td>Q. -- the second main paragraph, you say: &quot;Most of them think ...&quot; Third line: ... saying the individual had been interviewed but that CPS had decided not to pursue the case.&quot;</td>
<td>A. Yes.</td>
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<td>Q. So you appear to have the belief, which turns out to be --</td>
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18 (Pages 69 to 72)
dealing with this person, "rather than just dropping the letter on them and saying we don't think your evidence is worth anything", that they may have tried to soften it when they were talking to them and so on.

Q. To sweeten the pill somehow?

A. To sweeten the pill, and that has then become lodged in their minds and that's why they post that on the website. You know, the police didn't prosecute because he was old and infirm.

Q. Tell me if this is fair: were you coming to the conclusion that this business of the letter was a Will-o'-the-wisp?

A. No, I thought they probably had had letters, but I didn't think -- I was increasingly thinking that the old and infirm line was probably something that was verbal rather than -- you know, part of a sweetening of a pill from a police officer rather than in a letter. Because I also couldn't see why you would put that in your letter. Frankly it just didn't seem very likely to me. It's just asking for trouble.

Q. Right. Let's go to page 324, the same bundle. Now, 23 November?

A. Yes. So by now Impact are starting to be told, yes.

Q. So Mathys to Gibbons, 23 November in the afternoon.

1. I think that is "Any big Newsnight films coming up?"

---

1. Mr Williams-Thomas --

2. A. Yes.

3. Q. -- on the 22nd; do you see? You say, end of the first line:

4. "Just to say, three of the girls now tell us they were interviewed by someone from Staines Police Station. At least one thinks it was somebody called Angela"?

5. A. Yes.

6. Q. Who is doing this talking to the girls at this stage?

7. A. It wasn't me. It would be Liz or Hannah.

8. Q. Liz or Hannah.

9. A. Liz or Hannah.

10. Q. So the ones -- just to be completely clear about this -- that you had direct contact with were whom you and not Liz MacKean interviewed --

11. A. Yes.

12. Q. -- and you were present at the 14th --

13. A. At some point late on in this I had a conversation with

14. 

15. Q. Right.

16. A. I actually thought there was an advantage in me not doing that, in that people coming fresh to the story talking to these people -- I didn't see any way of avoiding that with because I had to get her on camera, but for the others there was an advantage in

---

1. people who didn't have my -- all those years of suspicion coming to the story and making fresh judgments.

2. Q. So you were concerned that you might be too close to it?

3. A. Yes, yes.

4. Q. Because you had been harbouring these suspicions for a long time?

5. A. Yes, yes.

6. MR POLLARD: It is 11.30. May I just ask a couple of more general questions just before we wrap up briefly?

7. A. Yes.

8. MR POLLARD: I just want to go back to the issue of your view of the importance of the police investigation and so on. I think you made it quite clear, but I just wanted to just sort of take that a bit further forward.

9. A. Yes.

10. MR POLLARD: I think you're saying that certainly at the time the story was dropped and having thought about it further on, the issue of the CPS saying "We took no further action because there wasn't enough evidence ..." #

11. A. Yes.

12. MR POLLARD: You don't think it's material to the story; is that right?

13. A. Yes, that's right.

14. MR POLLARD: Okay. Let me just put it in stages, if you
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<td>1. This is no longer &quot;Was he a paedophile? Wasn't he a paedophile? Did he maybe just interfere with a few girls who were just slightly a few months the wrong side of the ...&quot; It's not that anymore. By this stage we're seeing something that looks to us like a major story, major predatory paedophile. Really, whether the CPS let him off or not is way down the list for us at that point.</td>
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<td>2. MR POLLARD: But I guess if the CPS had come back and said -- or you had found the letter and it had said &quot;We didn't prosecute because he is old and infirm&quot;, that would have taken it up to a higher level?</td>
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<td>3. A. It would have become a Day 2 story. It would have gone Day 1, paedophile; Day 2, why did the CPS let this evil man -- you know, it would have been a good Day 2 story.</td>
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<td>4. MR POLLARD: Although actually Mark Williams-Thomas' proposed piece to camera did say it was covered up, it's outrageous.</td>
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<td>5. A. Because we wrote it on that way all the way through.</td>
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<td>6. MR MACLEAN: We will come to that.</td>
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<td>7. A. All right.</td>
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<td>8. Can I say one other thing? It's not just building blocks. The great thing about the police investigation was that if they came back and said there was no police investigation, that would then take out the evidence of all the girls who said there was a police investigation.</td>
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<td>9. So it also had a great negative check for us that we would then have said &quot;You know what, they are all taken out of it. We now have to have huge doubts about the whole story&quot;.</td>
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<tr>
<td>10. So it was more than just the building blocks. There was also there a great sort of negative check in there.</td>
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<td>11. These are checksums if you like that we could use.</td>
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<td>12. Whereas on the other hand if they came back and said they had talked to all those people, then that hugely improved our story and suggested that they were telling the truth.</td>
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<tr>
<td>13. MR POLLARD: Sure. But just to pick up on the points that Alan has been making -- and I know you realise this -- it is clear that on many occasions when information was exchanged about the story to whoever it is, between you or to Mark Williams-Thomas or whatever, there was a repeated emphasis, or a repeated mention of the letter that says no action because he was old and infirm?</td>
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<td>14. A. Yes.</td>
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<td>15. MR POLLARD: So it wasn't that it was, if you like, just a passing element; it does crop up in almost every email about &quot;How are we getting on?&quot;</td>
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<td>16. A. No, but when we are talking to Mark Williams-Thomas, why are we talking to Mark Williams-Thomas? We're talking</td>
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<td>17.</td>
<td>20 (Pages 77 to 80)</td>
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<td>to Mark Williams-Thomas because we’re giving him everything we can to try to track down a police officer. You know, we need a police officer’s name, a case number, something like that, that he can get into. You know, he has two jobs on this. The main job obviously is looking at the evidence and so on, but at this stage his job is to try and get confirmation from Surrey Police that there really was an investigation and that letter will give us what we need.</td>
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<td>MR POLLARD: Sure. Right, okay. Sorry, we slightly ran over our time. Shall we take a break?</td>
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<td>MR MACLEAN: We need to give the shorthand writers a break every so often.</td>
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<td>MR SPAFFORD: Back at 10 to then.</td>
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<tr>
<td>16. A. Lovely.</td>
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<td>Just organisationally, I was just going to say I think it might help if I had a flipchart and some pens to show you something at some point in terms of where we’re going, in terms of where we are going with evidence, if that would help after the break.</td>
<td>15</td>
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<tr>
<td>MR MACLEAN: Let’s see if we can find a convenient moment –-</td>
<td>16</td>
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<tr>
<td>A. No, no, no, at a convenient moment.</td>
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<tr>
<td>(11.40 am)</td>
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<tr>
<td>(A short break)</td>
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<td>Page 81</td>
<td>22</td>
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<tr>
<td>1 (11.53 am)</td>
<td>23</td>
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<tr>
<td>MR MACLEAN: So we got to about 22 November of last year.</td>
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<tr>
<td>A. Yes.</td>
<td>25</td>
</tr>
<tr>
<td>Q. If you go to A2, if you still have A2, page 328?</td>
<td>26</td>
</tr>
<tr>
<td>A. Yes.</td>
<td>27</td>
</tr>
<tr>
<td>Q. The following day, the 23rd. This is Liz MacKean in contact with one of the other girls who had been at Duncroft.</td>
<td>28</td>
</tr>
<tr>
<td>We can see from Liz MacKean’s email: &quot;We really want to find out more about a recent police investigation which decided not to go forward ...&quot;</td>
<td>29</td>
</tr>
<tr>
<td>A. Sorry, I must be on the wrong page. Which page is this?</td>
<td>30</td>
</tr>
<tr>
<td>Q. 328.</td>
<td>31</td>
</tr>
<tr>
<td>Q. 328.</td>
<td>32</td>
</tr>
<tr>
<td>Page 85</td>
<td>Page 87</td>
</tr>
<tr>
<td>--------</td>
<td>--------</td>
</tr>
<tr>
<td>Q. So off the record, Surrey Police have now confirmed that they did investigate Jimmy Savile about sexual abuse of</td>
<td>Q. So is this right then: what you are saying is that once you find out that there had been the police investigation --</td>
</tr>
<tr>
<td>minors and that they interviewed the girls from Duncroft as part of that inquiry.</td>
<td>4. A. Yes.</td>
</tr>
<tr>
<td>I think it follows from what you just said that you got that, as it were, secondhand from Williams-Thomas --</td>
<td>5. Q. -- allied to --</td>
</tr>
<tr>
<td>A. Yes.</td>
<td>6. A. Yes.</td>
</tr>
<tr>
<td>Q. -- and somebody had given him that information --</td>
<td>7. Q. -- that was enough?</td>
</tr>
<tr>
<td>A. It looks like it's the same information --</td>
<td>8. A. Yes. I mean, obviously we had other corroboration, like the Clunk Click, the other girls. We had a whole load of other stuff.</td>
</tr>
<tr>
<td>doesn't it?</td>
<td>Q. Why keep pursuing the business of the letter then? Once you know that there has been a police investigation --</td>
</tr>
<tr>
<td>Q. &quot;Hang on a second it&quot; -- I think I remember actually doing this and saying, &quot;Hang on a second, I'm just going to put this straight into an email so everyone has got this&quot;, this message, to get it word for word.</td>
<td>A. Afterwards --</td>
</tr>
<tr>
<td>Q. So you were very keen to transmit this information to --</td>
<td>14. Q. -- why does that the matter?</td>
</tr>
<tr>
<td>A. Yes.</td>
<td>15. A. I am not interested in the letter after that. It's not something of particular interest to me. It's still there on the list of things and so on. It's still there that if we got it, great, you know, that's fine. So far as I'm concerned, we're basically over the line now.</td>
</tr>
<tr>
<td>Q. -- Rippon and Gibbons as soon as possible?</td>
<td>16. Q. Right. So you send this email to Peter Rippon. Over the page, 25 November, fewer than ten minutes later --</td>
</tr>
<tr>
<td>A. Yes.</td>
<td>17. A. Yes.</td>
</tr>
<tr>
<td>Q. The reason for that is you knew that Rippon had been looking for, as he put it, corroboration for some time?</td>
<td>18. Q. -- he emails back saying &quot;Excellent. We can then pull together the TX&quot;, that is transmission, &quot;plan&quot;?</td>
</tr>
<tr>
<td>A. But I had too. I felt this was crucial because, as</td>
<td>19. A. Yes.</td>
</tr>
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Reed Smith Meetings 12 November 2012

<table>
<thead>
<tr>
<th>Q. And as we discussed earlier, this is now commissioning, is it?</th>
<th>1. A. Right.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. A. I would say that's commissioning, given that what then happens is we then -- we then get a budget, as you will have seen; we have a TX date put up on the list.</td>
<td>2. Q. So it would appear that [redacted] being a second victim, is also a critical part of standing up the story.</td>
</tr>
<tr>
<td>3. Q. So this is not the definitive, but a critical greenlight, is that fair?</td>
<td>3. A. No, she isn't. That's why the &quot;prepare for TX&quot; comes before that. That's why Peter's email earlier on says &quot;prepare for transmission&quot;. It's not a critical element.</td>
</tr>
<tr>
<td>4. A. Yes, Excellent, yes.</td>
<td>4. Q. You appear to be proceeding on the basis that it is, aren't you?</td>
</tr>
<tr>
<td>5. Q. So if you go over the page again you reply: &quot;We're hoping to interview a second victim on Monday afternoon.&quot;</td>
<td>A. No, no. Look, Hannah is asking me, as someone who is new to actually doing a film on Newsnight: &quot;Is there a TX date in mind as yet? I'm just thinking because I'm meeting with our rotas lady early next week&quot;.</td>
</tr>
<tr>
<td>6. We know that is [redacted] don't we?</td>
<td>This is about rotas, when she's available. The [redacted] interview may affect the timing of transmission. If she's a good interviewee, and she can't do it until later, that might delay our transmission. Or if she can do it quickly that might bring it forward. She's certainly not critical to the story.</td>
</tr>
<tr>
<td>7. A. I think it must be [redacted]</td>
<td>7. Q. In your submission that you supplied us with the other day --</td>
</tr>
<tr>
<td>8. Q. Who in fact wasn't a victim at all, was she?</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>9. A. As we later discover, yes.</td>
<td>9. Q. -- you refer at paragraph 7.3 to the Rippon email I've just shown you, &quot;Excellent, we can pull together on TX Page 91</td>
</tr>
<tr>
<td>10. Q. What did you know about [redacted] at this stage that led you to describe her as a second victim?</td>
<td></td>
</tr>
<tr>
<td>11. A. It just a shorthand there, probably. I don't know, because I don't even know that it is her at this stage.</td>
<td></td>
</tr>
<tr>
<td>12. Q. Because you are getting this information from Hannah Livingston and/or Liz MacKean?</td>
<td></td>
</tr>
<tr>
<td>13. A. Yes.</td>
<td></td>
</tr>
<tr>
<td>14. Q. You know, at that point -- I cannot now remember whether that is [redacted] and she then pushes it back to Wednesday, or whether one of the other girls had said -- because they did keep -- we kept getting waivers Page 89</td>
<td></td>
</tr>
<tr>
<td>15. A. Yes.</td>
<td></td>
</tr>
<tr>
<td>16. Q. Why are you?</td>
<td></td>
</tr>
<tr>
<td>17. A. That might help.</td>
<td></td>
</tr>
<tr>
<td>18. Q. Right, okay, fine. Then that's much clearer, yes.</td>
<td></td>
</tr>
<tr>
<td>19. A. Yes.</td>
<td></td>
</tr>
<tr>
<td>20. Q. Now Liz has to talk to [redacted] 11.30 Monday?</td>
<td></td>
</tr>
<tr>
<td>21. A. Yes.</td>
<td></td>
</tr>
<tr>
<td>22. Q. &quot;And if she says yes, we will know where we are and set TX&quot;?</td>
<td></td>
</tr>
<tr>
<td>23. A. Yes.</td>
<td></td>
</tr>
<tr>
<td>24. Q. Now in fact in the end it was you who interviewed [redacted] on camera?</td>
<td></td>
</tr>
<tr>
<td>25. A. Liz talked to [redacted] It was Liz who talked to [redacted]</td>
<td></td>
</tr>
<tr>
<td>26. Q. But at this stage it appears to be that you are proceeding on the basis that [redacted] as it turns out to be, is a second victim?</td>
<td></td>
</tr>
<tr>
<td>27. A. Yes, it says &quot;victim&quot; in that other one, yes.</td>
<td></td>
</tr>
<tr>
<td>28. Q. &quot;If she says yes&quot;, page 15 -- is if she agrees to be interviewed -- &quot;we will know where we are and we will set TX&quot;?</td>
<td></td>
</tr>
<tr>
<td>29. A. Yes, 100 per cent that's the story.</td>
<td></td>
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<tr>
<td>30. Page 90</td>
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from other ones saying "I might do an on camera interview" and then it would go away again. [redacted] for instance, kept saying "I might do an on camera interview" and then she would go away again. So there is a remote possibility -- well, not remote. There is a possibility that [redacted] |

Q. Let's look at page 15 and see if that helps.

A. That might help.

Q. Now Liz has to talk to [redacted] 11.30 Monday?

A. Yes.

Q. And if she says yes, we will know where we are and set TX?

A. Yes.

Q. Now in fact in the end it was you who interviewed [redacted] on camera?

A. Liz talked to [redacted] It was Liz who talked to [redacted]

Q. But at this stage it appears to be that you are proceeding on the basis that [redacted] as it turns out to be, is a second victim?

A. Yes, it says "victim" in that other one, yes.

Q. "If she says yes", page 15 -- is if she agrees to be interviewed -- "we will know where we are and we will set TX"?

A. Yes, 100 per cent that's the story.

Page 92

23 (Pages 89 to 92)
| Q: So the focus of the piece is that Jimmy Savile is a paedophile? | 1. place at the BBC?  |
| 2. A. That's better, yes.  |
| 3. Q. So changing for "after" for "at".  |
| 4. A. Yes, it's an improvement.  |
| 5. Q. It's an improvement. It's more accurate, isn't it?  |
| 6. A. It's definitely an improvement, yes.  |
| 7. Q. So the three things --  |
| 8. A. That's why you do a draft Q and you send it round to other people. So they will improve it. Other people have better ideas.  |
| 9. Q. I'm not criticising your drafting.  |
| 10. A. No.  |
| 11. Q. I'm just looking at what you wrote and seeing what we get from it.  |
| 12. A. Yes.  |
| 13. Q. We get three messages, I suggest, from this paragraph. One, that Savile was a paedophile; two, that he had been investigated and hadn't been proceeded against for bad reasons; and three, that some of this took place at the BBC itself?  |
| 14. A. Yes, I -- or, I mean, yes, certainly if you keep that line in. What I'm saying is that if you came out after "Newsnight has learnt that he was investigated by police for sexual assaults on minors. Now some of the girls who say they were assaulted by him in the 1970s, when  |

| 15. Page 95  |

| Q. 27 November to Hannah Livingston and Liz MacKean: "This is my first attempt at a draft Q." So you have written this?  |
| 16. A. Yes, definitely.  |
| 17. Q. This is how you would like to present your story to the world?  |
| 18. A. Yes.  |
| 19. Q. "Sir Jimmy Savile died in October. Prince Charles led the tributes to a national treasure, but there was a darker side to the star of Jim'll Fix It. Newsnight has learned that he was investigated by police for sexual assaults on minors, but the Crown Prosecution  |

| Page 93  |

| 20. A. Yes.  |
| 21. Q. "Sir Jimmy Savile died in October. Prince Charles led the tributes to a national treasure, but there was a darker side to the star of Jim'll Fix It. Newsnight has learned that he was investigated by police for sexual assaults on minors, but the Crown Prosecution  |

| Page 94  |

| 22. Page 94  |

| 23. A. Yes.  |
| 24. Q. Service decided in 2009? That he was too old and infirm to face trial"?  |
| 25. A. Yes.  |
| 26. Q. So right at the beginning of this piece it is going to be a piece about Jimmy Savile being a paedophile who had been investigated but had not been proceeded against for it, is it to be inferred, bad reasons, right?  |
| 27. A. Yes, because that's -- you are going for the maximum in your draft Q at that time, obviously.  |
| 28. Q. Now --  |
| 29. A. And that would be the maximum. But actually I would say, if you read that Q, forget everything that you've heard over the last two months, if you heard that story and take that out from it, you still think "God, what an amazing story". It makes very little difference, that line.  |
| 30. Q. It's true that the Q also mentions the fact that some of the abuse took place after BBC recordings.  |
| 31. A. Yes.  |
| 32. Q. Yes. And Hannah Livingston, if you go over the page, picks you up, you might think rightly, by saying that the last sentence doesn't explain fully, and that to be "nit-picking", as she puts it, she would prefer -- this is page 30 -- to say:  |
| 33. "I'd put they were 13, 14, 15 talk to Newsnight", I am saying that is no weaker as a story than taking out -- than putting those words in.  |
| 34. Q. It is implicit, in this, isn't it, that there was enough evidence in principle to justify a trial?  |
| 35. A. No, this is a draft Q. We haven't even got, at this point, confirmation from the police that he was investigated and that it was handed to the CPS. We don't even know that at this stage for sure.  |
| 36. Q. Well, we do know that the Surrey Police have investigated, don't we?  |
| 37. A. Yes, but we don't know that it's been handed to the CPS. We're still in the dark as to what exactly happened.  |
| 38. Q. All I'm suggesting to you is that that Q on its own, it's implicit in that third sentence that there was in fact enough evidence -- the story is going to be that there was enough evidence to prosecute but that that prosecution hadn't gone ahead for the very bad reason that he was too old and infirm. That's the -- that's the suggestion.  |
| 39. A. Yes, and what I'm saying to that is that at that stage we don't even know that the file was handed to the CPS. This is what we've been told by the girls. This is what we've put in there. If we take that out the story is no weaker. It is still going to be the front page of  |

| Page 96  |

| 40. 24 (Pages 93 to 96)  |

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

Probably here it probably says --

Q. Let's see if we can piece it together. Page 125,

Liz MacKean to you on the 28th?

Q. Yes.

Q. That's the Monday at nearly 6 o'clock at night?

A. So she sent me a script of some sort then.

Q. JScript.doc. So she would have written this.

A. Yes.

Q. So if we go to 126, this is the script?

A. That's already got the sync in it, so I must have sent her the sync already.

Q. So the sync is --

A. As it says there.

Q. -- slotting in the extracts from the interviews?

A. So the sync, yes, is interview already filmed. We have been through it. We have the time codes, which is what you can see there. This is real stuff that we've really got that is there and those are the clips that go into the piece.

Q. So you are sure that you would have done that not

Liz MacKean?

A. No, I know I did that. I pulled the sync.

Page 101

Page 103

Q. So this can't be the -- well, anyway. This is the first draft we've got.

A. No, no, no. Probably what I've done is we've talked it through, I've sent Liz probably I would guess, the --

MR POLLARD: The sync pull.

A. The sync pull and said "Look, I think we need to use 1, 2 and 3", and she would have said "Why don't we use 1, 2 and 4?" and you would have the normal -- normal discussion.

MR MACLEAN: So you have taken that from what I think you call the rushes?

A. Yes.

Q. Which we have seen?

A. Yes.

Q. And the whole thing lasts about an hour and we can see that Liz MacKean asks questions?

A. Yes.

Q. And I think sometimes you go over and ask the same question again.

A. Yes.

Q. So you have been through those rushes and extracted the bits that you suggest go into the story?

A. Yes. Yes, absolutely.

Q. Who else has seen the rushes at that stage?

A. Well, obviously live --

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Page 104

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1. Q. The people who were there.
2. A. -- Hannah, Liz, myself and the cameraman, Simon, all
3. watched it happen.
4. Q. Yes?
5. A. Nobody else has seen the rushes.
6. Q. Who else did see the rushes?
7. A. Presumably now the legal team and everyone else has.
8. Q. In the last few weeks.
9. A. In terms of by last Christmas, nobody. Nobody else had
10. watched them.
11. Q. You wouldn't expect the commissioner or the programme
12. editor -- who in this case was one and the same
13. person -- you wouldn't expect them to view the rushes,
14. would you?
15. A. Oh, you would. A story like this you would, yes.
16. I would expect --
17. Q. Let's just take it in stages.
18. A. Yes.
19. Q. Would you always expect the commissioner to view the
20. rushes?
21. A. Not on a noncontroversial subject, no.
22. Q. Would you always expect the programme editor to view the
23. rushes?
24. A. No.
25. Q. Now in this case they happen to be the same person?

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Page 106

Page 107

Page 108

1. Q. So what fact or factors would there be which ought to
lead, let's take the commissioner first of all, to view
the rushes?
2. A. Um, actually this is where I quite feel that in some
ways, um, a chart would be -- it would be quite useful
have a flip chart. But, okay, let me take you
through it.

Obviously you have a very controversial story here.
We believe we have it absolutely nailed down. We
believe he's a predatory paedophile and we have good
evidence. But it's going to have huge effects, this
story.

I would expect the exec, whoever it is, to want to
look at the whole interview to make a judgment of the
credibility of -- because she's our key person on
camera: do you believe her or don't you believe her?
I would then expect them to go through the typewritten
notes of all the conversations with all the other girls
and read what they have to say to see whether you
believe them or retraction.

I would expect them -- probably actually would
expect them to have a look at the Clunk Click stuff and so
on, so you can see what the physical evidence is that
backs what they are saying. Then most of all, at the
end of that process, I would expect them to go and talk
to Mark Williams-Thomas, who is a professional ex-police
officer who has reviewed the evidence, who can give them
a judgment on whether or not they think it's credible.
That's the process I would expect in something like
this.

Q. Okay. We will come back to some of that process
shortly.

Can we just look at this script for moment?
A. Which script is it? Is this the first one?
Q. It's the one we've just been looking at. 126 --
MR POLLARD: Can we just offer for help: you sent the
sync pull --
A. Yes.

MR POLLARD: -- to Liz, Hannah and yourself earlier that
afternoon.
A. Right, okay.
MR POLLARD: It's at 1.18. So you will have picked out the
bits of sync that you recommend --
A. Yes.
MR POLLARD: -- and sent the rough transcripts to Liz and
then she can have incorporated them.
A. Yes. Yes, that is right. That's what I would have
expected, yes.
MR MACLEAN: So if we go to 126 then, this early draft of
the script has got tributes at the top.
A. Yes.
Q. So that's a reference to the tributes that were run --
A. At the time of his death and so on.
Q. The gold coffin and all that stuff.
A. Yes, all that stuff.
Q. As you say the State Funeral-esque treatment?
A. Yes.
Q. Then PTC, that is piece to camera, isn't it?
A. Yes.
Q. Another side, "Chatty charm masked another side, one
which the police formally investigated."
A. So right away --
A. Yes.
Q. We're into the police having investigated.
A. Yes, absolutely.
Q. "... involved a series of allegations about sexual abuse
from girls at this former approved school before it was
decided no further investigation because of his age."
A. Yes.
Q. And then Mark Williams-Thomas is going to say something
about that. Yes?
A. Yes.
Q. Then if you go over to 127, Liz MacKean is going to say
in this draft:

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| Q.   | "PTS [piece to camera] we have spoken to 10 ..."
| A.   | That is 10 of the 60 which had been approached, we
|      | will see that in a moment:
| 1.   | "... all of whom were aged 14 and 15, all telling
|      | a broadly similar story. They didn't speak up at the
|      | time for two reasons ..."
| A.   | Which it gives. And then there is a reference to
|      | the time.
| Q.   | Yes.
| A.   | And then you had some film of one of the Nolan Sisters
|      | when she was young on Top of the Pops, I think. Then
| 128. | piece to camera:
|      | "The investigation includes other well-known figures
|      | from the time of the raid."
| A.   | That is obviously possible.
| Q.   | As we discussed earlier there are no qualms about naming
|      | him in this piece --
| A.   | No.
| Q.   | -- because we see the extract from the BBC.
|      | There is more detail about some of the abuse.
| 22.  | There isn't any mention in that script about the
|      | fact that -- there's no focus anyway on the fact that
|      | these -- some of these abuses or alleged abuses have
|      | taken place on BBC premises, other than the extract from
|      | the interview at the bottom of 128?
| A.   | Yes.
| Q.   | So although we see reference to Savile being there and
|      | laughing and so on --
| A.   | Yes.
| Q.   | -- there's never any focus is there, throughout these
|      | drafts, on the fact that this was, as it were, an
|      | institutional problem for the BBC having caused or
|      | permitted this to happen on its premises?
| A.   | This is a very -- you know, this is a first -- a first
|      | draft. The whole way this works is you don't try to --
|      | it's got the Clunk Click in there and it's got
|      | the BBC. But, yes, it -- you know, this
|      | is just a first draft.
| Q.   | But at no stage it is fair to say, isn't it, at no stage
|      | was there any focus on the element of this -- the BBC
|      | having, as it were, allowed this to happen on its
|      | premises? That just wasn't the focus of the story at
|      | all?
| A.   | It's not about the focus. This is -- I mean, when you
|      | do a first script like this, as you develop over several
|      | scripts you get to somewhere where you're going. You
|      | put down something just as a marker. It's much better
|      | to get a draft out there which other people can then
|      | work on, rather than trying to do a perfect script to
|      | start with.
| Q.   | But there are two aspects, I suggest, for this script.
| A.   | The first is that Jimmy Savile was an obnoxious
|      | paedophile. That's one aspect of it. And the other
|      | aspect of it was one of the -- a public service, namely
|      | the police, have fallen down on the job?
| A.   | We don't know that.
| Q.   | But that's the story that's being developed?
| A.   | But we don't know that.
| Q.   | But that's where you are hoping to get to with the
|      | story, isn't it?
| A.   | It's one of the things we might get, but it's not
|      | something we know. We already have the BBC stuff. The
|      | BBC stuff we have. That is something that we may get.
| Q.   | Now, you then worked on the script further, didn't you?
| A.   | Yes. I mean how exactly it went between the two of us I
|      | cannot now remember, but it's probably clear in the --
| Q.   | So let's go to 139.
| A.   | Actually, if you look at 130, I think that's quite
|      | helpful. So that script I've sent to Hannah saying
|      | "Hannah, this is just so you can see how we work.
|      | Earliest possible opportunity that we've assimilated
|      | enough material we try and put it together in a script
|      | with sync and quotes."
| Q.   | Yes.

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| A.   | So basically this is nowhere near supposed to be the
|      | story we want to tell. We put something together.
| Q.   | That is a process email explaining to Hannah how it came
|      | about.
| A.   | Yes.
| Q.   | You then worked on the script, didn't you, and sent it
|      | back -- well, you sent it to yourself. If you go to
|      | page 139, that's an email from you to --
| A.   | Yes.
| Q.   | -- to you, and then to another email address which
|      | I assume is also you?
| A.   | Yes.
| Q.   | Why send it to two different emails, both of which are
|      | you?
| A.   | For safety. Because it -- you know, and because I want
|      | to be able to work on it at home. Sometimes web mail
|      | goes down.
| Q.   | There's not a reliable access to the BBC --
| A.   | No. Like at the moment it's not working very well for
|      | instance. They have just switched systems.
| Q.   | I don't want to get into the BBC's IT system.
| A.   | Right, okay.
| Q.   | So you have worked on this. You start reference to the
|      | tributes. It's the same structure, wasn't it, piece to
|      | camera about Duncroft?

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<td><strong>A. It could be.</strong></td>
<td>1. prosecution case and have a defender off the back in a disco.&quot;</td>
<td></td>
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<td><strong>Q.</strong> Then Mark Williams-Thomas and his background --</td>
<td></td>
<td></td>
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<td><strong>A. Yes.</strong></td>
<td>2. A. Yes.</td>
<td></td>
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<td><strong>Q.</strong> -- in the Jonathan King investigation. And then this:</td>
<td></td>
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<tr>
<td>&quot;Mark Williams-Thomas approx what I expect him to say, not actually recorded yet&quot;?</td>
<td>3. Q. Just unpick that sentence for us. What does that mean?</td>
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<tr>
<td><strong>A. Yes.</strong></td>
<td>4. A defence of what?</td>
<td></td>
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<td><strong>Q.</strong> Had you discussed something along these lines with Williams-Thomas?</td>
<td><strong>A. Savile.</strong></td>
<td></td>
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<td><strong>A. Yes, exactly. Been talking to Mark saying &quot;If this happens, this is what we are going to write&quot;.</strong></td>
<td><strong>Q.</strong> Who are you contemplating being the witness for the defence?</td>
<td></td>
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<td><strong>Q.</strong> What you wrote then was:</td>
<td><strong>A. It could be a member of his family. But also, it's at an early stage but we're also thinking that there are all sorts of people who need to put up defences here. So it could be the BBC.</strong></td>
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<td>&quot;In the last five years Surrey Police have been investigating allegations of sexual assault on minors by Jimmy Savile in the 1970s. They passed the file to the Crown Prosecution Service but it 2009 the CPS decided that Savile was too old and infirm to face a trial and dropped the case. I have to say you are anticipating Mark Williams-Thomas saying I don't think that is acceptable and why was it all hushed up?&quot;</td>
<td><strong>Q.</strong> That can't be right --</td>
<td></td>
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<tr>
<td><strong>A. Yes.</strong></td>
<td><strong>A. Why can't it be right?</strong></td>
<td></td>
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<tr>
<td><strong>Q.</strong> So the story here is that there was a hushing up --</td>
<td><strong>Q.</strong> Because it says:</td>
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| **A. No, no, we don't know any of that.** | "Could put a defence in there or leave it as a prosecution case and have a defender off the back in a disco."
| **Q.** But that's the story that you're hoping to put out, isn't it? | That's not a BBC person, is it? |
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| 1. see at 144?  
2. A. Yes, yes.  
3. Q. And then it goes through with the mansion and the piece  
4. to camera and the Rolls Royce and the extract from the  
5. and so on?  
6. A. Yes.  
7. Q. And then there is reference at 146 to  
8. Stoke Mandeville?  
9. A. Yes.  
10. Q. And somebody having got a job in return for sexual  
11. favours from Savile?  
12. A. Yes.  
13. Q. And then piece to camera, 147:  
14. "Always been rumours behind the scenes about  
15. Savile".  
16. And then there's the Nolan girl as she was on Top of  
17. the Pops. And then Mark Williams-Thomas again?  
18. A. So you now have quite a lot of BBC in this one, haven't  
19. you? You have Top of the Pops, you have Chunk Click,  
20. you have a whole selection there.  
21. Q. And then at 148?  
22. A. Then you have more Chunk Click.  
23. Q. Then at the very bottom of 148, piece to camera,  
24. Duncroft or television centre. That's the location of  
25. the piece to camera?  |
| 1. The end is "pay off over Savile pics, voice quotes  
2. from the girls saying he was a paedophile". So it  
3. starts with the tributes to him as this wonderful person  
4. but then says he had another side. It's centred around  
5. a series of allegations of sexual abuse from girls at  
6. this former approved school. That's where it starts,  
7. doesn't it? Does it say before that CPS or Metropolitan  
9. Q. The sting of this story is about the police and/or the  
10. CPS acting inappropriately --  
11. A. You said it starts and ends with that. It doesn't.  
12. Look at the start. The first two paragraphs are saying  
13. he's a paedophile. He had a reputation as a wonderful  
14. person: he's a paedophile.  
15. It ends with the pay off over Savile pics with the  
16. quotes from girls. The quotes, as you will see in the  
17. next edition of the script, are them saying he was  
18. a paedophile.  
19. Q. This is a story which has been set up with Jimmy Savile  
20. being a paedophile and then --  
21. A. Right.  
22. Q. -- asking questions and inviting answers from the CPS  
23. and the police with the allegation against them being  
24. that they have inappropriately not proceeded against  
25. Jimmy Savile? |

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| 1. A. Yes, yes.  
2. Q. "Not sure yet with any statement from police or CPS"?  
3. A. Yes.  
4. Q. So the defence that is contemplated is not a defence of  
5. Jimmy Savile, nor is it a defence of the BBC. It's  
6. a defence of the position of the police or the CPS --  
7. A. No. No, that's not the case.  
8. Q. That they decided not to go ahead because he was too old  
9. and infirm and it was hushed up?  
10. A. No, that's not the case talking. We haven't got the  
11. statement. We don't even know that it has gone to the  
12. CPS at this stage.  
13. Q. I understand that, Mr Jones. I'm not asking you about  
14. what you understood.  
15. Just looking at this script, it starts off by saying  
16. Savile wasn't proceeded against because he was too old  
17. and infirm, it was hushed up, and it ends with  
18. prospective defence from the police or the CPS  
19. justifying that position. And that's what the whole  
20. story was about?  
21. A. No, no, no, no. That's completely untrue. Look, it  
22. doesn't start with what you think it starts with. It  
23. starts with the tributes to Jimmy Savile, doesn't it?  
24. Isn't that where it starts, that he's a hero, he's  
25. a wonderful person. That's the start, isn't it?  |
| 1. A. As I think I said at the start of this, that  
2. Mark Williams-Thomas would have changed to from "they  
3. passed the file to the Crown Prosecution Service but in  
4. 2009 the CPS decided that Savile was too old and inform  
5. to face trial and dropped the case", that would have  
6. changed to:  
7. "The girls say the case was dropped because he was  
8. too old and infirm, but the Crown Prosecution Service  
9. say there was not enough evidence to prosecute him".  
10. And that's what it would have been in the final  
11. version. At this point we haven't talked to the CPS.  
12. We haven't even got confirmation from the police that  
13. they passed the file to the CPS. It's written in this  
14. way as a sort of maximalist way of doing it.  
15. Q. What it has nothing to do with is the BBC being, as it  
16. were, under pressure for having allowed this abuse to  
17. happen on BBC premises, has it?  
18. A. It has a whole chunk on the BBC.  
19. Q. It mentions it as part of the factual background. But  
20. let's look at 158 --  
21. A. Yes.  
22. Q. -- Hannah Livingston emails you having got this script  
23. that you've just sent her we've just been looking at --  
24. A. Yes.  
25. Q. -- and she says:  |
"It's good to see how the script has developed from last night. Here's hoping for good police response"?

A. Yes. We're still hoping for the police response. You know that. We haven't got a police response that says "we investigated him" -- an official response which says "We investigated him and we took it so seriously we passed the file to the CPS". We haven't got that response yet.

Q. There is another version then you are working on at the same time and that becomes Rough Savile 2, right? If you go to 159, you send that at 11.30 that morning?

A. If you are making the point that we keep that bit in throughout the scripts, we do. We keep that in until the 30th.

Q. Yes.

A. We're still waiting for the official confirmation. All these versions of the scripts have that same thing in there.

Q. Let's look at what you do say. There is another version. You are working on it and you send it, at 159, to MacKean, Livingston and Rippon, Gibbons and --

A. Yes.

Q. Rough Savile 2, 160?

A. Yes.

Q. Same structure?

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1. developments is --
2. A. I'm just trying to check if Haute de la Garenne is in
3. this one or not? Yes, it is. Yes, it is in that one,
4. yes.
5. Q. Yes. Haute de la Garenne is, but I don't think that's
6. in the one that we looked at previously?
7. A. No. It is gradually developing in that we're now
8. starting to feel that every institution he was involved
9. with there might be problems.
10. Q. So the development is, tell me if this is fair, that the
11. focus of Savile's abuse is now widening --
12. A. Yes.
13. Q. -- from Duncroft and fanning out --
15. Q. -- to other places that he --
16. A. Although we don't -- except for Stoke Mandeville and
17. possibly Haute de la Garenne, we don't have specifics,
18. it is starting to look that way. There is also a lot of
19. chatter around on that as well.
20. Q. Yes. At the same time -- I will come back to the
21. Newsnight people --
22. A. Yes.
23. Q. -- at about this time there is some contact with
24. somebody called Editorial Policy?
25. A. Yes. That's the Roger Mahony one?

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1. Q. I'm going to ask you who Roger is. If you go to
2. page 171, this is something called a log report. It
3. starts with your name. Does that mean you filed this
4. log report?
5. A. No, Phil Abrahams must have filed this one.
6. Q. Before we get into the detail of it, we have Phil
7. Abrahams, we can see his name. We can see reference to
8. you being in touch with Roger, do you see?
9. A. And you have an email on that. Somewhere in the bundle
10. is a Roger Mahony email saying that early on in the
11. process I talked to him, told him it was a story about
12. Savile abusing underage kids. He advised me that we
13. should be careful because he's just died, and this sort
14. of stuff.
15. Q. Right.
16. A. So this is the second approach. I have talked to them
17. about --
18. Q. Hang on. What is Editorial Policy? Why does it --
19. what's its function? Because we know that Newsnight has
20. an editor and we know there is a chain of command above
21. the editor of Newsnight.
22. A. Yes.
23. Q. So this is another part of the BBC, Editorial Policy.
24. So just explain to me your understanding of how it fits
25. into this whole process.

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1. A. Most broadcasting organisations have a unified thing of
2. a lawyer who also says things like "You know, that's
3. a bit dodgy" or "We shouldn't do that", or whatever,
4. even if it isn't legal. That is a separate process in
5. the BBC and it is called Editorial Policy.
6. So something like whether you can do secret filming
7. or things like this, those sorts of issues would go to
8. Editorial Policy. They still get signed off ultimately
9. by a line manager, but you have to consult with them
10. about things like that. Impersonating people, deceit
11. any of these sort of things.
12. Q. So is it almost like a professional conduct helpline?
13. A. It's a compliance department.
14. Q. A compliance helpline, I see. And it is headed by
15. David Jordan?
16. A. Yes.
17. Q. How do you understand -- I don't know whether you think
18. it is perfect or not, but do you understand the
19. David Jordan Editorial Policy side of things eventually
20. to coalesce with the Peter Rippon line --
21. A. Yes.
22. Q. -- of command?
23. A. Yes.
24. Q. Presumably it coalesces somewhere. Where does it
25. coalesce?

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1. A. In theory an editor can decide to disregard legal advice
2. or editorial policy advice.
3. Q. A programme editor?
4. A. Yes. In practice it is very difficult to do that. So
5. Editorial Policy used to be very much an advisory
6. function; they have become far more powerful than that
7. over the time.
8. But I actually don't -- I've never had any problems
9. dealing with them, I have to say. I have always found
10. that if you are reasonable with them, they are
11. reasonable with you.
12. Q. The obligation, if that is right word, to go to
13. Editorial Policy rests with you as producer or
14. Liz MacKean as reporter or Rippon as editor or who?
15. A. I think technically it is probably somebody higher up
16. the chain than me, but in practice I would always go and
17. talk to them because the earlier you told them what
18. you're doing the better. And my editors would rather
19. I dealt with all that rather than getting them involved
20. in it.
21. Q. If we look at this page then, to come from the general
22. to the particular, who is Phil Abrahams then?
23. A. He's another adviser at Editorial Policy. He's like
24. Roger Mahony, another adviser.
25. Q. So they work for David Jordan?
A. Yes.
Q. Now the reference to the date and time --
A. Yes.
Q. -- and "Answered by to the nearest second", what does that mean?
A. I assume -- I assume that because of various disasters that have happened in the past with compliance at the BBC, they now want to have a log of anything like this so that if there is a row later it's clear whether somebody did do or did not do to Editorial Policy and what advice they were given.
Q. Right. So you approached Phil Abrahams as it were off your own back?
A. Having already had a talk maybe three weeks, four weeks earlier with Roger. I'm unusual in this, but I would normally, right at the start, if there something I'm doing talk to Legal and talk to Editorial Policy. So right from the start they are on board, they know what I'm doing.
MR POLLARD: Would Peter Rippon know you were having those conversations?
A. Yes, he would know I was having it, but I wouldn't specifically inform him unless there was a problem.
MR MACLEAN: And I think you said a moment ago, he would be, as it were, quite happy for you to be dealing with this?

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

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

1 Q. So is it more or less --
2 A. By now it is shaping up, yes.
3 Q. So what happens is you go to have a discussion and he makes, as it were, a file note just in case there is any after?
4 A. Yes.
5 Q. So that there's a record of what was said. So you tell him you are making a profile of Jimmy Savile --
6 A. Yes.
7 Q. -- which includes an examination of evidence obtained by the police?
8 A. Yes.
9 Q. With a view to prosecuting him on charges of child abuse.
10 A. Yes.
11 Q. No prosecution went ahead. And then he's concerned about the position of Mr Williams-Thomas and whether you should be paying him.
12 A. Yes.
13 Q. And you were in touch with Roger about other aspects of this project?
14 A. Yes. That's the legal. Roger Law about legal.
15 Q. That's Roger Law, I see.
16 A. Well, actually, I don't know. It could be either, actually.
1. Q. You see, if Abrahams and Mahony are kind of in the same position --
2. A. It's more likely to be Roger Law, though, because --
3. Q. Right.
4. A. I don't know. Actually I genuinely don't know. It's the first time I have seen this note. It could be either.
5. Q. Apart from this discussion with Mr. Abrahams, to what extent did Editorial Policy, so far as you were able to detect, have any role in this story and the eventual non-running of this story?
6. A. Very little, I think. At some point I would have had a very quick discussion with somebody at EdPol -- they might not even have noted it -- about anonymisation of Savile's victims.
7. Q. Right.
8. A. So technically that is something you need permission for, to use them anonymously, but in practice nobody is going to object to that.
9. Q. So was this just part, therefore, of just one of the things you were required to do --
10. A. Yes.
11. Q. -- with a story like this, rather than anything of real importance, is that right?
12. A. No, to get Mark Williams-Thomas to look at our evidence.

---

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

---

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

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

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obvious to people, they will provide the production
capacity so I can carry on producing the Newsnight. We
don't need Liz there all the time at that stage because
obviously she just can put down track for other things.
I can carry on getting the piece ready. They will
provide all the production support for all those other
pieces.
Q. Yes. Now you replied to Jo Mathys, if we go to 178, on
29 November?
A. Yes.
Q. Her email to you, which you have just seen, ends with
"Speak soon"?
A. Yes.
Q. And then you say:
"It will screw your chances of ever working in light
entertainment"?
A. Yes, a slightly flippant remark.
Q. Slightly flippant remark, but what's the substance
behind it?
A. Because the tributes are going to get pulled. It is
obvious. And it's going to cause problems for all sorts
of people who did work in LE and so on. But it's the
tributes is the prime thing there.
Q. We will come to -- I have found the email you referred
to, the better one -- in a moment, but if you go to 180
Page 137
she replies to you again saying:
"Indeed. Not sure I want to, thanks, given what
you've just told me"?
A. Yes.
Q. What was that?
A. I don't know whether she means in general the Savile
story. I don't know.
Q. But why should she not want to work in light
entertainment?
A. Well, with people like Savile and all that, I assume.
I don't know. I genuinely don't know the answer to
that.
Q. 179, is this the one you had in mind as being, as it
were, the better one?
A. Yes.
Q. This one goes to Rippon?
A. Yes.
Q. On the 29th. She has just had a helpful chat with
you --
A. She has actually also at that point read the script.
I remember that incident very clearly. She has come
down. We have a desk that we have all the newspapers on
and I have shown her the script and she's read through
the script at that point.
Q. So she comes down, she chats to you and then she sends
Page 138
Peter Rippon an email?
A. Yes.
Q. "I won't mention anything to Programmes until you and he
are ready for me to do so"?
A. Yes, that would be normal.
Q. What does "Programmes" mean?
A. So at the moment it's just her, David Gibson who runs
that unit, Helen Weaver. They have all sat around and
gone "This is going to be huge", but they are holding
off from actually going to the 10 o'clock News and
5 Live and so on directly because we don't want it -- we
don't want it leaking out in any way at this
stage. So that would be done later in the process --
Q. So she's teeing it up, making preparations but not
telling people?
A. Not telling Output, yes.
Q. And then she says:
"However, I think it's safe to assume that there will
be a huge amount of interest in this story. All
domestic outlets to want versions."
A. Yes.
Q. And you of course agreed with that?
A. Yes.
Q. It was obvious to you?
A. Yes.
Q. And then she's concerned that Liz MacKean is going to
have to spread herself quite widely?
A. Yes.
Q. Such is the impact, is that right?
A. Yes.
Q. So "Below is my prediction for demands ..."
A. She wonders whether it is too much on her plate?
A. Yes.
Q. "We would need a bit of notice, though, as this is
obviously a complex and sensitive story and not one we
can expect ..."
Q. What's --
A. News gathering correspondent.
Q. "... a news gathering correspondent ..."
A. So you don't want to just pull a reporter in --
Q. Off the rank, as it were?
A. -- who might then get things horribly wrong.
A. Yes, I see.
Q. Then at around the same time you sent the script to
Williams-Thomas, didn't you, if you go to 188?
A. What number?
Q. 188, the same day, you sent Rough Savile 2 to
Mark Williams-Thomas. Is that an email to
Mark Williams-Thomas?
A. Yes.
<table>
<thead>
<tr>
<th>Q. And if you go over the page, that’s Rough Savile 2.</th>
<th>A. Okay, we haven’t had that discussion yet. But by now I think we’re thinking it’s going to be a BBC person.</th>
</tr>
</thead>
<tbody>
<tr>
<td>That’s the one we have already looked at?</td>
<td>It might be -- it might be his nephew, I think, you know the guy who was the main -- you know, we might have about three different people we could go to.</td>
</tr>
<tr>
<td>A. It looks like Rough Savile 3 to me.</td>
<td>You might have ended it up with as we say a Tony Blackburn figure or something, or more likely Esther might well have been in there --</td>
</tr>
<tr>
<td>Q. Yes, it --</td>
<td>Q. Was that ever discussed with Peter Rippon?</td>
</tr>
<tr>
<td>A. Okay. What it means is there may be changes in here, even though it still says Rough Savile 2 on the top.</td>
<td>A. We didn’t get to that point of discussing exactly who it would be.</td>
</tr>
<tr>
<td>Q. Unless you want me you want to tell me something about that, I’m going to skip over it.</td>
<td>Q. Who is “we” in this?</td>
</tr>
<tr>
<td>A. Do.</td>
<td>A. Myself and Liz.</td>
</tr>
<tr>
<td>Q. 195, however, the same day. This is the same email thread so you see --</td>
<td>Q. And Hannah Livingston, it is above her pay grade, is it, to be involved in those discussions?</td>
</tr>
<tr>
<td>A. Yes.</td>
<td>A. Yes. She’s also physically not there by that stage by the time --</td>
</tr>
<tr>
<td>Q. -- the one we have just seen, “Extremely rough early draft”?</td>
<td>Q. She’s in Scotland?</td>
</tr>
<tr>
<td>A. Yes.</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>Q. Then you say:</td>
<td>Q. Yes. She is still making calls and doing work, but she’s up in Scotland.</td>
</tr>
<tr>
<td>“I suspect other bits of the BBC will want you that day if we start running the story at 5.”</td>
<td>Q. Now in the afternoon and evening of 29 November --</td>
</tr>
<tr>
<td>A. Yes.</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>Q. Then you say:</td>
<td>Q. -- what was Peter Rippon’s attitude so far as you were aware?</td>
</tr>
<tr>
<td>&quot;I suspect other bits of the BBC will want you that day if we start running the story at 5.&quot;</td>
<td>A. I don’t know. I’m trying to work out what happened on that evening. Certainly by the next morning he sends that email --</td>
</tr>
<tr>
<td>Q. &quot;But you are key to the Newsnight film.&quot;</td>
<td>Q. We will come to that.</td>
</tr>
<tr>
<td>A. Yes.</td>
<td>4. A. Yes.</td>
</tr>
<tr>
<td>Q. &quot;And therefore they won’t want you in Newsnight studio, I suspect&quot;?</td>
<td>Q. Focus on the 29th.</td>
</tr>
<tr>
<td>A. Yes.</td>
<td>A. I’m not sure whether we had a discussion or -- his tone in the email the next morning suggests that there may have been a discussion the night before. But I don’t specifically remember that.</td>
</tr>
<tr>
<td>Q. And then you make a point about how long you last for posterity and so on --</td>
<td>Q. Can you remember where you were on the 29th?</td>
</tr>
<tr>
<td>A. Yes.</td>
<td>A. We were probably in Television Centre.</td>
</tr>
<tr>
<td>Q. -- if you are in the film or in the studio.</td>
<td>Q. And so was he?</td>
</tr>
<tr>
<td>A. Yes.</td>
<td>A. I would think so. I would think so.</td>
</tr>
<tr>
<td>Q. Now he was key to the Newsnight film --</td>
<td>Q. Is this right -- tell me if this is not right, it’s important -- there were no memorable discussions with Peter Rippon --</td>
</tr>
<tr>
<td>A. Yes.</td>
<td>A. On the 29th?</td>
</tr>
<tr>
<td>Q. -- because his particular expertise was the police angle of it?</td>
<td>Q. -- from the time of the greenlight transmission, which I think was the 25th, I think --</td>
</tr>
<tr>
<td>A. No. If you pull out the budget, you will see the main thing he’s being paid for. He’s key because he is the child protection expert. He is the man who first tracked down Jonathan King, put the first calls in against Jonathan King, he’s absolutely key to &quot;Is this man a paedophile or not? Is he behaving like other paedophiles?&quot; That’s what he’s key to.</td>
<td>Q. -- up to and including the end of the 29th. Is that right?</td>
</tr>
<tr>
<td>Q. Who did you anticipate was going to be in the studio after the pieces -- you run the piece, there is a short discussion with Liz MacKean --</td>
<td>A. There might have been a discussion on the evening of the 29th, but certainly up to that stage, yeah, no, nothing.</td>
</tr>
<tr>
<td></td>
<td>Q. Nothing memorable. You may have made some passing</td>
</tr>
</tbody>
</table>

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**Reed Smith Meetings**
12 November 2012

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36 (Pages 141 to 144)
remark but nothing memorable?
2. A. No, definitely not.
3. Q. Is that fair?
4. A. Yes, that's true.
5. Q. Had you formed any view at this stage of whether
6. Mr Rippon had formed a view as to the credibility of the
7. sources for the story?
8. A. No. I mean he'd read the script. We can see that he
9. had read the script. He sends bits -- on the 29th,
10. about that same time, he sends an email to
11. Steve Mitchell which has a chunk of the script in it.
12. They are talking about the issue of my aunt.
13. Q. Is that the one at 1977?
15. Q. So what did you get out of -- first of all, you only saw
16. that email --
17. A. Yes, I only saw that Friday --
18. Q. -- for the first time last week?
19. A. Friday night, yes.
20. Q. So you wouldn't have seen that at that time?
21. A. No, but it accords with what I thought at the time,
22. which was that there were no real problems at that
23. point. At sort of 2 o'clock on the Tuesday afternoon,
24. there were still no problems.
25. Q. Right. So the answer to my question about whether you
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had formed any view about whether he had formed a view
about the credibility of the sources, is this fair, was
not really but you hadn't been given any reason to think
there was a problem?
5. A. No.
6. Q. Is that a fair summary?
7. A. Yes, absolutely. Now what I would have expected then,
at that stage with about a week to go, is for him to
have wanted to comb through our evidence.
8. It's all -- you know, he's taking it on our word
that it's good and he's seen the script which obviously
looks good, but what would normally happen would be that
he would then go through the evidence at that point.
9. Q. And he would do that because he was the commissioner or
because he was the editor of the programme or both?
16. A. Both, really.
17. Q. Let's assume Liz Gibbons had been the commissioner, and
she's a deputy editor; you would not expect the editor
to do it as well, would you?
20. A. Probably not, no. You expect the commissioners to do
it.
21. Q. So it is really the commissioner and the producer and
the reporter?
24. A. Yes.
25. Q. Is that right?
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A. Yes.
2. Q. That's the real nerve centre of the operation?
3. A. Yes, exactly.
4. MR MACLEAN: Time is up. Can we have another short break
just for the shorthand writer's benefit.
5. A. Yes.
6. (1.05 am)
7. (The short adjournment)
8. (1.40 pm)
9. MR POLLARD: Merion, can I just start the afternoon session
with a couple of questions?
11. I just want to get a sense of that period around
middle of November, when you had done the interview.
14. A. Yes.
16. MR POLLARD: And either just before or just after -- and
17. I appreciate that you are wrapping up the American film
as well.
18. A. Yes.
20. MR POLLARD: But obviously the interview I have
seen it all.
21. A. Yes.
23. MR POLLARD: And I just wondered, when you got back to the
office, you must have been pretty convinced that you had
something good --
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A. Yes.
2. MR POLLARD: -- and clearly you thought she was credible.
3. What did you say to Peter at this stage? You
4. presumably want to just get him on side, did you write
5. him note about it or did you go and tell him? Did you
6. suggest he sees any of it?
7. A. We went and told him. We talked about it with him. And
that's why you have that email from Liz I think the next
day or the day after saying the mood is much more
positive about the film now and so on, it was as
a result of us coming back and saying what we'd got from
12. 
13. MR POLLARD: Yes, so she has been talking. Did you have the
sense the Liz Gibbons, who clearly was doubtful to start
with, did she remain doubtful or come on side?
16. A. I think she just decided to be not part of the process.
17. So she then absented herself from that process.
18. So I didn't really get any idea of whether her view
changed or not.
20. MR POLLARD: Did you have any conversations with Shaminder
about it?
21. A. No, I got the impression that she was very much in
favour of it, but I didn't actually have that --
24. I don't -- I might have done in a sort of general way
but we didn't have a specific conversation about it.
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MR POLLARD: The only other thing I just wanted to ask you about in passing is that in the ___ interview ---
A. Yes.
MR POLLARD: -- there are a couple of points obviously where she talks about how things were in those days. She talks about being on lithium, whether she meant lithium or Librium. I saw a suggestion ---
A. It's not Librium.
MR POLLARD: On something else Largactyl whatever, and being in a sort of dream state ---
A. Yes.
MR POLLARD: -- clearly there were some things that weren't very clear. How convinced were you about the absolute credibility of what she was saying to you and how clearly she remembered things?
A. I was very convinced. I mean, I have dealt -- probably a lot of us have, but I've dealt with quite a few stories like that before, where you have imperfect witnesses, particularly for sexual abuse many years ago.
And you have to -- I think experience actually helps in terms of getting some sort of assessment. Because at one point she says "That might be a lie". You know, there are all sorts of odd bits in there where you could go, I don't think we should trust her. But if you actually watch the whole thing and you talk to her --

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

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MR POLLARD: So you think at least some of the women were sent a letter?
A. Yes.
MR POLLARD: But the letter appropriately wouldn't have said "No charges because he was old and infirm"?
A. And in fact the only one of them who claimed to have the letter that said that was ___
MR POLLARD: Why do you think that was a common account, then?
A. Because I -- you know, as I think I was saying earlier, I think that if you were the police officer in that situation, you know, you are getting in touch with somebody, you would try and make it clear that you didn't think -- you didn't disbelieve them, and it wasn't because they were terribly useless witnesses, that, you know, I think you might try and soften -- soften that blow. Even if you had that conversation with one of them, that would have got around the rest of the ones, I suspect.
MR POLLARD: That was the other point I was just going to get on to, about, if you like, the common sharing of stories --
A. Yes.
MR POLLARD: -- and I guess it is a classic element of social media --

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Q. Did Mr Rippon give any indication other than what we can see from this page as to what had operated on his mind --
A. No.
Q. -- to come to this conclusion?
A. Not immediately. Um, one of the problems here is we had so many discussions over the next nine or ten days, some picking what happened in each one. So apart from the things where there's an email I sent somebody or the red flag memo or something where I can fix what I thought at the moment, it is difficult to unpick what happened at and the each stage.
I'm pretty sure, though, that I said on the 30th we would be accused of a cover-up if we did this, because we had clear evidence of abuse on BBC premises.
Christmas specials were coming up, I'm pretty sure I said all that stuff on the 30th. The other thing is some of these meetings Liz and I both would have been in, some of them only one of us would be in.
Q. I'm going to come to that just now.
A. Yes.
Q. If you go over the page, who is Jackie Long? We can see that she's the social affairs editor of Channel 4 News?
A. She was Newsnight. She's one of Liz's best friends and they carried on -- you know, they have carried on as best friends since.
Q. Now --
A. I should say I had no idea she'd done this at the time, obviously.
Q. This isn't in the rule book, is it, to be having this kind of email exchange with Jackie Long?
A. No.
Q. It is actually contrary to the rule book, isn't it?
A. No, I would say it is. But I would say probably, as far as I know, this didn't come out for a year afterwards, so her confidence was at least largely well placed.
Q. Well --
A. But, yes, I mean, it is -- you know, yeah.
Q. It's a bit naughty, isn't it?
A. Yeah, yeah, it is.
Q. Liz MacKean, we can see she emails Jackie Long at 10.30 in the morning?
A. Yes.
Q. She, Liz MacKean, hasn't been copied into your email --
A. No, but we have obviously both been in the room for an argument after that.
Q. Right. So we can assume --
A. Yes, so we would have both been in the room for that.
Q. -- that in the intervening 50-odd minutes there had been...
| 1. | 1. | a full and frank exchange of views, had there, between |
| 2. | 2. | Rippon, you and MacKean? |
| 3. | 3. | **A. One thing I should may clear is that some of the papers** |
| 4. | 4. | say there were violent rows. There were not violent |
| 5. | 5. | rows. |
| 6. | 6. | Q. You say you argued in your statement? |
| 7. | 7. | A. Yes, we argued, but there was no -- you know, there was |
| 8. | 8. | no shouting and screaming on either side. |
| 9. | 9. | Q. She says in this email: |
| 10. | 10. | "Must tell you story when we next speak." |
| 11. | 11. | I think that's about -- well, I think that is this |
| 12. | 12. | story. |
| 13. | 13. | "PR" that is obviously Mr Rippon "in an absolute |
| 15. | 15. | A. Yes. |
| 16. | 16. | Q. Used in the old fashioned sense: |
| 17. | 17. | "He's already done the surrender gesture." |
| 18. | 18. | A. Yeah, no, that rings a bell, very much so. Sort of -- |
| 19. | 19. | it's sort of -- you know, it's like sort of, you know, |
| 20. | 20. | you're arguing with him and rather than arguing back, |
| 21. | 21. | he's sort of going, you know, it's not just something -- |
| 22. | 22. | Q. Yes. |
| 23. | 23. | A. Do you know that I mean, it's that sort of -- I mean |
| 24. | 24. | when I read that, it immediately -- which I only saw the |
| 25. | 25. | Page 157 |

| 1. | 1. | other week, it immediately brought that -- that idea |
| 2. | 2. | into my head. |
| 3. | 3. | Q. So a gesture of powerlessness. |
| 4. | 4. | A. Yes. Yes. Sort of -- yes -- |
| 5. | 5. | Q. Is that fair? |
| 6. | 6. | A. -- and distances. Powerlessness and distancing as well. |
| 7. | 7. | Q. And then Liz MacKean says: |
| 8. | 8. | "... and told me [ie Rippon] and me and Mei if the |
| 9. | 9. | bosses aren't happy I can't go to the wall on this one." |
| 10. | 10. | A. Yes. |
| 11. | 11. | Q. Do you remember Mr Rippon saying that? |
| 12. | 12. | A. I can't swear on the words "if the bosses aren't happy". |
| 13. | 13. | The phrase that stuck on my head was "I can't go to the |
| 14. | 14. | wall on this one" in that context. |
| 15. | 15. | Q. Who would be driving Mr Rippon to the wall? |
| 16. | 16. | A. I assumed at the time it would be Helen and Steve. |
| 17. | 17. | Q. Why? |
| 18. | 18. | A. Because they are up the chain of command from him. |
| 19. | 19. | Q. I know they are up the chain of command, but why would |
| 20. | 20. | that mean they -- is that the only reason they would be |
| 21. | 21. | the only ones driving him to the wall? |
| 22. | 22. | A. Well, even though I can't remember him saying "bosses", |
| 23. | 23. | I had an impression of plural and they would be the next |
| 24. | 24. | two up the chain. |
| 25. | 25. | Q. Picking up on the word "chain", if you go to page 220 -- |

| 1. | 1. | those exact words. Those words don't ring a particular |
| 2. | 2. | bell with me. So it might have just been the two of |
| 3. | 3. | them or it may be that I just don't remember the exact |
| 4. | 4. | words. |
| 5. | 5. | Q. If we read "political" as a synonym of management -- |
| 6. | 6. | A. Yes. |
| 7. | 7. | Q. -- the chain runs from Peter Rippon to Stephen Mitchell |
| 8. | 8. | to Helen Boaden and then to the director general, for |
| 9. | 9. | the board. |
| 10. | 10. | A. To be honest, I don't know. I didn't -- |
| 11. | 11. | Q. That's how the chain runs. |
| 13. | 13. | Q. So assuming Liz MacKean -- |
| 14. | 14. | A. But remember, there are many chains in the BBC. So |
| 15. | 15. | you've also got David as well that it could potentially |
| 16. | 16. | run through. There are different -- you know, it could |
| 17. | 17. | have run sideways into Vision. There are lots of |
| 18. | 18. | different routes it could run. |
| 19. | 19. | Q. We will ask Liz MacKean obviously what she had in mind. |
| 20. | 20. | But you don't remember those words? |
| 21. | 21. | A. I don't remember those words. It's not -- you know, |
| 22. | 22. | I had a similar feeling but I do not remember those |
| 23. | 23. | specific words. |
| 24. | 24. | Q. Do you have your submission there? |
| 25. | 25. | A. Yes. |

---

**Reed Smith Meetings** 12 November 2012

**Merrill Corporation**
(+44) 207 404 1400
www.merrillcorp/mls.com
8th Floor 165 Fleet Street
London EC4A 2DY

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<tr>
<td>1. No, I took that implication. He didn't say in as many words to me &quot;My bosses are pressing me to drop this one&quot;, but he gave that impression that it was a decision out of his hands and above him. It was an impression that he gave.</td>
<td>1. that he hasn't got it until the Monday.</td>
</tr>
<tr>
<td>2. A. Not to me, no.</td>
<td>2. Q. So you sent it to Mr MacQuarrie who had been called in to do a report.</td>
</tr>
<tr>
<td>3. Q. Did you ask him who he had spoken to or communicated with?</td>
<td>3. A. Yes.</td>
</tr>
<tr>
<td>4. A. I don't think I did, actually. I just sort of assumed that that was the situation. I don't think I challenged him on that. I think Liz had a conversation with him on that but I don't think I did.</td>
<td>4. Q. So you were concerned that Mr Entwistle was not getting the right story sent up the chain to him?</td>
</tr>
<tr>
<td>5. Q. Is this X or Y, in which case I will go have a word with them. That would be the natural thing to do.</td>
<td>5. A. Yes.</td>
</tr>
<tr>
<td>6. A. The problem in the BBC is you can't do that. And that's one of the fundamental problems of the way the BBC is managed. If you try -- for instance, during this crisis halfway through it I went up to George and said --</td>
<td>6. Q. So you tried to --</td>
</tr>
<tr>
<td>7. A. Yes. I think he -- you know, I think he will be demolished by the committee basically.</td>
<td>7. A. Yes.</td>
</tr>
<tr>
<td>8. Q. Because he is getting the wrong story?</td>
<td>8. A. Yes.</td>
</tr>
<tr>
<td>9. A. And because they're a bright committee, you know, it's full of ex-journalists and people like that, they will know that what that is, that what he's saying is false.</td>
<td>9. Q. So you say in paragraph 27.1 that on the Tuesday --</td>
</tr>
<tr>
<td>10. Q. So you say in paragraph 27.1 that on the Tuesday --</td>
<td>10. A. Yes.</td>
</tr>
<tr>
<td>11. Q. -- but you explained in your statement on the page before, at 26.3, that you wrote an email to Mr Entwistle on the 12th saying &quot;George, you are still not being accurately briefed&quot;.</td>
<td>11. Q. -- by you explained in your statement on the page before, at 26.3, that you wrote an email to Mr Entwistle on the 12th saying &quot;George, you are still not being accurately briefed&quot;.</td>
</tr>
<tr>
<td>12. A. Yes.</td>
<td>12. Q. You then remembered that this went into some sort of email box that Mr Entwistle didn't look at over the weekend?</td>
</tr>
<tr>
<td>13. Q. You then remembered that this went into some sort of email box that Mr Entwistle didn't look at over the weekend?</td>
<td>13. A. That's what had happened the weekend before. I found</td>
</tr>
<tr>
<td>14. A. That's what had happened the weekend before. I found</td>
<td>14. Page 161</td>
</tr>
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</table>

Q. if you go to paragraph 9.4, page 13.  
A. Yes.  
Q. This is in the wake of the Mr Rippon's email, pondering overnight. You say:  
"We argued, I couldn't see how anyone could think that the first ...(Reading to the words)... investigated by the police for paedophile offences on the first on-camera interview with one of his victims was anything other than a very strong story. I said if we pulled the story we would be accused of a cover-up to save the Christmas specials and to protect the BBC's reputation."  
Did you say that to Mr Rippon, as it were, in terrorem?

Q. To, as it were, one might say, cajole, or one might say bully, him into running this story?  
A. Making a very strong point why we should run the story.  
Q. You go on to say:  
"Peter Rippon seems to be implying his bosses were pressing him to drop the story and he was not prepared to confront them. He said 'I'm not prepared to go to the wall on this one'."  
Is that how he implied -- when you say he implied his bosses were pressing him the implication came from his words, is that right, or was it something else?

---

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London EC4A 2DY
Help me with the geography --

A. We had recently moved to New Broadcasting House. And on the 4th floor -- the Panorama office is on the 4th floor and so is the management suite, which made for some interesting dynamics in that week.

Q. So his office was on that floor and so was yours?

A. Yes.

Q. So you wait for him by the lift --

A. There's a little place where you can get yourself a coffee, and I waited there for about half an hour waiting -- thinking he might come out at that point.

I thought the best thing to do is get him away from his advisers, away from the chain and just talk to him directly.

Q. You say that you asked him for a ten-minute conversation to explain to him why the line he was being given and putting out was wrong.

A. Yes.

Q. And he said "I'm sorry, I can't do that".

A. Yes.

Q. So just tell me, how did -- can you remember what the precise conversation was? How did it go?

A. I think -- unless I misheard him I think he started off by saying something like "Look, mate, I just can't do that".

Q. And what did he say --

A. All I was hoping is he would say "Look, you know, come see me at 4 o'clock and we will just have a coffee and a quick chat" or whatever.

Q. You say he said "I'm sorry, I can't do that".

A. Yes.

Q. Now, if you read the paragraph 27.1 on its own it reads as if Mr Entwistle is refusing to talk to you at all, doesn't it?

A. Well, that's how I took it, yes.

Q. But the that to which Mr Entwistle was declining the invitation was an invitation to an off-the-record conversation, wasn't it?

A. Well, then he would have said "I can't do that, but I can talk to you on the record". He would have said that.

Q. Or you might said "Well, can I talk to you on the record then"?

A. No. I mean, if he meant that he was happy to have an on the record obviously he would have said "I can't do that but I can do an on the record".

Q. But it was obvious why he couldn't have an off-the-record conversation because he'd just announced --

A. It was not obvious to me.

Q. You must have started it.

A. Yes.

Q. So what did you say?

A. Pretty much what I said there, I said, "Look, you know, George you have to know that what you are being told is wrong. It's really important we have a ten-minute off-the-record meeting where I can just tell you what's been happening".

Q. You don't mention an off-the-record meeting in your submission, do you?

A. I don't, but that's what I was asking for. I definitely said off-the-record.

Q. That's rather important, isn't it?

A. I don't know, but that's what I asked for.

Q. Right. Well, why ask for an off-the-record conversation?

A. Because I thought he might say he couldn't have an on-the-record conversation with me. I thought he was more likely to accept an off-the-record than an on-the-record.

Q. So you were willing to have an off-the-record conversation with him?

A. Absolutely happy to, yes, delighted to.

Q. But in fact you asked him for an off-the-record one?

A. Because I thought he was more likely to say yes to that.
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<td>1</td>
<td>to get the message through to him to avoid -- you know,</td>
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<td>2</td>
<td>if you look, repeatedly, you know, on 4 October -- you</td>
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<td>3</td>
<td>know, time and again I have sent emails, I go to people.</td>
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<td>4</td>
<td>On the 5th I send an email to George saying that &quot;You</td>
</tr>
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<td>5</td>
<td>are not being briefed properly&quot;, I'm constantly trying</td>
</tr>
<tr>
<td>6</td>
<td>to get the message through.</td>
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<td>7</td>
<td>Q. Don't you think on reflection it would have been more</td>
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<td>8</td>
<td>sensible either to have asked him in the first place</td>
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<tr>
<td>9</td>
<td>simply for a discussion or to have asked him for an</td>
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<td>10</td>
<td>on-the-record discussion?</td>
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<td>11</td>
<td>A. No, because we've already done that the week before. He</td>
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<td>12</td>
<td>sent Ken MacQuarrie to see me on -- the week before, on</td>
</tr>
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<td>13</td>
<td>the Tuesday. We have had -- we've had that discussion</td>
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<td>14</td>
<td>through official routes, I'm desperately trying to find</td>
</tr>
<tr>
<td>15</td>
<td>an unofficial route.</td>
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<tr>
<td>16</td>
<td>Q. Those discussions were all through middlemen. You had</td>
</tr>
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<td>17</td>
<td>spoken to various people, including Mr MacQuarrie.</td>
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<tr>
<td>18</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>19</td>
<td>Q. The whole point of this approach to Mr Entwistle is to</td>
</tr>
<tr>
<td>20</td>
<td>go straight to the organ grinder.</td>
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<tr>
<td>21</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>22</td>
<td>Q. So why --</td>
</tr>
<tr>
<td>23</td>
<td>A. Because if I had asked for an on-the-record -- if he</td>
</tr>
<tr>
<td>24</td>
<td>could have done on the record, he would have said</td>
</tr>
<tr>
<td>25</td>
<td>&quot;I can't do that, but I can do an on the record of&quot;. It</td>
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<td>1</td>
<td>that conversation with Mr Entwistle -- we will see this,</td>
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<tr>
<td>2</td>
<td>I think, a little bit later -- you were, one is tempted</td>
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<td>3</td>
<td>to say &quot;finally&quot;, contacted by the legal department of</td>
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<td>4</td>
<td>the BBC who said to you in effect &quot;Can you please</td>
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<td>5</td>
<td>furnish us with all of the information that you had on</td>
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<tr>
<td>6</td>
<td>this investigation back in 2011&quot;?</td>
</tr>
<tr>
<td>7</td>
<td>A. No, that happens much earlier.</td>
</tr>
<tr>
<td>8</td>
<td>Q. Does it?</td>
</tr>
<tr>
<td>9</td>
<td>A. I'm cooperating with them on that from certainly</td>
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<tr>
<td>10</td>
<td>October 1, earlier than that.</td>
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<tr>
<td>11</td>
<td>Q. Well --</td>
</tr>
<tr>
<td>12</td>
<td>A. Way back.</td>
</tr>
<tr>
<td>13</td>
<td>Q. We're jumping out of order.</td>
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<tr>
<td>14</td>
<td>A. In the week of October 1 to 5 I'm already providing</td>
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<tr>
<td>15</td>
<td>everything I can to legal. I suspect there are emails</td>
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<tr>
<td>16</td>
<td>from the 2nd or 3rd.</td>
</tr>
<tr>
<td>17</td>
<td>Q. I wasn't making a criticism of you, Mr --</td>
</tr>
<tr>
<td>18</td>
<td>A. No, I thought you wanted to find out, sorry. No, no,</td>
</tr>
<tr>
<td>19</td>
<td>if it's not important, let's forget it.</td>
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<tr>
<td>20</td>
<td>Q. Let me just show you, the email I have in mind, I'm</td>
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<tr>
<td>21</td>
<td>slightly wrong and you are slightly wrong. The email</td>
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<td>22</td>
<td>I have in mind we will come to is of 12 October --</td>
</tr>
<tr>
<td>23</td>
<td>A. Right.</td>
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<tr>
<td>24</td>
<td>Q. -- which is before this conversation with</td>
</tr>
<tr>
<td>25</td>
<td>Mr Entwistle --</td>
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<tr>
<td>1</td>
<td>A. Yes.</td>
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<tr>
<td>2</td>
<td>Q. -- to you and to Liz MacKeen from somebody called</td>
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<tr>
<td>3</td>
<td>Nicola Cain.</td>
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<tr>
<td>4</td>
<td>A. Yeah, yeah.</td>
</tr>
<tr>
<td>5</td>
<td>Q. Do you remember the one?</td>
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<tr>
<td>6</td>
<td>A. No, no, no, we're in constant contact with Nadia and</td>
</tr>
<tr>
<td>7</td>
<td>then Nicola from about 1 October. There is a whole</td>
</tr>
<tr>
<td>8</td>
<td>series of emails.</td>
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<td>9</td>
<td>Q. Can you just have a look at A12 just for a moment.</td>
</tr>
<tr>
<td>10</td>
<td>A12/140. Just have a look at this one.</td>
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<tr>
<td>11</td>
<td>Now, I'm going to look at 140 in just a second, so</td>
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<tr>
<td>12</td>
<td>keep a finger there and go back to 132, the same bundle.</td>
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<tr>
<td>13</td>
<td>This is the email that you refer to in your statement</td>
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<td>14</td>
<td>about:</td>
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<td>15</td>
<td>&quot;George, you are still not being accurately</td>
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<td>16</td>
<td>briefed.&quot;</td>
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<tr>
<td>17</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>18</td>
<td>Q. Right?</td>
</tr>
<tr>
<td>19</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>20</td>
<td>Q. And that is Friday, 12 October.</td>
</tr>
<tr>
<td>21</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>22</td>
<td>Q. And on Friday, 12 October you send as an attachment to</td>
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<tr>
<td>23</td>
<td>this email, I think, a copy of the script as it was on</td>
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<td>24</td>
<td>Wednesday, the 30th. If you go over the page, that is</td>
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<td>25</td>
<td>&quot;ROUGHSAVILE 5&quot;?</td>
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<tr>
<td><strong>A.</strong> Okay.</td>
<td><strong>A.</strong> That's part of it, yeah. That's part of the impact, yeah. The -- obviously it would have raised issues for the CPS if that had happened.</td>
</tr>
<tr>
<td><strong>Q.</strong> Do you see that?</td>
<td><strong>Q.</strong> You go on to say that:</td>
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<tr>
<td><strong>A.</strong> Yes.</td>
<td>&quot;In any event as Liz and I had repeatedly made clear to Peter ....&quot;</td>
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<tr>
<td><strong>Q.</strong> That goes through for a few pages. Then at page 140, this has actually happened a few minutes earlier, I think, 18.15 -- do you see 18.15, Nicola Cain to you?</td>
<td><strong>Q.</strong> &quot;Had&quot; in the past tense --</td>
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<tr>
<td><strong>A.</strong> Yes.</td>
<td><strong>A.</strong> Yes.</td>
</tr>
<tr>
<td><strong>Q.</strong> She says: &quot;As you already know, I'm working to identifying and collating the materials obtained during Newsnight's 20/11 investigation for disclosure to the police or any inquiries. It is important that we ensure that all materials are retained safely and not destroyed.&quot;</td>
<td><strong>Q.</strong> &quot;... the key figure in the film had not told her story to the police, with the result that her evidence had yet to be considered by the CPS.&quot;</td>
</tr>
<tr>
<td><strong>A.</strong> Can I stop you there for a second and say that this process has already been going on. The reason you may have missed it is Nadia originally is sending the emails back and forth with me. It only becomes Nicola at about this stage, I think.</td>
<td><strong>A.</strong> Yes.</td>
</tr>
<tr>
<td><strong>Q.</strong> What difference does that make?</td>
<td><strong>Q.</strong> When and how had that repeatedly been made clear to Peter?</td>
</tr>
<tr>
<td><strong>A.</strong> I thought you were suggesting this was the start of the process.</td>
<td><strong>A.</strong> In every single argument we had had with him.</td>
</tr>
<tr>
<td><strong>Q.</strong> I see, right?</td>
<td><strong>Q.</strong> But the arguments had only started that morning?</td>
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<tr>
<td><strong>A.</strong> Because the process actually starts very soon after October 1.</td>
<td><strong>A.</strong> Yes.</td>
</tr>
<tr>
<td><strong>Q.</strong> We will come to that then. Can we go back to 30 November, the year before, just where we were.</td>
<td><strong>Q.</strong> So it's that day?</td>
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<td></td>
<td><strong>A.</strong> Sorry.</td>
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<td></td>
<td><strong>Q.</strong> If you have your statement at 9.4 and 5 --</td>
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<td></td>
<td><strong>A.</strong> Yes.</td>
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<td></td>
<td><strong>Q.</strong> -- we have discussed 9.4.</td>
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<td></td>
<td><strong>A.</strong> Yes.</td>
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<td></td>
<td><strong>Q.</strong> I note what you say at 9.5. Then you say at 9.6: &quot;If the CPS has confirmed they'd dropped the case because Savile was too old and infirm, that may have raised difficult questions for the CPS, but it would not have materially increased the impact of the film&quot;.</td>
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<td></td>
<td><strong>A.</strong> Is that really right?</td>
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<td></td>
<td><strong>A.</strong> Well, I mean, you have seen what the impact was about it, because that's essentially what went out on October 3 this year --</td>
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<td></td>
<td><strong>Q.</strong> Correct.</td>
</tr>
<tr>
<td>18</td>
<td><strong>A.</strong> -- and it is difficult to materially increase that impact.</td>
</tr>
<tr>
<td>19</td>
<td><strong>Q.</strong> Well, it would have added the extra angle of the prosecuting authorities having decided for what arguably is not a justified reason not to go after Jimmy Savile.</td>
</tr>
<tr>
<td>20</td>
<td><strong>A.</strong> I very much doubt that it would have got more coverage than it has.</td>
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<td>21</td>
<td><strong>Q.</strong> We measure impact by the amount of press column inches that the story gets, is that how it works?</td>
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<tr>
<td><strong>A.</strong> Yes. But over this period, over these nine days that was every single argument, we're saying, you know, &quot;We don't accept what you're doing with the CPS, but even if you did do that, you would have to see that we have far more than the CPS, we have ...&quot;, you know.</td>
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<tr>
<td><strong>Q.</strong> What was the reaction of Liz Gibbons and Shaminde Nahal to Mr Rippon's overnight musings --</td>
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<tr>
<td><strong>A.</strong> I don't know. I didn't have any discussions with either of them. Liz had already sort of exempted herself from that. Shaminde didn't -- didn't take an overwhelming interest with the sort of journalistic side. She didn't commission films. That wasn't part of her job really.</td>
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<tr>
<td><strong>Q.</strong> So if I can put it like this, how dead was the story on the morning of the 30 November?</td>
</tr>
<tr>
<td><strong>A.</strong> I didn't realise it was dead. I thought this was something to be argued over.</td>
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<tr>
<td><strong>Q.</strong> Right.</td>
</tr>
<tr>
<td><strong>A.</strong> In fact I didn't realise it was dead really until 5 December when it got pulled out the edit.</td>
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<tr>
<td><strong>Q.</strong> Right. If you still have bundle A3, the one we are really on, and go to page 222, please, still on the same morning.</td>
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<tr>
<td><strong>A.</strong> Yes.</td>
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<tr>
<td><strong>Q.</strong> We know who Jo Mathys is, we have seen her. Who is Hannah MacInnes?</td>
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</table>
A. She's a sort of researcher, AP, on Newsnight who books guests. So this is about guest booking really.
Q. Right. Who is Jennifer?
A. I don't know.
Q. So what would --
A. No idea.
Q. Do you understand -- maybe you don't -- the reference to "next week's prospects for Jennifer"? Liz Gibbons is obviously feeding some information into somebody else?
A. I assume that this is something that would go on the news gathering diary, maybe, or something like that, that would say "Newsnight has -- may it wouldn't even say "Savile investigation". It would say "Newsnight has a paedophile investigation into major personality, you know, call such a body for -- so that is the 30th, God, that is a real -- that's a real surprise to me.
Q. You see the reference to "still v sensitive and legally complicated"?
A. It wasn't legally complicated.
Q. But you told me earlier -- remember the discussion we had -- that so far as you were concerned it wasn't legally complicated because the only slight problem, which was about naming the third person, was resolved between you and Mr Law entirely amicably. That's right, isn't it?

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

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I've not -- I've not seen anything like this before.
Q. Right. Okay.
Now, 227, just look, please, for a moment at 227 and
A. Yes.
Q. Look in particular at the blank space at the bottom of
227.
A. Yes.
Q. All right. Then go to 225 and 226. That's --
A. Sorry, yes.
Q. That's the same email. Right?
A. Is it?
Q. Well, it is. You can see. It's from you to you at 13.45?
A. Sorry, I'm looking at the wrong page. So this is 123 going to 124 you are talking about?
Q. Yes, that's right. You might go 123 to 124. It's the same as the one at 227 to 228. The same email.
A. Right.
Q. The difference is that somebody has made the last paragraph at 227 disappear. Do you see that?
A. Yes.
Q. Was that you?
A. It's got the same --
Q. It's the same email. I promise you, it's the same

Page 179

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

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45 (Pages 177 to 180)
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<tbody>
<tr>
<td>1. go through my entire sent box and my entire in box, I give you complete access go through look and at all my emails&quot;. She went through everything and pulled out anything that was Savile-related. Nicola Cain then came in and took that bundle -- a copy of that bundle, everything that was in it --</td>
<td>1. and re-examine for myself what do we basically have&quot;.</td>
<td></td>
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<tr>
<td>2. Q. And did you go through --</td>
<td>2. Q. Yes. So this is a note to self because this is clearly getting more complicated.</td>
<td></td>
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<tr>
<td>3. A. Took it away to litigation.</td>
<td>3. A. Yes.</td>
<td></td>
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<tr>
<td>4. Q. And didn't bring it back?</td>
<td>4. Q. So you are setting out the history. We can read this, as it were, for ourselves. 2009/2010 query, CPS tell police, police tell girls he's too old and infirm face trial. And then there is a reference to The Sun, and then there is a reference to Mark Williams-Thomas not running the story until Savile is dead because of the obvious problems of standing up in a trial.</td>
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<tr>
<td>5. A. And didn't bring it back, yes.</td>
<td>5. A. Yes.</td>
<td></td>
</tr>
<tr>
<td>6. Q. So I infer from that that this blanking out at page 227 was done by some BBC lawyer?</td>
<td>6. Q. And then you refer to Hannah Livingston, who you refer to as a trainee who was with you for a week.</td>
<td></td>
</tr>
<tr>
<td>7. A. I would infer that, but you would need to check.</td>
<td>7. A. To be fair on that, she was physically with us for a week but carried on working in Scotland for the next three weeks or whatever.</td>
<td></td>
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<tr>
<td>8. MR POLLARD: But not by you.</td>
<td>8. Q. She was mainly with Reporting Scotland I think at that time.</td>
<td></td>
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<td>9. A. Certainly not by me, and I've looked, I've checked the email.</td>
<td>9. A. Yes.</td>
<td></td>
</tr>
<tr>
<td>10. MR MACLEAN: So you supplied complete information to the BBC, who then the supplied it to our review?</td>
<td>10. Q. Then you attack about the interview, the business and so on. Then -- and that is the paragraph that was blanked out, but not by you:</td>
<td></td>
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<tr>
<td>11. A. But how have you got the other version then?</td>
<td>11. &quot;We contacted 60 ex-Duncroft girls. Of those 10 came back to us and were prepared to talk about the Savile allegations. A lot of them do not want people to know they went to an approved school. Seven of the ten I infer said that they had been molested or assaulted by him while aged 14 or 15, and three [presumably that is the other three] said they had talked to friends at the time who had been assaulted or molested. One told us about her 13-year-old sister who was assaulted by Savile at Stoke Mandeville and who may have been the original complainant who set off the investigation.&quot; So by this stage you know that the police investigation which you know to have taken place was sparked by one complainant?</td>
<td></td>
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<tr>
<td>12. MR POLLARD: Could I just ask on that subject --</td>
<td>12. A. Later on we found out it was two. But probably not in the historical time of this.</td>
<td></td>
</tr>
<tr>
<td>13. A. Yes.</td>
<td>13. Q. &quot;Two girls told us specifically he had pressured them to give oral sex when they were 14 or 15 ...&quot; And so on:</td>
<td></td>
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<tr>
<td>14. Q. You might have noticed when he was looking at copies of earlier Savile drafts there were paragraphs missing, was that not your doing?</td>
<td>14. &quot;Some of them do did not want to be specific about the exact details of what had happened. Seven confirmed that they had been contacted by the police.&quot; That is a rather important little detail, isn't it?</td>
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<td>15. A. No.</td>
<td>15. A. It's a different seven. It's within the ten, but it's not the same seven.</td>
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<td>16. MR POLLARD: Okay.</td>
<td>16. Q. My detail was a slightly different one. It is important to bear in mind that the -- when we talk about girls</td>
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<tr>
<td>17. MR MACLEAN: What I suspect has happened is that somebody at the BBC has decided for some reason to blank out the bottom of page 227, but if you look at 225, we can in fact see because this has not been done in a very comprehensive fashion, we can actually see what was blanked out.</td>
<td>17. &quot;We contacted 60 ex-Duncroft girls. Of those 10 came back to us and were prepared to talk about the Savile allegations. A lot of them do not want people to know they went to an approved school. Seven of the ten I infer said that they had been molested or assaulted by him while aged 14 or 15, and three [presumably that is the other three] said they had talked to friends at the time who had been assaulted or molested. One told us about her 13-year-old sister who was assaulted by Savile at Stoke Mandeville and who may have been the original complainant who set off the investigation.&quot; So by this stage you know that the police investigation which you know to have taken place was sparked by one complainant?</td>
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<tr>
<td>18. A. Yes.</td>
<td>18. A. Later on we found out it was two. But probably not in the historical time of this.</td>
<td></td>
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<td>19. Q. I know you are not a lawyer, Mr Jones, and this absolutely is not a criticism of you, but it is slightly baffling to me why that bottom paragraph has been blanked out. Indeed, it is one of the most important passages in all the documents you wrote, because it tells us how many Duncroft girls were contacted, how many responded and what they said.</td>
<td>19. Q. &quot;Two girls told us specifically he had pressured them to give oral sex when they were 14 or 15 ...&quot; And so on:</td>
<td></td>
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<tr>
<td>20. A. Okay.</td>
<td>20. &quot;Some of them do did not want to be specific about the exact details of what had happened. Seven confirmed that they had been contacted by the police.&quot; That is a rather important little detail, isn't it?</td>
<td></td>
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<td>21. Q. Just look at 225. No, just look at the start of it for the moment, we will come back to that paragraph. This appears to be a kind of note to self --</td>
<td>21. A. It's a different seven. It's within the ten, but it's not the same seven.</td>
<td></td>
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<tr>
<td>22. A. Yes.</td>
<td>22. Q. My detail was a slightly different one. It is important to bear in mind that the -- when we talk about girls</td>
<td></td>
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<td>23. Q. -- dump onto -- in writing, is that --</td>
<td>23. A. It's a different seven. It's within the ten, but it's not the same seven.</td>
<td></td>
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<tr>
<td>24. A. Yes, that's exactly -- it's me obviously we're starting to have arguments and I'm saying &quot;Okay, let me go back</td>
<td>24. Q. My detail was a slightly different one. It is important to bear in mind that the -- when we talk about girls</td>
<td></td>
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<td>Page 185</td>
<td>Page 187</td>
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| **1.** Q. But when it says in page 235 you see in the middle of the paragraph: **2.** 
| **3.** **[redacted] is not alone in making these claims."** 
| **4. A. Yes.** 
| **5. Q. Can I just be completely clear about this. You contact** 
| **6. 60 and ten come back --** 
| **7. A. Yes.** 
| **8. Q. -- **[redacted] was not one of those ten, was she?** 
| **9. A. No, no. I think --** 
| **10. Q. Was she the 11th?** 
| **11. A. It depends on how you do your numbers. What have I got here? I've got this in front of me. Let me have a look, because I had to do this again.** 
| **12. Effectively what we've got is nine who we talk to.** 
| **13. A tenth, who was the sister of one of the nine, and she's the one who was abused at Stoke Mandeville, and -- there are 11 -- okay, the ten girls that we talked to and one who was sister of one of the people we talked to.** 
| **14. Q. And **[redacted] was one of the ten?** 
| **15. A. **[redacted] was one of the 11 in all, if you see, yes. So she was one of the ten we talked to.** 
| **16. Q. So ten Duncroft and the sister of one of those is 11, who is somebody else --** 
| **17. A. Although all our communications with her ended up being through her sister.** 
| **18. Q. The Duncroft sister?** 
| **19. A. But we believed that what we were getting there was a true picture of what was going on.** 
| **20. Q. Right. So when we look at 235 -- this is ROUGHSAVILLE --** 
| **21. 5 --** 
| **22. A. Yes.** 
| **23. Q. The reference to "most of them talked to Surrey Police during the recent investigation" --** 
| **24. A. To the ten. No, that's to the --** 
| **25. Q. We get "most" that's because seven out of ten --** 
| **26. A. Exactly.** 
| **27. Q. -- had been contacted by the police, and hence that's most, seven out of ten?** 
| **28. A. Yes, exactly.** 
| **29. Q. Now, on 1 December then, there's an email from Mr Rippon to you on page 274:** 
| **30. "I assume still no word."** 
| **31. And that's no word from --** 
| **32. A. About the CPS.** 
| **33. Q. Because this ball is now in the CPS's court, is that right, you are now chasing them?** 
| **34. A. No, well, actually, hang on, no -- no, we still haven't actually got the confirmation from the police that they handed a file to the CPS.** 

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

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Q. We will come to this, I think. When the CPS finally do put something in writing they actually manage to refer to Kent Police and that is wrong, it should have been Surrey, and then they have to correct that.
A. Yes, but at this point we still don't have the official line from Surrey Police. We don't get that until the 7th.
Q. So he's going to pull editing for now, Mr Rippon?
A. Yeah. Oh, well, more stop working on other elements.
Q. "Until we know for sure what we are likely to get from them". So "them" is?
A. It could be CPS, it could be police. But it's sort of CPS -- basically he's talking about the CPS line. Either way he's talking about the CPS line there, I think.
Q. And he says:
"We don't really have a strong enough story without it."
Obviously you rather disagreed with that to put it mildly.
A. Mmm.
Q. "I will pull editing et cetera for now."
So how is the story now then?
A. In retrospect, it was very dead. At the time I still thought, you know, he's having a bit of a fit or whatever and, you know, we'll talk him around and you know -- you know, essentially either he or his bosses will decide that it has to run.
Q. So over the page, 275, you reply within half an hour-ish and say:
"I don't think that's a good idea, let's chat."
And you did chat.
A. That's probably a bit of a stronger phrase than it appears in print.
Q. You say in your statement, your submission, at 11.4, you have just referred to this email we have just looked at.
A. Yes.
Q. "I don't think it's a good idea, let's chat":
"We had a conversation where I strongly argued the story we had was incredibly strong."
And so on.
Q. Who else was present in that conversation, do you remember?
A. What day of the week, was it? Thursday. I don't know whether Liz would have been there or not, she didn't usually work Thursday. It's probably not, it's probably just me and Peter.
Q. I think this is still the same conversation, isn't it, down at 11.7 --
<table>
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<tr>
<th>1</th>
<th>A. Yeah. And I think on the 5th then I then think about sending it as an email to Helen and Steve. But that's on the 5th.</th>
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<tbody>
<tr>
<td>2</td>
<td>Q. But you didn't.</td>
</tr>
<tr>
<td>3</td>
<td>A. No.</td>
</tr>
<tr>
<td>4</td>
<td>Q. What then follows at 269 to 271 is your memo to self, as it were?</td>
</tr>
<tr>
<td>5</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>6</td>
<td>Q. And potentially to others if you chose to send it to them?</td>
</tr>
<tr>
<td>7</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>8</td>
<td>Q. You say:</td>
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<td>9</td>
<td>&quot;I think we should run this story next Wednesday as planned subject to confirmation of police and CPS situation of course for straightforward journalistic reasons and I think BBC News should make the decision to run it on straightforward news grounds.&quot;</td>
</tr>
<tr>
<td>10</td>
<td>I know you say something about that in your statement, we will come back to that:</td>
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<tr>
<td>11</td>
<td>&quot;I do however also think that we should notify our colleagues in Vision or wherever else ... so that whoever is making the Jim'll Fix It Christmas special is aware that there may be a problem for them as early as possible.&quot;</td>
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<td>12</td>
<td>A. Yes.</td>
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<tr>
<th>1</th>
<th>And if it emerges after Christmas the headlines will be:</th>
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<tr>
<td>2</td>
<td>&quot;BBC covered up paedo sir Jimmy Savile to fix Christmas ratings.&quot;</td>
</tr>
<tr>
<td>3</td>
<td>You then say:</td>
</tr>
<tr>
<td>4</td>
<td>&quot;Why do I think it will come out?</td>
</tr>
<tr>
<td>5</td>
<td>&quot;We know that the victims believe that the police and CPS covered up for Savile.&quot;</td>
</tr>
<tr>
<td>6</td>
<td>Now, I appreciate this is a memo to yourself but it wouldn't be right to say that all the victims believed that, would it?</td>
</tr>
<tr>
<td>7</td>
<td>A. No, only the ones who had contact with them.</td>
</tr>
<tr>
<td>8</td>
<td>Q. And 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. Now, again, what made you think that, that's a somewhat --</td>
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<tr>
<td>9</td>
<td>A. That is coming on from the believe beforehand.</td>
</tr>
<tr>
<td>10</td>
<td>Q. But it wouldn't be -- I appreciate this didn't go to anybody in the end --</td>
</tr>
<tr>
<td>11</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>12</td>
<td>Q. -- it is only a note to self. I have that point. But it is a telescoping of the fact to suggest that all of the victims were interviewed, all of them were told what happened --</td>
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<tr>
<td>13</td>
<td>A. No.</td>
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<tr>
<th>1</th>
<th>Q. &quot;However, BBC News should not be influenced by other parts of the BBC to cancel or delay transmission until after the Christmas special has gone out. Obviously it is a point of principle, but there is also a very practical reason for this.&quot;</th>
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<td>2</td>
<td>Now, the practical reason was that, what, others were on to the story or might be, or what?</td>
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<td>3</td>
<td>A. Well, no, it's what I go on to say.</td>
</tr>
<tr>
<td>4</td>
<td>Q. Right:</td>
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<td>5</td>
<td>&quot;So if you go ahead there will be minor embarrassment.&quot;</td>
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<tr>
<td>6</td>
<td>The minor embarrassment would be --</td>
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<tr>
<td>7</td>
<td>A. We were bad in the 70s and we have to pull our tribute.</td>
</tr>
<tr>
<td>8</td>
<td>We were a bad organisation in the 1970s, we let Savile run wild, we are now pulling our tribute.</td>
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<td>9</td>
<td>Q. And then you say:</td>
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<td>10</td>
<td>&quot;If we cancel or delay until after Christmas there's a risk of another BBC scandal on the scale of the Queen or Jonathan Ross ....&quot;</td>
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<td>11</td>
<td>I suppose one could form a view about that as matters transpired:</td>
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<td>12</td>
<td>&quot;... and similar damage to our core value of trust.&quot;</td>
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<td>13</td>
<td>Then there is a point that it might emerge anyway, and then if that happened, then the story would be:</td>
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<td>14</td>
<td>&quot;BBC cover up paedo Sir Jimmy Savile.&quot;</td>
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<th>1</th>
<th>Q. -- and all of them were told he was too old to press charges, because those weren't the facts that you had gathered.</th>
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<td>2</td>
<td>A. No, I mean, you know, that's -- yes, it should have said &quot;We know that some of the victims believe, you know&quot;.</td>
</tr>
<tr>
<td>3</td>
<td>Q. I appreciate this is a note to itself and it doesn't go to anyone.</td>
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<tr>
<td>4</td>
<td>A. This is a first draft. It is just something I'm writing.</td>
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<td>5</td>
<td>Q. And then you make the point about the News International. We have already covered that. Then at the end -- I'm coming back to the first point you made -- at the end, 271:</td>
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<td>6</td>
<td>&quot;I can't be the only journalist with evidence of Savile's activities who is waiting for him to die because the victims were vulnerable and wouldn't stand up well in the libel hearing. It would take a few weeks to get something together, but the week before the BBC's Jim'll Fix It special would be perfect timing for them.&quot;</td>
</tr>
<tr>
<td>7</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>8</td>
<td>Q. So we touched on this earlier. You were anticipating that if your story runs, then --</td>
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<td>9</td>
<td>A. No, it doesn't run. This is if it doesn't run.</td>
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<tr>
<td>10</td>
<td>Q. I see. I understand?</td>
</tr>
<tr>
<td>11</td>
<td>A. That's if it comes out --</td>
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</table>
Q. If somebody else gets it they would stick it on, they would announce it a week before the Jim'll Fix It special, and then the BBC has a problem then?
A. Yes.
Q. Another problem, a different problem?
A. Yes.
Q. So let's go back to the subject of police and CPS situation.
A. Yes.
Q. That was a reference to the point that Mr Rippon had been on for some time that corroboration was necessary, wasn't it?
A. Corroboration of what?
Q. Well, that the police and CPS end of the story --
A. Being what, though.
Q. Backed up what the -- what the Duncroft girls had said?
A. Yes. That the police handed a file to the CPS is what I would say that meant.
Q. You say in your statement that what you had in mind then was to use your words: "While the unofficial confirmation that the police had investigated and taken it seriously enough to pass a file to the CPS, we didn't get the official confirmation until 5 December."
A. Yes, around about now we knew that they had given it to the CPS. Somewhere around about there we were getting a little bit more.
Q. So you are accepting that the running of this story is contingent upon confirmation of something from the police and the CPS?
A. Confirmation that the police took it seriously enough to hand the file to the CPS. I've got that now unofficially. It has moved on from the 25th where I just knew that the police had investigated. By now I know that it has gone to the CPS.
Q. So you are accepting that as matters stand when you write this memo --
A. Yes.
Q. -- there is still a piece of the jigsaw missing?
A. Yes, but it is a piece of the jigsaw that I know 100 per cent is coming.
Q. Hang on. Which is a necessary part of broadcasting the story?
A. But I know it's coming.
Q. You know it's coming --
A. There is no doubt that it is coming. You know, once the has told you that, it is definitely coming.
Q. Your evidence was that the missing piece of the jigsaw was that the police had passed their file to the CPS?
A. Yeah. Yeah. Well, no, and confirmation that the police investigation had taken place. We haven't got confirmation of that either. We've got unofficial confirmation of both of those by then. We don't get official confirmation until 5 December.
Q. But we -- you were asked earlier about various building blocks --
A. Yes.
Q. -- it's not sufficient simply to get confirmation that there has been a police investigation. You need confirmation of police and CPS situations?
A. Well, because by now I know that we're going to get both of those.
Q. So the first one you just mentioned is actually a red herring, because actually do know --
A. No, we haven't got confirmation. No. We do not have confirmation of either.
Q. I think Mark presumably reads the minutes and says "When is this coming through?"
A. And that is unofficial. We've got it. We know it's coming because we know it exists, but we are still waiting for that thing to arrive from Surrey Police. That only arrives on 5 December. They put out an official email to me saying "Yes, it's all official".
Q. That's what I'm waiting for.

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

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

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

1 Q. The same sort of story. In fact it is still concerned
2 with Jimmy Savile. This is blogs in Australia -- no.
3 It is other blogs, isn't it?
4 A. Yes.
5 Q. This come from Hannah who has been doing further
6 research, I think, originally.
7 A. I'm not sure about that but, yeah, let's say relevant
8 either way. But yeah.
9 Q. We see that, I think, from 280 where you passed it on to
10 Liz MacKean saying "Hannah found this".
11 A. Oh, well, then, fine, great.
12 Q. So Hannah has been doing some more research. You pass
13 it to Liz MacKean.
14 And then 282, she says to you, do you see in the
15 middle of the page:
16 "Can you re-send, it hasn't come through. L."
17 "It's there, Liz. That's her saying "Yes, I have got
18 it now".
19 And then she says at the top:
20 "Incredible interesting she also say Sussex Police.
21 Will you show Peter?"
22 Do you see that?
23 A. Yes.
24 Q. Did you?
25 A. I don't know. I suppose what she's trying to say there
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<table>
<thead>
<tr>
<th>Reed Smith Meetings</th>
<th>12 November 2012</th>
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<tbody>
<tr>
<td><strong>Television Awards ceremony --</strong></td>
<td></td>
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<tr>
<td>A. <strong>Yes.</strong></td>
<td></td>
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<tr>
<td>Q. -- which assumption are you not at?</td>
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<tr>
<td>A. <strong>No.</strong> I was driving around in a vintage Rolls Royce at Duncroft.</td>
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<td>Q. At this stage, by which you mean in the period when the story was killed off or dropped or whatever in whatever terminology you want to adopt -- did you learn anything at all about anything relevant to Savile that had happened at that award ceremony?</td>
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<tr>
<td>A. <strong>No.</strong> Not at all.</td>
<td></td>
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<tr>
<td>Q. At this stage what were you aware -- may you weren't aware, but what did you know that the Vision side of things knew about --</td>
<td></td>
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<tr>
<td>A. <strong>I didn't know.</strong></td>
<td></td>
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<tr>
<td>Q. You didn't know?</td>
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<tr>
<td>Q. <em>I knew that in arguments I'd been saying &quot;You've got to tell Vision&quot;.</em></td>
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<tr>
<td>Q. Yes, we saw that earlier.</td>
<td></td>
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<tr>
<td>A. <strong>Yes.</strong></td>
<td></td>
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<td>Q. <em>So the next involvement -- you can put bundle 3 away, please, and take up bundle 4 --</em></td>
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<td>MR POLLARD: <em>Sorry, could I just ask -- and apologise if it is clear I should know this -- did you ever say directly to Peter &quot;You have to let Vision know&quot;, or &quot;You have to</em></td>
<td></td>
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<td><strong>let the wider BBC know --</strong></td>
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<tr>
<td>A. <strong>Yes, absolutely we both said that. We both said that.</strong></td>
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<td>MR POLLARD: <em>-- because they are walking towards a big bear trap?</em></td>
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<tr>
<td>A. <strong>Yeah. Yeah. Yeah.</strong></td>
<td></td>
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<tr>
<td>MR POLLARD: <em>That's not, I think, in print anywhere as directly as that, is it?</em></td>
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<tr>
<td>A. <strong>It is there in the red flag, which is a part of what I was saying --</strong></td>
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<tr>
<td>MR POLLARD: <em>Well, you didn't send to anybody.</em>*</td>
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<tr>
<td>A. <strong>No, no, no; but it's a record of what I was thinking and saying at that time and it's a good record of the sort of arguments I was making to Peter.</strong></td>
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<tr>
<td>MR MACLEAN: <em>Just to pick that up, when you made those arguments to Peter saying &quot;For goodness sake, you have to tell Vision about this&quot;, what did he say? What was his reaction?</em>*</td>
<td></td>
</tr>
<tr>
<td>A. <strong>He didn't engage with anything like that. He just, you know -- he didn't -- he wouldn't engage with anything like that.</strong></td>
<td></td>
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<tr>
<td>Q. <em>Because his head was in the sand or what?</em>*</td>
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<tr>
<td>A. <strong>I don't know. He just wouldn't engage with it. He didn't say &quot;I have told them&quot;, or &quot;I haven't told them&quot;.</strong></td>
<td></td>
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<tr>
<td>He just said move off to other stuff. So, you know, it's not a story until -- he never said &quot;I have don**</td>
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<td><strong>Page 207</strong></td>
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| is, "Is this another force?" I suppose she's trying to say that. |
| Q. She's still trying to find more bolstering for the story. |
| A. Oh, yes, no, no, but -- but it says Sussex Police. That seems to be the key thing here, doesn't it? |
| Q. Yes. |
| A. I genuinely don't know. It might well have come up in the course of arguments and so on. I suspect by then he had gone home. That is Thursday the 1st -- I think he's gone home. And he's not in -- well, I'm out filming on the Friday morning. By the time I -- by the time I get back he's not there. So I don't think I see him until the Friday. |
| Q. Friday being -- |
| **A. Sorry, until Monday. This is -- this is Thursday the 1st. And I'm out filming with Rolls Royce.** |
| Q. Monday you are back. |
| A. Monday I'm back in the office. So if I did put it to him, it wouldn't have been until Monday. |
| Q. Now, the Friday, if you go to 288 -- you will not have seen this document before, I apprehend -- this is Mr Mitchell's diary, as I understand it, for 2 December. |
| One of the things that happened on 2 December was that there was something called the Women in Film and **Page 206**

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

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

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

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

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53 (Pages 209 to 212)
A. Yes.
Q. -- she congratulates you for your good work and then says:
"Hopefully CPS can confirm what the girls said about why charges were dropped."
A. Yes.
Q. And that's back to the old and infirm again?
A. Yeah. Yeah, no, sure. Sure, that's what she is saying there, because she now knows that it's not going to run unless -- unless the CPS do say that.
Q. Because that is the condition Mr Rippon's now set?
A. That's the condition that's now been set.
Q. But for you, your evidence is, that that aspect was, as it were, always jam on top?
A. Yeah, exactly, that's a good way of putting it. No, but it also was for Hannah. But Hannah is realistically saying here "I hope they confirm that so we can get past the barrier and run it."
Q. Yes, I understand. Now, just looking at your submissions for a moment at 17.3, this is where you give your comment having just set out the email we have just looked at, right?
A. Yes.
Q. You say:
"We were still arguing with Peter Rippon. I looked..."
A. Again at my red flag memo, thought about sending it to Steve Mitchell and Helen Boaden, but I assumed that the force of my arguments had already been passed on by Peter to them, so there seemed no point."
A. Yes.
Q. So that seems to me, if I may suggest, a rather curious suggestion. Mr Rippon was hardly an advocate in the cause of this story at this stage, was he?
A. No.
Q. So why assume that he would have passed on either at all or with any or any sufficient force to Mitchell and Boaden the case you were advocating?
A. You know, even if he was not an advocate it would be career suicide for him not to pass on to his bosses that two senior journalists on his team were saying "If you don't run this story, forget whether it is right or wrong to run it, but if you don't run it, the consequences for the BBC are going to be disastrous, absolutely disastrous, because all those people out there will be saying you knew he was a paedophile, you ran the tributes knowing he was a paedophile. How could you do that? We trust the BBC."
So this is a separate issue from the actual pulling in the first place.
Q. Yes, yes, I understand.
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A. This is a new issue, which is that you have two senior people saying this, and why would you not pass that message up all the way through the ranks.
Q. The two senior people being you and Liz MacKean?
A. Yes.
Q. Just pausing in this paragraph for a moment --
A. Yes.
Q. -- I think I asked you this already, but just help me again: if you wanted to send or you were contemplating the red flag memo to Steve Mitchell and Helen Boaden, their offices were on the fourth floor, were they?
A. Fifth there. This is Television Centre.
Q. Where were you, at this stage?
A. Ground floor.
Q. Why not do with Mr Mitchell and Ms Boaden what you eventually did with Mr Entwistle? Why did you not go and see those people?
A. Because --
Q. Knock on their door, ring the secretary?
A. It is difficult to explain if you are outside the BBC, that is not the culture. And it's not only that it would reflect badly on you if you did that, it would reflect badly on your editor that his troops are out of line.
Q. So what would have happened? Presumably -- let's take...
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Mr Mitchell, for example, presumably he's got a PA or a secretary?
A. Yeah.
Q. Or Helen Boaden and PA or a secretary?
A. Yes.
Q. If you had picked up the phone and said, where are we, 5 December, "Can I come and talk to you for 10 minutes about a subject I feel very strongly about that I've been having a full and frank exchange of views with Mr Rippon about over the last few days, I just want to make sure you have my side of the story, because I'm very concerned about not just Newsnight but the wider BBC", for all the reasons in your red flagged memo --
A. Mmm.
Q. -- are you suggesting that they would have said "We can't see you, go away"?
A. I think they would have gone back down to Peter and said "What's going on?" And then Peter would then have had another chat with me. That's what would have happened, I think. But having said that, look, I still regret not sending it because is there a chance, a faint chance, it might have done something if I had.
In some ways I don't think it would have done, because I just don't think they have done anything. But what I really needed to do was to go...
above that. The trouble is I didn’t know Mark Thompson.

Q. Materia\textup{\textemdash}ly above Helen Boaden was Mark Thompson?

A. Yes. The trouble is I didn’t know Mark.

Q. And nobody else really?

A. No.

Q. What about Mr Jordan?

A. I just -- well, I mean, I did think -- as I go on to say later, I did think about whether there was a whistle blower line I could take that would just -- anonymously without anyone caring where it had come from, would get a message through.

Q. Let me ask you this --

A. The difference between Mark and George is that I knew George.

Q. Not least because he’d been a Newsnight --

A. He had been my editor but even up to a couple of years ago we would go and have fish and chips on a Friday lunch time on some occasions, you know.

Q. I don’t mean this in a critical way, but it sounds from what you’re saying as if you were -- at least part of you was “scared” may be too strong a word but wary at least from your own point of view from approaching these senior management figures, because it might lead to career damage to you; is that right? Is that what you are saying?

Q. Well, or -- you know, above him or whatever. But he said -- I mean, there is a note of it somewhere in there, he said “Obviously other people are informed, George Entwistle for instance” I’m surprised at that. I didn’t realise that. It didn’t occur to me.

Q. I see.

A. I mean, that’s all that happened.

Q. Looking back at this paragraph of your statement we were on, you say: "In any case, Peter Rippon seemed to be hinting that they were behind the decision.

A. They being Mitchell and Boaden.

A. Yes.

Q. How did he seem to be hinting? What did he do?

A. It’s like the discussion we had before about the sort of -- he wasn’t trying to win the argument, really. He was not looking at the evidence. It wasn’t on journalistic grounds. There had been this huge about turn and he was sort of suggesting that the decisions were nothing that he had control -- that he was powerless, that he didn’t have control over this --

Q. So he was saying “I can’t do this”?

A. Yeah, that sort of thing. He never said to me “my bosses”, he didn’t say that, I will be clear about that.

Q. Did he ever use the words “Steve” or “Mitchell”, or
"Helen" or "Boaden" --

A. No, no, no, he didn't --

Q. Or "Mark" or "Thompson"?

A. He didn't do any of that. No, none of that. But it was constantly "it's beyond my control, really", it was that feeling.

Q. "It's out of my hands. There's nothing I can do"?

A. Yes. And, therefore, when you tried to say "Look at the evidence, it's really strong" the counter-argument was not really put type of thing.

Q. Didn't you say to him, "Hang on, Peter, this is all a bit strange, because on the 25th it was all systems go, you were very pleased with the award interview, we were all excited on the 15th"?

A. I mean, there are -- I think there were two or three emails from me to other people in the BBC -- or recent ex-BBC people in that pile.

Q. We will come to David Lomax, for example.

A. One is Lomax, one is Mary Wilkinson.

Q. We are just coming to them. You know this chronology even better than I do, if I may say so.

A. Yes, RTE I think.

Q. He works for RTE, yeah.

A. Yes.

Q. So this falls into the same category as earlier, the Jackie Long email, doesn't it?

A. Yes.

Q. This is an unauthorised email: "How is Hughes et cetera. Quite a storm brewing this end. My story [that she has got you] is terrifying the bosses. Basically BBC1 is preparing a Jim'll Fix 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 he rebuts his points he resorts to saying, it was 40 years ago the girls were teenagers, not too young. They weren't the worst kind of sexual offences, et cetera." Did Mr Rippon ever say anything like that in your hearing?

A. I wasn't with them when that happened. What happened was that Liz immediately came up to me and said this is what he said, et cetera. Apparently when I got home that night I told my other half about all this and so on. She was telling me that the other day. So I was not a witness to this. I was just a witness to Liz coming -- you know, storming over afterwards.

MR POLLARD: But in the many conversations that you had with Peter, he presumably had gone into quite considerable detail about why he didn't think the evidence was strong enough.

A. No, not really. Because we kept saying "Just look at the evidence. The only evidence he had seen was the script.

MR POLLARD: So his reason as expressed to you in those meetings for not running it was --

A. Was that the bar was now -- it wasn't a strong enough story unless the CPS said they let him off because he was too old. It was as simple as that. That was the sort of -- and that's why we thought that was a device, frankly.

MR POLLARD: He didn't, in those meetings he had with you, express any doubts about the credibility of the women?

A. He might have done. He might've done. But he didn't --
1. To Peter"; is that right?
2. A. Okay, my thought on that is that I might have said to her -- she's telling me, I'm having nothing to do with this, you know, she doesn't want to piss off Danny Cohen it's down to Peter.
3. Q. Now, Danny Cohen would be --
4. A. BBC1.
5. Q. -- pissed off because he's the controller of BBC1 and he's got these tributes. That's why he would be pissed off.
6. A. Yes, very pissed off, yes. And she had much more to do with the controllers than other people on Newsnight did, because previously she'd worked on the review show, which was spun off from Newsnight and didn't come under news any more, and so on.
7. So my suspicion here is -- I don't think I have said that she said "I don't want to piss off Danny Cohen". I don't think she would have said that. But I might well have said to Liz "She's saying I'm having nothing to do with this, you know, if she doesn't want to piss off Danny Cohen it's down to Peter".
8. Q. So Liz MacKean is consciously or unconsciously -- that's not a matter for you -- glossing what Liz Gibbons said to you, is that right?
9. A. Yes.
10. Q. -- for the airing of the story; right?
11. A. Yes.
12. Q. She has some Q&A of what might be said when it runs.
13. A. Yes.
14. Q. Over the page Mr Rippon replies:
15. "We're putting the car in the way before the horse here. We have been looking into the story but it is far from clear it will ever be strong enough for us even to run it."
17. Q. -- who describes herself as a publicist. Which part of the regime does she --
18. A. There is a big press office at the BBC.
19. Q. Is it that headed by James Hardy? Is he the --
20. A. I'm not sure if it is Hardy or Mylrea, or whatever his name is. I don't actually know how they all work up there.
21. Q. So far as you're aware -- we can obviously check -- she's in the press office?
22. A. Yes, she's a middle-ranking press officer.
23. Q. She emails you and Peter Rippon.
24. A. Yes.
25. Q. She's spoken to Liz MacKean earlier, whether it is earlier that day or not I'm not clear --
26. A. I suspect it is earlier in the week.
27. Q. "... which reminded me that your Jimmy Savile piece is in the pipeline. Then she's talking about promotional efforts and so on. And then she says:
28. "Despite such rumours circulating in the media for years, in addition to any press interest you can bear in mind how the BBC complaints team responds."
29. This seems, in the light of recent events, that they are worried about the complaints about running the story about Jimmy Savile being a paedophile.
30. A. Yes.
31. Q. Rather than the reverse of what's in the event transpired.
32. A. Yes.
33. Q. And she asks amongst other things whether Roger Law was the lawyer involved.
34. A. Yes.
35. Q. To which we know the answer was yes.
36. A. Yes.
37. Q. We can see what she says. So the press office is getting into full swing --
38. A. Yes.
39. Q. -- for the airing of the story; right?
40. A. Yes.
41. Q. She has some Q&A of what might be said when it runs.
42. A. Yes.
43. Q. Over the page Mr Rippon replies:
44. "We're putting the car in the way before the horse here. We have been looking into the story but it is far from clear it will ever be strong enough for us even to run it."
1. The "as you know" tells you that I have been saying this to him again and again and again. This is not a new thought for me in there.

2. Q. You would say, I imagine, that although you didn't send the red flag email what we do see here is you telling Peter Rippon at least that:

3. "The danger of not running it is substantial damage to the BBC reputation, but no point having that discussion until I have the final word from CPS."

4. In other words, if you meet what we might call the Rippon criteria, that's great, and if you don't you will have the argy-bargy; is that fair?

5. A. Yes.

6. Q. You say in your submission at paragraph 18.6 that you had never used those words in your 24 years at the BBC.

7. A. No, never.

8. Q. So I take from that, that someone in your position, this is really sticking your neck out, is it?

9. A. Yes, absolutely.

10. Q. Although it might seem to a lawyer as being rather mildly expressed.

11. A. Yes.

12. Q. But in BBC code it is understood as being somebody really sticking his neck out.

13. A. Those are key words "substantial damage to BBC reputation" is saying, you know, this is absolutely existential, you know, threat.

14. Q. So you would say you didn't copy that to Mr Mitchell because it is obvious from the exchanges we have just been looking at that Rippon and have Mitchell are in very close contact?

15. A. I assume so, yes.

16. Q. Now, meanwhile --

17. A. But remember also this is, you know -- all this is doing is repeating what has been said again and again by Liz and myself for days and days by this stage. Seven/eight days we have been going at it.

18. Q. We can see from page 38 what Liz MacKean thinks of it, can't we, from the top of the page?

19. A. Yes.

20. MR POLLARD: You hadn't seen that, had you?

21. A. A very long time ago, at the time.

22. MR POLLARD: You have seen it, yes, of course.

23. MR MACLEAN: There is another email which I didn't get until recently, in which it is said that Mr Rippon was "trying everything to kill it". You would agree with that, wouldn't you?

24. A. Yes. Who is it from or to?

25. Q. I can't remember who it is to. It's a Liz MacKean email.

1. A. All right, yes.

2. Q. If we go to page 44, who is Mary Wilkinson?

3. A. She used to be deputy editor of Newsnight. She's now something quite big in World.

4. Q. BBC World?

5. A. Yes.

6. Q. I think I know what that means. That's the --

7. A. She commissions films, I think, for BBC World.

8. Q. That's the channel you see when you are in a foreign hotel?

9. A. Yes, but she has also been an adviser to DG for a period, all that sort of thing. She's actually very, very good, very competent.

10. Q. She's a friend of yours.

11. A. Yes.

12. Q. You are emailing at 20 past 11 at night?

13. A. That is probably because I had only just got round to that stuff. Because this would be all of the extra stuff, of people sending you extra stuff.

14. Q. You say in this email: "Meanwhile I'm dealing with the BBC which doesn't want to put out a piece about Jimmy Savile being investigated by the police about sexual offences against 13, 14 and 15 years old, including interviews with victims because it might damage the audience for the"

Jim'll Fix It Christmas special."

2. Had anybody said to you that this piece wasn't running because it might damage the audience for the Jim'll Fix It Christmas special?

3. A. No, they would deny that if you --

4. Q. Never mind what they would say. Had anybody said to you that that was the reason why this story wasn't to run?

5. A. No, but it seemed obvious to me.

6. Q. So that was your --

7. A. Yes, my interpretation, and obviously it might damage the audience, it's me being a bit arch. Obviously it would have to go. There was no way you could broadcast our piece and still broadcast the tribute. That's my undercutting it. It's not -- plainly it's not going to go ahead there.

8. Q. The obvious inference from this email is that it was going to go ahead but fewer people would have watched it.

9. A. Okay. That's just my sense of humour, if you like. The way I put that. You know, we can't put out a piece about him being a paedophile because it might, you know, reduce the audience for the Jim'll Fix It Christmas special. It's not -- I don't literally think the Christmas special is going to go out.

10. Q. The last sentence, is that some irony there as well?
A. Yes.

Q. "At the moment my opinion of BBC management is well not quite as high as it usually is."

Was it usually very high at all?

A. No.

Q. So it's even worse than normal --

A. Yes.

Q. -- it is subterranean instead of low, is it?

A. Yes.

Q. Who did you have in mind?

A. Hmm?

Q. Which individuals in BBC management did you, as it were, blame for this?

A. To some -- to some extent there I'm thinking of it as the way it works corporately, because it's not -- it's not just the individuals, Steve, Helen, whatever, it's also this thing about a red flag being waved and it not getting up there. There are all these things going on in my head, so I'm not actually being specific there about individuals, it's more the way the machine worked.

Q. You characterised your piece as being one about "Jimmy Savile being investigated by police for sexual offences against 13, 14 and 15 year olds".

A. Yes. Including interviews with the victims. So the two elements are there, the interviews with the victims and the police investigation.

Q. Which individuals in BBC management did you, as it were, blame for this?

A. To some -- to some extent there I'm thinking of it as the way it works corporately, because it's not -- it's not just the individuals, Steve, Helen, whatever, it's also this thing about a red flag being waved and it not getting up there. There are all these things going on in my head, so I'm not actually being specific there about individuals, it's more the way the machine worked.

Q. You characterised your piece as being one about "Jimmy Savile being investigated by police for sexual offences against 13, 14 and 15 year olds".

A. Yes. Including interviews with the victims. So the two elements are there, the interviews with the victims and the police investigation.

MR POLLARD: Could I just ask a sort of supplementary question on this very point? I am sure you absolutely realised the significance of what you are suggesting there, that there are two possible -- more than two, at least two possible ways of analysing the dropping of this. One is what you might call a purely editorial line where your superior, for whatever reason, editorially sets the bar high, discusses with his editorial bosses this story. It's difficult, a level of proof, et cetera, et cetera, and they come down on a decision that the story isn't safe to run editorially. You disagree with that, and that's fine.

The idea that the story is dropped because of wider non-journalistic corporate interests is a much more damaging allegation, as you know. And it would rightly be regarded as a terrible breach of all sorts of faith. Whereas, if you like, route 1 might be a mistake but it's not. And you weren't convinced enough --

A. At that time.

MR POLLARD: -- at that time that, if you like, the second more serious path had been taken. But you don't have any evidence --

A. No.
<table>
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<tr>
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<tbody>
<tr>
<td>1. A. I mean --</td>
<td>1. (3.35 pm)</td>
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<tr>
<td>2. Q. Is that what you saying?</td>
<td>2. MR MACLEAN: Can you, please, go to page 52 and 53.</td>
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<tr>
<td>3. A. Yes, that's exactly what I'm saying. Once you have the</td>
<td>3. A. Yes.</td>
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<td>news that there had been a police investigation, a</td>
<td>4. Q. This is an email exchange you had with David Lomax. He</td>
</tr>
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<td>serious police investigation of him as a paedophile and</td>
<td>5. used to work for the BBC; is that right?</td>
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<td>we're going to put out tributes on the -- you know, the</td>
<td>6. A. Yes, he's still a freelance for us occasionally. But --</td>
</tr>
<tr>
<td>main children's entertainment over Christmas is going to</td>
<td>7. yeah, he used to be Newsnight.</td>
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<td>be this? You can't do it.</td>
<td>8. Q. So this was an email from you being sent outside of the</td>
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<td>9. Q. Let's just test that for a moment. There are public</td>
<td>10. BBC?</td>
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<td>figures of all sorts, including the legal profession who</td>
<td>11. A. Yes, I am afraid it was. I don't think of him as being</td>
</tr>
<tr>
<td>12. have been accused and even tried in some cases for</td>
<td>13. outside of the BBC because he doesn't work for anyone</td>
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<td>sexual offences of one sort or another and acquitted?</td>
<td>14. else.</td>
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<td>14. A. Yes, but most of the ones who are tried, except for</td>
<td>15. Q. At the bottom of 52 you say:</td>
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<td>a very long time ago, their names are known et cetera.</td>
<td>16. &quot;Confidentially I'm trying to get an expose of</td>
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<tr>
<td>17. Q. Once somebody has been acquitted, then there is</td>
<td>17. national treasures, so Jimmy Savile, on air at the</td>
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<td>absolutely no reason not to treat them in the same way</td>
<td>18. moment. We have uncovered the police investigation of</td>
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<tr>
<td>as everybody else, because they are innocent?</td>
<td>19. his sexual assaults on vulnerable 14 and 15-year-olds</td>
</tr>
<tr>
<td>20. A. It depends evidence came out in the trial, doesn't it?</td>
<td>20. and some of them agreed to speak to us, but for some</td>
</tr>
<tr>
<td>21. Q. And surely the people who are in this kind of situation</td>
<td>21. reason BBC bosses think it might wreck their Jim'll Fix</td>
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<td>where there is a police investigation which doesn't go</td>
<td>22. It Christmas special so they are trying to block it</td>
</tr>
<tr>
<td>any further either at the police end or at the CPS end</td>
<td>23. without sending an email saying 'cover it up'.&quot;</td>
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<tr>
<td>are in an even stronger position that they are to be</td>
<td>24. That's rather specific allegation, but it's one</td>
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<td>treated as though they were --</td>
<td>25. for which, I think, you agreed with Mr Pollard a little</td>
</tr>
<tr>
<td>26. A. Except in this case we had a interview with somebody who</td>
<td>27. earlier, you had no evidence at all --</td>
</tr>
<tr>
<td>claimed to be his victim which was supplementary to what</td>
<td>28. A. Yes.</td>
</tr>
<tr>
<td>the police said alleging abuse on BBC premises by BBC</td>
<td>29.</td>
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<td>personalities and which everyone who had watched the</td>
<td>30.</td>
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<tr>
<td>interview felt was true. We are not in a position to</td>
<td>31.</td>
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<td>run the tributes.</td>
<td>32.</td>
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<td>33. MR MACLEAN: Is that time for a --</td>
<td>34.</td>
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<tr>
<td>35. MR SPAFFORD: It is time for a break. Thank you, we will</td>
<td>36.</td>
</tr>
<tr>
<td>37. have a few minutes.</td>
<td>38.</td>
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<tr>
<td>39. A. Thank you.</td>
<td>40.</td>
</tr>
<tr>
<td>41. (3.22 pm)</td>
<td>42.</td>
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<tr>
<td>(A short break)</td>
<td>43.</td>
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</table>
Q. Let me ask you what was the purpose. Can you remember, what was the purpose of sending it to Mr Lomax?

A. No, I don't remember it having a purpose. But I'm wondering whether I remembered -- vaguely remembered him telling me a story about Savile and caravan and so on.

Q. You see it may be that you are --

A. No, no, I mean, I'm seeing that he's put that in -- I'm wondering whether -- the problem is I now know that -- I know that anyhow -- I don't know whether I vaguely knew that at the time, whether I was partly fishing, I don't know.

Q. I understand. What were you hoping he would do with this information?

A. I was not hoping he would do anything with it. I was probably expressing frustration. And he's -- he's a friend of mine, you know, he's an old friend of mine.

Q. He was a reporter.

A. Yes. He was a sort of a -- almost a father figure on the programme when I joined it.

Q. To Newsnight?

A. Yes. And we did some amazing work together and he's the sort of person I might have run up, actually, and said "Look, David, you are out of this now, what the hell do I do."

Q. A sounding board?

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1. Q. Yes. So there's a bit of that in there as well.

2. Q. After his reply, which you have been reading at 52, was that it?

3. A. Yes, I think so.

4. Q. This just ran into the sand then, did it?

5. A. I think so. I maybe partly hoped he would come up with an idea.

6. Q. Yes. Go to page 60, please. This is the 9th. So this is the next day?

7. A. Yes.

8. Q. Somebody called Thomas Carter at the CPS gives you a statement. It turns out actually to be wrong.

9. A. Yes.

10. Q. He says "Following an investigation by Kent Police" as we will see that should be Surrey, I'm not going to waste time going to that: "... the CPS reviewing lawyer advised the police that no further action should be taken due to lack of evidence."

11. Those were the critical words, certainly so far as Mr Rippon was concerned?

12. A. Yes.

13. Q. You passed that on to Mr Rippon, as you would expect, pretty quickly. If you look over the page, within a few minutes. With an email headed "CPS say" not enough evidence". You knew that this would be --

14. A. Yes.

15. Q. -- If there were any nails left to be hammered in, this would be the last one?

16. A. Yes.

17. Q. This was the last. You sent this to Hannah Livingston and Liz MacKean as well. You queried at 65 with Mr Thomas whether he meant Surrey or Kent and he corrects that?

18. A. Yes.

19. Q. This was the last straw for Mr Rippon; right?

20. A. Yes.

21. Q. At page 66 -- I don't know whether you have seen this one?

22. A. I saw it on Friday night. It is one of the ones that arrived then.

23. Q. You see Mr Rippon sends it on within just over half an hour to Steve Mitchell saying: "As a result Meirion has accepted my view and agreed not to pursue any more."

24. A. I think I explained in my statement that accepted my view means I'd have a think about do I essentially walk away from the BBC or accept his editorial decision however wrong I thought it was, and I decided stay in the BBC.

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1. Q. Yes. So it had come really to an ultimate decision for you?

2. A. Yes, it had.

3. Q. And --

4. A. And I think it's very revealing that all these ideas that people might have gone back to working on it afterwards, I have had to agree not to pursue the story, that the story should never -- never be pursued, really. That's it. It's not agreed that it's not ready for broadcast yet; it's agreed not to pursue the story.

5. Q. Yes.

6. A. Don't find any more evidence, don't find any more witnesses.

7. Q. Yes. So it has been suggested to us by others that one possible not uncommon outcome of this type of story, an investigative story, is that you get to the point where the editor says "I'm not putting this on today, or tomorrow, or next week, because it's not strong enough, but go away and keep digging, and when it is strong enough I will put it on"?

8. A. Yeah. I mean, a common thing to say would be "I need a second victim on tape. Can you get a second victim on tape", something like that. That would be a perfectly reasonable request. I might say, you know -- you know, "I think that is crazy because somebody else is going to..."
1. get this on air before we do if we wait," but it's
2. a perfectly reasonable thing for an editor to say. Mind
3. you, to do that they need to look at the evidence. They
4. would have to look at the evidence really to see what
5. we've got to know what else they want us to get, and you
6. can't do that if you haven't looked at the evidence, and
7. in this case the evidence had not been looked at so
8. that's really why he couldn't -- I mean, I think the
9. problem was the evidence was too strong here. It was
10. not the evidence was too weak --
11. MR POLLARD: Sorry, Meirion, sorry to interrupt, just so
12. that specific point.
13. A. Yes.
14. MR POLLARD: He obviously had not seen the interview and had
15. not looked at the synced clips.
16. A. Well, no, he would have seen the wording of the --
17. MR POLLARD: He hadn't seen the video.
18. A. No.
19. MR POLLARD: Had he seen, had you shown him, if you like, the full, interview notes --
20. A. No, he hadn't seen those. They are all things we would
21. have wanted him to see.
22. MR POLLARD: Had you specifically said "Would you look at
23. those?"
24. A. Yes, "Can we show you the evidence". During those
25. discussions that started on the 30th.

---

1. Q. It has its byline on it, I think.
2. A. No, no, absolutely, and there was a piece in the
3. Sunday Mirror on 9 January. What was new about that is
4. he says in that he contacted the BBC press office on
5. 21 December, so before the tributes go out.
6. Q. Let me take you -- we could do a double act here. Let
7. me take you to that. Page 131 is an email from
8. Helen Deller, who we discussed earlier in the press
9. office --
10. A. Yes.
11. Q. -- to Peter Rippon, Sara Beck and Karin Rosine --
13. Q. Can you help me with those two, both of them?
14. A. No, Sara Beck is probably acting for Steve Mitchell at
15. this point because Steve is away on holiday, I'm
16. guessing. Sara Beck's his deputy, or, you know, she
17. deputises for him when he's away. Karen Rosine press
18. officer, Roger Law, lawyer, James Hardy, press office.
19. Q. James Hardy is the head of some part of the press
20. office, I think --
21. A. Yes, I'm not entirely clear about that structure.
22. Q. Okay. Now, you have seen this before, in which case
23. I can cut it a little bit shorter?
24. A. Yes, I have.
25. Q. You have seen this?

---

1. A. Yes, I have in a different form, I think.
2. Q. So the basic story is that Mr Goslett is sniffing
3. around. He's got information that there was
4. a Jimmy Savile piece that had been dropped.
5. A. Yes.
6. Q. He does not appear to know this was a Newsnight
7. investigation. He's asking for confirmation this
8. interview took place and why we haven't run the
9. interview/story. He is writing for The Independent at
10. this stage."
11. Two elements.
12. So Helen Deller recognises there are two elements:
13. "One is covering up a story as it happened on our
14. doorstep and the other is not running a story to protect
15. our own positive programming around Savile."
16. Now, there is obviously a similarity between that
17. and your red flagged points.
18. A. Yes.
19. Q. And then she suggests less is more. Then the statement
20. gets worked up:
21. "The BBC gathers information on hundreds of stories
22. and not all make it to air. In this case the angle we
23. were pursuing could not be substantiated, and the
24. background was to brief that yes there was an interview
25. with a view to pursuing an interview involving CPS and
police. We had been led to believe that there had been
a recent investigation into the allegations that these
were dropped. However, we could not gain sufficient
information to stand this up."
This goes to the point I was on just before we broke
about people who had been acquitted and so on?
A. Yes.
Q. You said that what was different here was that, if you
like, Savile had been investigated because of complaint
X or possibly X and Y, but [redacted] was Z?
A. Yeah, exactly.
Q. That's the burden?
A. And went further.
Q. And went further. Now, this line that gets worked up --
and we've got, as you can see, quite a lot of pieces of
paper here, I could show you quite a lot of them which
have this line in it.
A. Yes.
Q. But the drafting of this statement, I think, was done
without any recourse to you at all?
Q. So if we go to 137, this is [redacted]'s reply to that
email we have just looked at. Have you seen Mr Rippon's
reply before?
A. I saw it on Friday night.
Page 249
Q. Right. You see, I am afraid I'm not entirely au fait
with what was sent to you. He says it's 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 Savile's age and
celebrity status. We could not establish that that was
the case. The main allegation she made about herself
did not take place at the BBC. She alleged some other
incidents did involving others.
What Mr Rippon is doing there, for whatever reason,
is conflating the position of [redacted] with the position of
[redacted] is that right? Because "the woman" -- you see,
the woman in the second line --
A. Yes.
Q. -- is a different woman --
A. You are right.
Q. -- from she in the PS?
A. Yes, absolutely.
Q. Yes.
A. Yes.
Q. And it was true that [redacted] who was a woman that had
alleged because of Savile's age and celebrity status,
had been in contact with the police, that's true?
Page 250
A. Yes.
Q. But the woman who made allegations, as it were, about
herself not taking place at the BBC, that was, as we
know, [redacted].
A. Yes, who was our key witness --
Q. Who was the main allegation was the business of Jimmy
Savile taking her out in the car.
A. And the [redacted] stuff at BBC. Oh, about herself,
yes.
Q. About herself.
A. Yes.
Q. So part of this anyway -- these are really points for
Mr Rippon, but part of this is coming from what the CPS
have said about not being pursued for lack of evidence.
So he's, as it were, got that point, but there is then
this conflation, but none of this is done by reference
to you anyway?
A. No, absolutely not.
Q. If we go to 149, you see at the bottom, Deller to Rippon
and Rosine and Beck and Law and Hardy:
"Thanks all.
"Knowing this journalist he's not going to leave it
alone."
Not pursued, Rosine's happy with this:
"Thanks [redacted]. Sara, Peter, is that okay?
Page 251
"Yes, fine."
So Rippon signs that off.
A. Yes.
Q. Now --
A. The way it is written technically you can just about get
away with it. Helen's email at the bottom there. Yes,
BBC crew did interview an individual about Savile. It
doesn't say there is any link to the next bit:
"We understood there was relatively recent CPS
police...."
Q. Yes.
A. She doesn't actually make a link between the person who
is interviewed and the rest of the story, but, yes --
Q. That's a fair point. Page 224 who is Bridget Osborne?
A. BBC. She was Hard Talk, I'm not sure what bit of BBC
she's in at the moment. She's internal anyhow. I know,
and she also was the person who recommended
Hannah Livingston to me. That's the relevance.
Q. Right. So that would explain the reference to
Hannah Livingston then.
A. Yes.
Q. So you say:
"She [that is Hannah] has probably told you the
non-journalistic reasons why that didn't appear on air,
outrageous."
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<tr>
<td><strong>1.</strong> Q. So what if anything has happened to change your belief one way or the other, either to harden or to soften?</td>
<td><strong>1.</strong> Q. We'll ask him.</td>
</tr>
<tr>
<td><strong>2.</strong> A. Yes.</td>
<td><strong>2.</strong> A. Yes.</td>
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<td><strong>3.</strong> A. Nothing happened to change it one way or the other. It is just that at the moment we're finding out new information and I'm open to that new information to find out what happened.</td>
<td><strong>3.</strong> Q. You weren't doing any briefing, were you?</td>
</tr>
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<td><strong>4.</strong> Q. Right.</td>
<td><strong>4.</strong> A. No, absolutely not.</td>
</tr>
<tr>
<td><strong>5.</strong> A. To see if there is, you know, another plausible explanation.</td>
<td><strong>5.</strong> Q. Do you know anybody who was?</td>
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<tr>
<td><strong>6.</strong> Q. Right.</td>
<td><strong>6.</strong> A. No, I don't. The --</td>
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<td><strong>7.</strong> A. The reason I'm saying this to Bridget is obviously I don't want her to think that Hannah was no good at the job and that's why we didn't get it. I'm very clearly saying to Bridget that Hannah is good.</td>
<td><strong>7.</strong> MR POLLARD: Had you had any conversations with Miles Goslett before he contacted the Bees on December 21?</td>
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<td><strong>8.</strong> Q. The Sunday Mirror, I think, ran a piece on 8 January.</td>
<td><strong>8.</strong> A. No, the first conversation I had with him was when he --</td>
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<td><strong>9.</strong> A. Yes.</td>
<td><strong>9.</strong> MR POLLARD: I had hidden the interview with [redacted].</td>
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<td><strong>10.</strong> Q. If you go to page 265.</td>
<td><strong>10.</strong> A. No, the first conversation I had with him was when he --</td>
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<td><strong>11.</strong> A. Yes.</td>
<td><strong>11.</strong> MR POLLARD: Had you had any conversations with Miles Goslett before he contacted the Bees on December 21?</td>
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<td><strong>12.</strong> Q. Now, the Sunday Mirror has run a piece.</td>
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<td><strong>13.</strong> A. Yes.</td>
<td><strong>13.</strong> MR POLLARD: I had hidden the interview with [redacted].</td>
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<td><strong>14.</strong> Q. I want you to look at the bottom of the page at 265.</td>
<td><strong>14.</strong> A. No, the first conversation I had with him was when he --</td>
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<td><strong>15.</strong> A. Yes.</td>
<td><strong>15.</strong> MR POLLARD: I had hidden the interview with [redacted].</td>
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<td><strong>16.</strong> Q. So you send an email to, I think, Peter Rippon:</td>
<td><strong>16.</strong> A. Yes.</td>
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<td><strong>17.</strong> 'I am sure you have seen this.'</td>
<td><strong>17.</strong> MR POLLARD: I would just say that my reading of 265 is clearly Peter Rippon is saying somebody is leaking to</td>
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<td><strong>18.</strong> A. Yes.</td>
<td><strong>18.</strong> A. Yes.</td>
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<td><strong>19.</strong> A. Yes.</td>
<td><strong>19.</strong> MR POLLARD: Right.</td>
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<td><strong>20.</strong> Q. So you send an email to, I think, Peter Rippon:</td>
<td><strong>20.</strong> A. Sure. But that was the first time and I talked to him because he'd written -- he had put his name on an article.</td>
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<td><strong>21.</strong> 'I am sure you have seen this.'</td>
<td><strong>21.</strong> Q. In The Sunday Times?</td>
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<td><strong>22.</strong> Q. So you send an email to, I think, Peter Rippon:</td>
<td><strong>22.</strong> A. Yes.</td>
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<td><strong>24.</strong> 8th Floor 165 Fleet Street London EC4A 2DY</td>
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</tr>
</tbody>
</table>
A. Okay.
5 MR POLLARD: And I think --
6 A. I think that is quite possible.
7 MR POLLARD: -- he's asking obliquely, are you doing this?
8 A. He's kind of asking me am I doing it, because the way
9 I respond to that is I look at what is said in the
10 piece.
11 MR MACLEAN: This is a from The Mirror that someone
12 somewhere should have realised; yes?
13 A. Yes.
14 Q. You quote that. And then you say that is probably "it":
15 "... sounds like someone who thought we shouldn't
16 have done it in the first place, and probably not
17 someone from Newsnight."
18 A. [Response redacted]
19 Q. Yes:
20 "Mirror call came day after news gathering party."
21 And then it doesn't mention certain other things.
22 So "I find this slightly opaque" is your reply to Mr
23 Rippon. What is the real message you are trying to
24 communicate, just cutting through the verbiage?
25 A. It looks to me like it has come from someone who doesn't
2 think we should have done the story in the first place.
3 Q. Did you have somebody in mind?
4 A. No, absolutely not.
5 Q. Somebody who had worked in Newsnight or had worked in
6 news?
7 A. No, I mean, there's one --
8 Q. And then there is another.
9 A. Yes.
10 Q. -- between whom was there acrimony?
11 A. Between --

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Q. Is that not a compliment?
A. Apparently, not, no. So there was quite a lot of
acrimony.
Q. What is your relationship with James Hardy?
A. I don't have one.
Q. Have you ever met him?
A. I've talked to him on the phone once, I don't know, I
mean, you know, there are endless people in the press
office. There are hundreds.
Q. Have you ever done him a bad turn?
A. No.
Q. Look at 267, please. Look at the bottom first of all, take it in stages. This is Helen Deller and she's
putting down -- I have seen more of these than I care to
remember, she's putting down as we're on the record, on
the log, what she's done, do you see, from Helen Deller,
see previous log, Nick Owens Sunday Mirror ask, if we go
over the page she's just recording who she has spoken to
to get the position down on the log?
A. Yes.
Q. Then if you look a bit further up, there is another
Page 259

email --
A. Yes.
Q. Helen Deller --
A. Of course, no, this is new to me. I have not seen this
one before.
Q. Right. So 8 January, 17.09:
"Thanks very much. Yes, saw the S Mirror piece.
Actually when you read it ...
A. God.
Q. "... you just thought what's point of this story?
BBC investigated something and didn't run it. I will
however drip poison about Melrion's suspected role if
I get the opportunity."
A. I don't even know the guy.
Q. It seems to me, reading that email, that you were --
A. A direct allegation that I have leaked it, obviously.
Q. But also that you seem to be, if I can use Orwellian
term, a bit of a non-person by this stage?
A. Yes. This is new to me. The bizarre thing is it
doesn't stop them giving me all the sort of most
difficult investigations we did all year. It is really
bizarre, after this.
Q. So why would -- it may be obvious, but why were they
dripping poison? Because they suspected that you were
the source of this story --
Page 260

65 (Pages 257 to 260)
| A | They obviously suspect I'm the source of the story. | 1 | A. No, the thing that struck me was the Mark Thompson thing, that was completely new to me at that point. In the last but one paragraph. I had never heard that. |
| Q | And suspicion was misplaced, was it? | 2 | Q. As we now, as it were, know, that's a reference to an exchange between Mark Thompson and Caroline Hawley? |
| A | Absolutely false. Totally false. Yeah, no, I didn't talk to -- I didn't talk to any journalist about this until the Exposure thing broke. | 3 | A. Yes. |
| Q | That's the ITV story? | 4 | Q. But later in December? |
| A | On 29/29 September this year. Absolutely nobody before that. | 5 | A. On the -- she says it's the -- I checked this with her. She says that party was 20 December. |
| Q | Apart from people in the Mr Lomax category and people like that? | 6 | Q. Yes, it's late December -- |
| A | Yes, Lomax, and also, obviously, Mark Williams-Thomas. | 7 | A. Yes. |
| Q | Yes. | 8 | Q. -- after several days, not to say a couple of weeks, after on your version the story was definitely dead. |
| A | But he knew about it anyhow. | 9 | A. Yes, yes. I would say the 9th, well, the 9th where he's -- the 9th is the death of it. |
| Q | Yes. If you put that bundle away, you will be relieved to know I'm not going to take you through all 18. Take bundle 5, please. Go and to page 38. | 10 | Q. The CPS confirmation that it was -- |
| A | Right. | 11 | A. And then him getting my agreement not to pursue it, as he puts in this email to Steve. |
| Q | Do you know who Matthew Hall is? Is he somebody else in the press department? | 12 | Q. Yes? |
| A | I haven't a clue. | 13 | A. That's the end. |
| Q | Look in the middle of the page, A5/38, 16 January. This is an email from Goslett, do you see? | 14 | Q. We don't get, do we, very much out of the fact that there was an exchange between Caroline Hawley and Mark Thompson a couple of weeks later, do we? |
| A | Yes. | 15 | A. No, but to me it was surprising. I didn't know that Thomson knew anything. |
| Q | "Further to an article in the Sunday Mirror this month about Newsnight spiking a report on Jimmy Savile I'm Page 261 | 16 | Page 263 |

| A | working on a related article for a magazine called The Oldie." | 1 | MR POLLARD: Could I just ask in relation to that: was Caroline Hawley working for Newsnight at the time? |
| Q | That is Richard Ingram's magazine? | 2 | A. No, but she does stuff for us, and she would be in the office at the time. So, for instance, she had done the bogus bomb detector story with me, things like this. And she might even have been doing a film for us at the time that I was not involved in. She quite often does stuff for us. She would have been in the office. |
| A | Yes. | 3 | Q. You and Liz MacKean had spoken to her that day, hadn't you, before she went off to the party? |
| Q | "Were it to run, it would appear in February." And then he asks a question? | 4 | A. I don't know, because I didn't know about this until later. |
| A | Yes. | 5 | Q. You didn't see her up to speak to Mark Thomson? |
| Q | And The Oldie piece was trailed by the Guido Fawkes evidence, log or website, or whatever you call it? | 6 | A. No, I didn't know about the party or anything else. I just didn't know that. |
| A | Yes, that's where I saw it. | 7 | MR POLLARD: I just wanted to ask in general terms how wide spread do you think during December, say, running up -- |
| Q | And if you look at page 49, we see it being trailed in Guido Fawkes on 8 February? | 8 | on the 20th or there or thereabouts, but late-ish |
| A | Yes. | 9 | December -- |
| Q | I think it was in fact published, if I have pieced this all together, on 9 February. Tell me if this is wrong, if you go to 88, same bundle -- | 10 | A. Yes. |
| A | Yes, that's it. | 11 | MR POLLARD: -- how widespread do you think within the news department generally there was knowledge of the Newsnight affair, the Savile affair, if you like? |
| Q | It's The Oldie piece, is it? | 12 | A. Up to 25 November almost no one knew, probably five or six of us, it was very, very tight. From there on it |
| A | Yes. I had to go round loads of paper shops that morning to find anywhere that stocked The Oldie to find out what they were actually saying because they're not online. | 13 | Page 262 |
| Q | I am sure the circulation manager will be delighted. This Oldie piece is obviously very well informed but it's not completely accurate, is it? | 14 | Page 66 (Pages 261 to 264) |

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| 1 | starts spreading out. Obviously once it goes to Impact |
| 2 | it's obviously -- it's one conversation away from |
| 3 | everyone in the news. I think then what happens is that |
| 4 | once you get to the news gathering Christmas party there |
| 5 | are enough people there that know about it that, you |
| 6 | know, I have been told it was a major topic of |
| 7 | conversation. You know what it is like, something like |
| 8 | that, people go running around saying, "You never guess, |
| 9 | this is what happened. |
| 10 | MR POLLARD: That was the same night you were saying as the |
| 11 | Newnight Christmas party -- |
| 12 | A. Yes, it's a findable date -- |
| 13 | MR POLLARD: -- so all the journalists would have it as |
| 14 | a topic of conversation? |
| 15 | A. Yes. |
| 16 | MR MACLEAN: I say this article is not completely accurate, |
| 17 | and for example -- |
| 18 | A. It is a long time since I have seen it. |
| 19 | Q. -- in the middle column do you see just above |
| 20 | Jimmy Savile's head it says -- a sentence beginning |
| 21 | "First, the extreme nature"? |
| 22 | Do you see that at the top? |
| 23 | A. Yes. |
| 24 | Q. A few lines down "And second"; do you see that? |
| 25 | A. Yes. |

---

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

---

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

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<p>| 1 | &quot;I am mulling now making a formal statement denying |
| 2 | this was anything other than editorial reasons. |
| 3 | &quot;The allegation that we are withholding from the |
| 4 | police is also seriously damaging. Everything we got |
| 5 | was from the same woman the police spoke to, was it |
| 6 | not?&quot; |
| 7 | A. This keeps coming up again and again. |
| 8 | Q. If you go over the page, on the same day -- I don't know |
| 9 | whether you have seen this before, have you? I just |
| 10 | don't know what was in your documents precisely. |
| 11 | This is an email from Peter Rippon to |
| 12 | Stephen Mitchell -- |
| 13 | A. No, I haven't seen this before. |
| 14 | Q. -- the same day, four minutes later: |
| 15 | &quot;The allegation that we are somehow withholding |
| 16 | something from the police is also highly damaging. Let |
| 17 | me just check [with you he says] that we have nothing |
| 18 | else than what we got from the same we got from the same |
| 19 | women the police spoke to.&quot; |
| 20 | Your reply is quite an important document, one might |
| 21 | think, at 119. |
| 22 | A. Yes. |
| 23 | Q. We can see what you say: |
| 24 | &quot;Danger that if you issue a statement it will give |
| 25 | this legs. If you do issue a statement, you should end |</p>
<table>
<thead>
<tr>
<th>Q.</th>
<th>A.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Q. Hannah Livingston thought she had identified her.</td>
<td>Yes, but that had gone away again. It turned out that was wrong — or believed it was wrong. At that stage they thought that. By the time we got anywhere near broadcast, [redacted] thought it was Duncroft.</td>
</tr>
<tr>
<td>Q. And do you believe she was a Duncroft girl or not?</td>
<td>Yes, she was a Duncroft girl.</td>
</tr>
<tr>
<td>Q. So if it had been her she would have been definitely under 16 because once you got to 16 you were no longer at Duncroft?</td>
<td>Yes.</td>
</tr>
<tr>
<td>Q. So that would have made good the suggestion that the sex was with underage?</td>
<td>Agreed. But since then [redacted] said to us — before broadcast, [redacted] thought it was not her.</td>
</tr>
<tr>
<td>Q. But you didn’t know — it is a complicated question — you didn’t know that police knew about the Gary Glitter allegations. In fact you had every reason to think they didn’t know?</td>
<td>Yes. I mean, at the time for some reason I thought they did, but I don’t — they didn’t.</td>
</tr>
<tr>
<td>Q. In fact you had no reason to suspect that they knew and every reason to suspect they didn’t go, because you got it from [redacted] who had never been to the police?</td>
<td>A. If he hadn’t been I would have been much more worried. So if we had an allegation, however weak, that somebody who we didn’t know was a paedo was a paedo, I would have been much more likely to have taken action on that.</td>
</tr>
<tr>
<td>Q. In your submission, if you go to paragraph 1.10, where you deal with this topic that we’re on now —</td>
<td>Yes.</td>
</tr>
<tr>
<td>Q. — you rather soften the position, don’t you? You say in the second line of the second sentence: “I thought we should invite the police to talk to us about what we had to be sure. Although I didn’t think we had anything of evidential value against living people.”</td>
<td>Yes, that’s why I suggest —</td>
</tr>
<tr>
<td>Q. It’s not quite the same thing as what you say here, is it?</td>
<td>A. No. It is, that’s why I suggest saying we would, of course, be happy to talk to them about any information we have gathered. That’s exactly why I wanted that to go out.</td>
</tr>
<tr>
<td>Q. There is a difference between we have not withheld any information on the one hand —</td>
<td>A. Okay, maybe it should have said “we have not knowingly withheld any information and we would be, of course, be</td>
</tr>
</tbody>
</table>

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**Page 269**

1. Yes.
2. Q. What was the basis for that sentence?
3. A. I think in The Oldie hadn’t it said that we had withheld? Where is The Oldie?
4. Q. 88. Yes, in the last column, just under the capital T in bold: "... sure that the BBC had a duty to inform the police."
5. A. Yes, that’s what that is about.
6. Q. I understand that’s what it is about, but my question to you is what is the basis for you saying “We have not withheld any information from the police”? What’s the basis for it?
7. A. My view at the time was that what we had was obviously stuff — loads of stuff on Savile, but that was not relevant because he was dead. We had the Gary Glitter stuff, but we had an unnamed girl at that point — her view has changed since, but couldn’t identify who the girl was at that time. She thought she was from Duncroft, which would have meant she was under 16, but given that she could not identify her, I was not sure what evidential value that had.

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**Page 270**

1. Q. Why did the Metropolitan Police not follow up the information we provided regarding the girl from Duncroft?
2. A. We had no indications of reliability and because of the status of the information it was not pursued.
3. Q. Why didn’t you follow up this information?
4. A. We didn’t follow up the information because it was unreliable.
5. Q. But didn’t you have a duty, as a police force, to follow up any information that you had?
6. A. Yes, we did have a duty to follow up any information we had.
7. Q. So why didn’t you follow up this information?
8. A. Because it was unreliable.

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**Page 271**

1. A. No, that’s fair enough, yes.
2. Q. And then you say —
3. A. I mean, do you want me to carry on with my explanation on that or not.
4. Q. I’m going to ask you a few questions about this.
5. A. Okay, because it’s important at the end of that I come to the explanation on that.
6. Q. Okay. If I don’t cover it all, when I finish this little topic, then by all means say what you want to say.
7. "Factually" you say:
8. "We did not begin this investigation until after his death."
9. We know that’s right:
10. "We did have information the police did not have in 2007 because we found another victim, [redacted] who did an on-camera interview about being sexually abused while under age by Jimmy Savile but he was already dead by then so it was not possible for the police to prosecute him.
11. She did tell us about Gary Glitter having sex with an under age girl in Jimmy Savile’s dressing room in 1974 but she could not identify the girl and in any case Glitter is already on the paedophile register."
12. What was the purpose of that last bit? Yes, he was on the paedophile register, so what?
happy to talk about any information we have gathered."  
Q. That is slightly different again, isn't it? There is  
difference, isn't there, between we have not withheld  
any information on the one hand --  
A. Yes.  
Q. -- and I didn't think we had anything of evidential  
value on the other? Because the latter is accepting you  
have information but forming a judgment about its  
evidential value?  
A. I agree, I accept that.  
Q. But the judgment of its evidential value on any view was  
not a matter for you, was it? It was a matter for the  
police and the CPS?  
A. I absolutely agree with you on that.  
Q. So you, if I may say so, in your statement were rightly  
reflecting some unease, I suggest in your position about  
this Gary Glitter information; is that fair?  
A. Yes, absolutely.  
Q. On reflection, would you agree that you could and  
perhaps should have played your hand slightly  
differently?  
A. Yes, I think so. I would agree that. I said that in  
the Panorama interview, that I did.  
Q. So on reflection you probably should have sent the --  
provided at least some of the information that you  

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

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1. more and more concerned that -- what am I doing? You know, I'm trying to be inside the tent at this point but I can't see -- every day gets worse. So I start -- Tom, I think, texted me on the Monday night saying: what's really happening here? And I start talking to Tom. And he's, you know, a senior editorial figure I have known in the past and we're talking all the way through that week then.

2. Q. Right. So this is not -- you haven't necessarily got the idea at the moment of Panorama doing anything?

3. A. No.

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

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

6. Q. Page 20, you said in a mini timeline here, and it's chopped off by the hole-punch, but do you see Thursday?

7. A. Yes.

8. Q. "By now we have established that several girls went to the police and we have talked it out." As I mentioned earlier, that's not quite right, is it?

9. A. Well, they have been contacted by the police you are right, that would be more accurate.

10. Q. One or two girls went to the police and then several were contacted by them.

11. A. Yes, shorthand.

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1. Q. So it may be obvious but why are you in touch with Tom Giles then?

2. A. What happens over that week is on 1 October, the Monday, the output editor on Newshunt wants to broadcast our material.

3. Q. And that person is?


5. MR POLLARD: Breakwell.

6. Q. Thank you. Sorry. He wants to broadcast. Peter says no, we're not going to. It becomes obvious to me that he's going to stick to the line he said the day before, which is actually not even the angle that we couldn't substantiate the story, is what Peter puts out to The Telegraph and another paper on Sunday.

7. Q. Right.

8. A. I say I can't go along with that. If there is an inquiry, House of Commons Media Select Committee or a trust inquiry into this, you know, we have to tell the truth, we can't rewrite history.

9. Q. So what's the short answer to the question why you are contacting Tom --

10. A. So what's happening over that week is then the next day they put out the blog.

11. Q. On the 2nd?

12. A. On the 2nd, which is obviously false and I'm getting Page 278

---

1. Q. Then at 356 in the same bundle, on 4 October, you were contacted by Nadia Banno, who I think is a lawyer at the BBC --

2. A. She's head of litigation. This is who I was to talking about before. This is when we start talking about handing over all the stuff to them.

3. Q. She says at the bottom of the page: "In relation to the women you interviewed did all of them either appear in the ITV documentary last night or have they come forward in other press reports. If there are other women you spoke to who have not come forward publicly, can you tell me how many there are. If it is the case you are aware of other women who have not come forward I think that is something we should pass on to the police."

4. A. That is a mistake in there, I can see that, that's just a mistake -- oh, no, it isn't. No, it isn't a mistake.

5. Q. What is a mistake?

6. A. I thought I saw a mistake by -- in what I had written but it isn't.

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

8. A. At the top you see: "Our researcher has gone to a production company in Scotland making stuff Channel 4 used in Dispatches."
That a reference to Hannah Livingston.

Q. "So I need to double check with her but I can find nine at the moment that we talked to. I have attached the original note, although I think there have been other very minor ones. We were aware of other women who were supposed to have been assaulted but they have either refused talk of what went on or never responded. At least one of the victims who wouldn't talk when we were researching has talked to the media this week since others came out. Obviously the notes are very confidential and we need to talk about this before deciding what to pass on."

And then you identify --

A. Yes.

Q. -- some of those women. So that's the one you mentioned earlier, is it?

A. Yes.

Q. Of Nadia Banno --

A. Or part of it. In fact I was already -- you know, I was already in correspondence with her sending her stuff before this.

Q. Right.

A. So for several days I have been sending her as much material as we can.

Q. Right.

A. To the police or whatever.

Q. Some of that we haven't seen yet.

A. Right, okay.

Q. Okay. Do you still have bundle 5 open?

A. Yes.

Q. If you go back to 110, that information that you -- that paragraph I just read to you, that "we did have information the police did not have."

A. Yes.

Q. That is contrary, isn't it, to what later appears in Mr Rippon's blog?

A. Yes.

Q. So this piece of information that you provided to Mr Rippon gets lost somehow at some point?

A. Yes.

Q. He replies to you, at page 123:

"Thanks, I realise it may get legs but the current line is ...

I think there must be a typo there. It must be "not" I think.

A. I don't know.

Q. Anyway he wants to do something, doesn't he?

A. Yes.

Q. And then you send an email at 127. You have done a bit of work about Mr Goslett. You gather together a number of stories about the BBC that Goslett had done in the past.

A. Yes.

Q. You say:

"We know he's linked to but I think he has either multiple sources or someone with access to higher level BBC gossip. I'm confident he's not been talking to anyone at Newsnight about Savile."

And then at the bottom of that paragraph:

"The only line he wouldn't have got from that was the Mark Thompson one. Obviously we are most aware of the two Newsnight-knocking stories."

That's a reference to some of these stories further down, is it?

A. Yes, it's the -- the obvious submission about the first one, that is and that was the:

Q. Yes. Right. So the obvious suspicions about the first one -- what were the two Newsnight-knocking stories. That was The Mirror and the Oldie, is it?

A. No, I'm not sure what the other one would be. The first one would be the -- the first one would be the:

Q. I'm not sure what the other one is.

Q. I'm not sure I understand that.

---

A. Well, okay, there had been a lot of stories attacking Newsnight over the course of that year for being --

Q. Right?

A. -- not very good.

Q. Yes.

A. And not having very good audiences any more. The first one is the one I can remember and that was the one which said that, you know, Newsnight was in a terrible state and quoted a Newsnight source as saying:

Q. I see, right.

A. That was:

Q. I don't know what the second one was. I'm not sure.

Q. Right, okay. And then a similar point, page 165, from you to Liz MacKean, which you were thinking of sending to Peter tomorrow. This is a particular point.

A. Yes, we have seen something like this somewhere else.

Q. Yes, so this is picking up on the Sunday Mirror, yes?

Then somebody called Susan Thompson got in touch with Newsnight, is that right, by sending something to a Newsnight email address --

A. Yes.

Q. -- which you then followed up?

A. Yes.

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

A. Yes, I do.
Q. Worth just going and knocking on his door and saying "Do you mind if:
A. Okay, as we can see now, from the emails I see now, and I didn't see at the time but I believed it to be the case, Peter is saying to Steve "I have got Meirion to agree not to pursue this". They're both on that. Steve didn't say "Why would be do that?"
MR MACLEAN: But you didn't know that was what Rippon was telling Mitchell.
A. That's very much what I believed was going on.
MR POLLARD: Okay.

A. I do think that, you know, this Emil Petrie — going off, had a taut round again, and he found it wouldn't go anywhere.
MR MACLEAN: Let's just look at Emil Petrie. 181 is Emil Petrie.

A. Yes.
Q. 16 February. An email to you, 17, 18:
"I'm still shocked your story was squashed. Been Googling various pieces. I can't believe it's not been done."
So he's incredulous this has not come out.
A. Yes.
Q. And you say:
"I think the official line is that we didn't find enough evidence and that therefore the story was not squashed."
A. Yes.
Q. And he emails back and says "official line indeed".
A. Yes.
Q. In other words neither of you believed that that was the real reason.
A. No.
Q. And similarly, at page 195, Mark Lobel -- if that is how you pronounce it --
A. Yes, he's a reporter on Newsnight -- or a producer on Newsnight.

Q. He's a presenter on Newsnight?
A. He's a reporter, a very good investigative reporter.
Q. He was unfortunately [redacted] which is what this is about.
A. Yes.
Q. So Mark Lobel says he's [redacted] et cetera:
"Official line on Savile is that we didn't have enough evidence [you say]. Telegraph and Mail had a different take on it."
A. Yes.
Q. I can't remember who had written I am afraid, in The Telegraph?
A. I can't remember either.
Q. Then I want to skip -- unless there is anything that you really think is going to help us -- to September.
A. Yes.
Q. In September you say in your submission -- page 24, paragraph 20.2 --
A. Yes.
Q. -- that you had a face-to-face meeting with Mr Mitchell at his behest.
A. Yes, he came down to the office, found me and took me into a quiet corner.
Q. And by this stage The Sunday Times was sending letters to the BBC saying --
A. The Sunday Times?
Q. -- "We're going to run a piece".
A. Oh right. Oh, yes, it's in that stuff you gave me on Friday night. I haven't read it properly.
Q. You might not have known about that.
A. No, I didn't know about that.
Q. But The Sunday Times was sending something.
A. Yes.
Q. At about this time, I think, there was a letter from ITV.
A. 7 September was the letter from ITV. I didn't know that specifically but I did know on the 11th that they were about to go.
Q. You knew that from what source, from Mitchell?
A. From Mark.
Q. From Mark?
A. Williams-Thomas.
Q. I see. So all through this period you are in contact with Mark Williams-Thomas?
A. Yes. When I say, all through, at all times. He also doing stuff for Newsnight in the middle of this period.
Q. So you are fairly abreast of what he's doing?
A. Not in detail. But I know -- I know that broadly he's doing a piece which is half our stuff and half other stuff.
<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
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<tr>
<td>Q. &quot;He told me that there was no high up decision to pull the film and that George Entwistle had been informed at the time, which was news to me, but that no pressure was put on news from other parts of the corporation.&quot;</td>
<td>A. Yes.</td>
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<tr>
<td>Q. Just pausing there. He was telling you that this was a news decision?</td>
<td>A. Yes.</td>
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<tr>
<td>Q. And only a news decision?</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>Q. And so, forget for the moment whether it was right or wrong, who took it in news, it was nothing to do with Vision?</td>
<td>A. Yes.</td>
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<tr>
<td>Q. And it was nothing to do with Mr Thomson at the top of the tree either?</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>Q. So the waters lap up to but no further than Helen Boaden?</td>
<td>A. Except at the same time he tells me that George Entwistle was informed, which was a shock to me, I'm surprised at that.</td>
</tr>
<tr>
<td>Q. In his capacity as director of Vision?</td>
<td>A. Yes, but by now he's director general of the BBC.</td>
</tr>
<tr>
<td>Q. When he said George Entwistle had been informed at the</td>
<td>A. So far I knew, yes.</td>
</tr>
<tr>
<td>time --</td>
<td>Q. Did you at this stage download to Mr Mitchell --</td>
</tr>
<tr>
<td>A. Yes, yes, sure.</td>
<td>A. Remember, the documentary as such was not very anti-BBC.</td>
</tr>
<tr>
<td>Q. -- it was a surprise that he should have been informed at the time?</td>
<td>Stuff that was anti-BBC was the stuff they did at the last minute that went out on the Wednesday lunchtime news on the 3rd. The actual documentary was actually quite neutral about the BBC.</td>
</tr>
<tr>
<td>A. I was surprised at that, yes.</td>
<td>Q. Leave to one side what ITV was doing. Did download to Mr Mitchell at this stage all the points that you'd made to yourself in the red flag email about quite what a catastrophe --</td>
</tr>
<tr>
<td>Q. Right.</td>
<td>A. No. No, I started to. I started to and he said, you know, &quot;I know how seriously you feel about all that,&quot; and so on and all that.</td>
</tr>
<tr>
<td>A. Maybe I shouldn't have been, but I don't know enough about structures.</td>
<td>Q. That's a different point. Just focus -- I understand that he says to you &quot;I know how strongly you feel about running this piece&quot;.</td>
</tr>
<tr>
<td>Q. Apart from what you say here, what else did Mr Mitchell say?</td>
<td>A. Yes, and about the consequences if we didn't.</td>
</tr>
<tr>
<td>A. It was the first time I had heard his name mentioned in the whole thing.</td>
<td>Q. Right.</td>
</tr>
<tr>
<td>Q. We talked -- I mean, the reason I put the thing in about the Olympics, a couple of paragraphs earlier, is because we talked about that in the course of this. So that's the thing at 19.14.</td>
<td>A. So I said to him, I know that when we have the Olympics thing you resisted that pressure, I know that.</td>
</tr>
<tr>
<td>Q. Yes, about the Azerbaijan and the boxing, yes.</td>
<td>Q. Did you tell him that your friend Mr Williams-Thomas was going to --</td>
</tr>
<tr>
<td>A. Yes.</td>
<td>A. Yes.</td>
</tr>
<tr>
<td>Q. -- really -- did you basically tell him what was coming in the ITV documentary so far as --</td>
<td>Q. -- really -- did you basically tell him what was coming in the ITV documentary so far as --</td>
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Page 296
1. A. Okay.
2. Q. Bundle 7, page 10. Now, you mentioned this earlier.
3. A. Yes.
4. Q. He wants to run -- well, he's musing as to whether
5. A. Yes. He's actually much more enthusiastic. He's a had
6. a long conversation with Liz that morning.
7. Q. Liz Gibbons?
8. A. No, Liz MacKean. He's actually very keen to go with
9. something.
10. Q. Mr Rippon is hostile to that. He says it would be
11. bizarre to jump on ITV’s wagon. And you sent him the
12. email at the top of the page in which you refer to
13. a bizarre decision to drop the story.
14. A. Yes.
15. Q. And you talk about Mr Williams-Thomas and so on.
16. A. Yes.
17. Q. And then you say -- you recite some of the emails:
18. "I don't know what happened to change your mind, and
19. I thought that was a bizarre decision but I accepted you
20. had decided to drop the story for editorial reasons
21. because ultimately you are the editor and it is up to
22. you to make the calls."
23. He replied, over the page:

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

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

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

4. A. Right.
5. Q. That is the same error, isn't it, that the woman -- the
key woman as he refers to in some of the emails -- had
been to the police, her story had not proceeded -- her
allegation had not proceeded because Savile was too old,
but that was just wrong, because:

10. allegation --

11. A. Yes.
12. Q. -- had never been to police at all. And that would
appear to be a key confusion in Mr Rippon's mind?
13. A. Yes. Yes.
14. Q. Then "Should I talk to him first?"
15. A. Yes. It should be said that none of my emails had ever
leaked at any point during this.
16. Q. So this is from Mr Rippon to Mr Mitchell?
17. A. Yes.
20. Q. So this is a draft. This is what he would like to say
to you?
21. A. Yes.
22. Q. And Mitchell says "I would talk to him, email Stephen
more prone to leak."
24. MR POLLARD: Who had told them not to contact you?
25. Q. There was no enquiry at this stage --

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1. A. No.
2. Q. Nothing was -- as the journalist --
3. A. Remember Newsnight then didn't cover the Savile story.
4. Q. For several days, for more than a week.
5. A. Ten days. For ten days it didn't cover the story, which
is utterly bizarre when it was dominating the news.
6. Q. And some people in Newsnight were very hostile to that?
7. A. Some of them were revoltig, which is what eventually
happened on the 11th.
8. Q. When Liz MacKean did a piece?
9. A. Yes.
10. MR POLLARD: Could I just ask, if you said this: that draft
that Peter wanted to send to you --
11. A. Yes.
12. MR POLLARD: -- that he sent to Stephen Mitchell, and Steven
Mitchell says "I will talk to him."
13. A. Yes.
14. Q. Did he then come and talk to you in those terms?
15. A. I had a talk with him. But I can't remember whether
that talk was the talk I had before that -- at 10.45
16. I must have had that talk after that. I had a talk with
him and gets some very strange things in there like you
are saying to me it was quite odd, really, he is saying
24. 

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MR POLLARD: That's fine.

MR MACLEAN: We know that Mr Rippon published his blog on the 2nd.

Q. My point is that if that is right that these were criminal as allegations which are the responsibility of the police, that was equally true in November 2011 as it was on 2 October 2012?

A. Well that's true, yes. Yes.

Q. The line that was developed at page 216, it gets tweaked, this line. It's the same thing that they are producing. They are just fiddling about with it. At 216 it becomes: "They are allegations of a serious criminal nature which only the police have the proper powers to investigate."

A. Do you see that?

Q. If that was right, then the material that you and Liz MacKean and Hannah Livingston had gathered should have been provided to the police not then but 11 months earlier?

A. Yes.

Q. But then, at 341 we come to this point that I touched on earlier. If we look at the bottom of the page: "Helen Deller to Paddy Feeney." Paddy Feeaney is -- I shall know who Paddy Feeaney is?

A. I haven't a clue.

Q. I will find out. I think he's in the press office.

Obviously the police.

Then you can see what is said. It is dealing with the: "We deeply regret anything of this sort could have happened at the BBC".

Just pausing there, in your discussion with Mr Mitchell in September, was he aware or did he indicate in the conversation that he was aware that your investigation had produced these allegations of the sex with what might have been an underage girl in Jimmy Savile's dressing room?

A. I honestly can't remember. I'll be honest, I can't remember that. I would not want to impeach any knowledge to him that, I don't -- you know, I'm not sure about.

Q. Okay. In this line that's being developed by the BBC, it says: "These were criminal actions which are the responsibility of the police who have the powers to investigate anyone involved."

Now if that was right, it would follow, wouldn't it, that Newsnight's material ought to be handed over to the police?

A. But we are by that stage already doing that. We're doing that. I am handing over everything by that stage. I'm getting everything ready to hand over to the police.

1  Q. My point is that if that is right that these were criminal as allegations which are the responsibility of the police, that was equally true in November 2011 as it was on 2 October 2012?
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8                  A. I haven't a clue.
9                    Q. I will find out. I think he's in the press office.
10	Obviously the police.
11
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15  Mr Mitchell in September, was he aware or did he indicate in the conversation that he was aware that your investigation had produced these allegations of the sex with what might have been an underage girl in
16  Jimmy Savile's dressing room?
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21
22  Now if that was right, it would follow, wouldn't it, that Newsnight's material ought to be handed over to the police?
23
24  A. But we are by that stage already doing that. We're doing that. I am handing over everything by that stage. I'm getting everything ready to hand over to the police.
1. everythi\ng.
2. Q. You saw the blog obviously when it came out, and you
3. make some trenchant criticisms of the blog.
4. A. Yes.
5. Q. As you set out in your submission, which if you don't
6. mind I will not go through because we have read them,
7. and we have those points.
8. A. Yes.
9. Q. Liz MacKean described it slightly more graphically,
10. didn't she?
11. A. Yes.
12. Q. If you take bundle 8, page 10, the blog was published on
13. the 2nd. It is in these bundles on endless occasions
14. but you can see the final version of the blog is at
15. page 10. Do you see that?
16. A. Yes.
17. Q. Liz MacKean emailed you rather early in the morning.
18. A. Yes, we were both having some quite early mornings at
19. that point.
20. Q. Suggesting that the blog was, to say the least, rather
21. inaccurate; yes?
22. A. Yes.
23. Q. And in particular the suggestion that:
24. "We are confident all the women had we had spoken to
25. had gone to the police."

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1. Can you offer any explanation for how that came to
2. be the position as articulated in the blog?
3. A. I think he actually persuades himself that something is
4. true, and I think he did that -- very early on he
5. created that idea in his head, probably not long after
6. the film was dropped. And then that then persists. The
7. fact that in February I email him saying that's not
8. true, that you know, I tell him on the Monday it's not
9. true, that Liz says it too, he creates a picture in his
10. mind and that is then -- he's not consciously lying, if
11. that's what you are trying to get me to say, I don't
12. think he is.
13. Q. I'm not trying to get you to say anything, I promise
14. you.
15. A. I think he creates something in his head and then
16. whatever you say to him that stays there.
17. Q. Right. Sorry, it's my mistake, I should have shown you
18. one more thing in the previous bundle?
19. A. Right.
20. Q. It's my mistake. Keep that one hope. If you still have
21. 7 there and go to 345, please, I'm going to show you an
22. email you won't have seen at the time and may not have
23. seen at all, actually. It's the one that follows on.
24. Do you see the one in the middle of the page "Hi Steve",
25. we just looked at that one. This is Mr Mitchell's reply

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1. do you see at the top?
2. A. I have not seen this before, no.
3. Q. Let just read it together at the top:
4. "If we need it that's fine, Helen, and for briefing
5. Paddy and I were discussing the fact that the request
6. for material from Newsnight was unlikely as the new rape
7. allegation that had sparked the BBC offer to cooperate
8. with the Met only emerged today and is not one that
9. Newsnight was aware of when they were pursuing the
10. Savile story. Finally of course we have already said
11. that the polices were aware of the allegations by the
12. women that Newsnight talked to, so would have been able
13. to talk to those women themselves."
14. That is almost all completely wrong, isn't it?
15. A. Yeah, it's factually wrong, but to be fair on Steve, he
16. might not know it's wrong, depending on what he was
17. told. But it is factually wrong.
18. Q. Now, the two people who were best placed to know what
19. the investigation had were you and Liz MacKean.
20. A. Yes.
21. Q. Now, we have seen that by a couple of days later --
22. I took you to something, I think, on 16 October, and you
23. said, no, no, it was earlier, the 4th Nadia Banno and
24. so on --
25. A. Yes.

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1. Q. -- the lawyers saying "What did you have? Give us all
2. the stuff".
3. A. We are handing stuff over to the lawyers. We're copying
4. in Peter with what we're doing.
5. Q. With the exception of the September discussion with
6. Mr Mitchell, by this stage what direct interrogation, if
7. you like, had been made of you and Liz MacKean by the
8. senior management as to what material you really had?
9. A. None.
10. Q. You had no involvement in the blog?
11. A. No.
12. Q. Did you know the blog was coming before it emerged?
13. A. No, I didn't.
14. Q. Why do you think that is that, that the producer and the
15. reporter on the piece were apparently deliberately kept
16. out of loop?
17. A. Because on the Sunday they had put out a thing saying
18. that our story wasn't substantiated. On the Monday I'd
19. said that's not true and I wouldn't go along with it.
20. Q. On Monday the --
21. A. 1st. And Liz would have been saying similar things
22. verbally to Peter. So plainly if they asked us they
23. were going to get an answer that would not be helpful
24. for them.
25. Q. Right. Just leave 7 to one side and go back to 8 if you

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78 (Pages 309 to 312)
A. Yes.
Q. If you go to page 38, she takes it up the following day with Rippon and Mitchell and copies you.
A. Yes.
Q. And we can see what she says. Pointing out that the blog was wrong about the women having spoken to the police.
A. Yes.
Q. And then Mr Rippon replies to that at 41, to
Liz MacKean, copied to you and Stephen Mitchell saying that's not what you had told him on Monday, ie Monday the 1st. He said:
"We were confident all the women had been spoken to by the police."
A. Yes.
Q. He also said the Glitter claims were something a police investigation could ...
There is obviously something wrong with that as well, "could use?"
A. That makes sense.
Q. "... and that other allegations against another person were not serious anyway."
A. Yes.

Q. How much of those two sentences do you accept?
A. The first sentence is absolutely the opposite of what I told him, but, as I say, he just would not listen to that ever. The second half is a charactarisation of what I would have said to him.
Q. So by this stage you have moved from not having anything of any interest to the police to nothing of evidential value to an acceptance that the Glitter claims were something a police investigation could in fact use?
A. No, I don't quite get that.
Q. That's what he said. It is nothing -- maybe it's nothing. I thought there was something missing.
MR POLLARD: Yes.
MR MACLEAN: I see. Yes, I think that is right. It is chopped off.
What Mr Rippon is saying is that you said -- he says you said you were confident all the women were spoken to by the police, and you say that was completely wrong you didn't say that at all?
Q. But you accept that you said the Glitter claims were nothing that this investigation could use --
A. Yes. And I send him an email saying that.
Q. But you accept that you said the Glitter claims were going to be mentioned anyway?

Q. The first sentence is absolutely the opposite of what I told him, but, as I say, he just would not listen to that ever. The second half is a charactarisation of what I would have said to him.
A. Yes, yes.
Q. Okay. And then your account of this conversation is -- it might save you turning up the bundle -- let's just look at page -- keep that open at bundle 12. I want to look at two things at once, here. If you go to page 58 of bundle A8, first of all --
A. 8?
Q. Yes.
A. Okay.
Q. This is your response to the email we have just looked at.
A. Yes.
Q. You say the first half of this is wrong ie "We were confident all the women" et cetera:
"I have always said we have more than the police did on Savile and most of the women we talked to had not talked to the police although some had."
I'm not sure --
A. No.
Q. -- that last bit is quite right, is it, if we go back to the 7 out of ten?
A. Yes, the numbers are the other way around.
Q. But anyway you take issue with his main point.
A. Yes.
Q. Mr Mitchell wants it sorting out, doesn't he, if you go to page 46?
A. In the same bundle.
Q. Same bundle, yes. So this is just before the one we have just looked at, when Mitchell having got the one from Peter Rippon is saying "That's not what Meirion told me on Monday", it says "It is important you guys sort this out."
He says:
"Can you agree on the crucial point that was being used internally and externally that you had no evidence that the police didn't already have? Clearly if that is not the case it has serious implications both to the women making the allegations, the police investigation and yourselves. As Liz also highlights we need to be sure that Peter's version of events is also accurate. If despite what was said yesterday you now all say that we've been sitting on evidence for several months that the police were unaware of this will need to be fed into the centre where they are trying to defend the BBC's reputation. You will notice I have not copied the producer in to this correspondence."
That, of course, was you?
A. Yes.
Q. Which is an illustration, is it, of the mistrust that existed between you and him or at least on his part?
Reed Smith Meetings

12 November 2012

1. A. Or on his part. Now, he has an explanation for that, which is something to do with his computer.
2. Q. Right. We will take that up with others.
3. A. It has to be said, I immediately sent him a reply saying "I have noticed that you haven't copied me in on that".
4. Q. Yes. If we go to page 61, I think that might be.
5. That's the one you have in mind; yes?
6. A. Yes.
7. Q. "I noticed you didn't copy me in."
8. So how did you become aware of it? Liz MacKean sent it to you, presumably?
10. Q. She showed it to you or she sent it to you --
11. A. Yes, well --
12. Q. So you notice you hadn't been copied in and then you make those two points; yes?
13. A. Yes.
14. Q. But are you still resisting the notion that the [redacted] aspect was anything that could result in a prosecution of anyone who was alive. Events now would appear to suggest that's not right, wouldn't they?
15. A. Possibly.
16. Q. They could result in a prosecution.
17. A. Again, what I didn't go on to say there was that I felt to a large extent covered by the fact that [redacted] Page 317

1. A. Yes.
2. Q. -- Rippon to Liz MacKean and Stephen Mitchell copied to you, they talked it through with you:
3. "Let's meet ..."
4. In Liz let's meet:
5. "He and I [that's you and he] agree on the fundamental point that we do not have anything that would help a police investigation."
6. And that was one thing you were always agreed about, because you took the same view on [redacted]
7. A. Yes.
8. Q. That is why, if you go to page 88, that point then gets passed up the line to Mr Mitchell:
9. "Meirion and I have discussed this. We agree we never had any information about anyone alive that the police should have been told about."
10. Which is, as we've seen already, inconsistent with the line that the BBC is putting out at the same time?
11. A. Also it is a bizarre idea that you brief the press office to stop saying that but you don't change that in the blog.
12. Q. Yes. And then you say -- you -- Mr Mitchell agrees with this at page 91. Page 319

In that same bundle 8, page 200, there is an email from you to Fergal Keane --

1. A. Yes.
2. Q. -- who is one know to be a well known BBC journalist.
3. A. Yes.
4. Q. On 4 October. Mr Jordan had been on the radio, I think, by this stage, hasn't he?
5. A. Yes, the Today programme.
6. Q. You say, at the end of your email:
7. "After hearing David Jordan, not his fault he know nothing about it, he wasn't involved. Defending management lies this morning, I'm really considering my options."
8. A. Yes.
9. Q. So you thought that the BBC management was lying, did you, misleading the world by what Mr Jordan was saying on Today?
10. A. Yes, absolutely, absolutely. But I wasn't accusing him of lying. I thought he had been misinformed.
11. Q. He had been fed a line which he had duly parroted --
12. A. Regurgitated.
13. Q. -- which was not true.
14. A. Absolutely, that's what I thought was going on.
15. Q. You in fact had taken steps or did take steps to send something to Mr -- sent a script, didn't you, to Page 320

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Page 320

80 (Pages 317 to 320)
1. Mr Jordan?
2. A. I go and see him at 12 o'clock first and have a meeting
3. with him where I take in a load of emails with me. For
4. some reason he thinks they are on my phone, and they
5. weren't, they were on paper, but I go in with them and
6. say "Look, this is what happened," in the belief that
7. he's going to change line now that he knows that it's
8. false.
9. Q. He's on that radio, that morning, the fourth, is that
10. right?
11. A. Yes.
12. Q. If we go to page 420 of bundle 8 in the afternoon you
13. email him --
14. A. The script.
15. Q. -- the original script?
16. A. Yes.
17. Q. And you point out what's in it.
18. A. Yes.
19. Q. And he says "Thanks very much, I will now reflect on
20. what you have told me". By that time you had
21. a conversation with him that you refer to in
22. paragraph 23:3?
23. A. I had one at 12 o'clock.
24. Q. Where did it get to thereafter, as far as Mr Jordan and
25. you were concerned?

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

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

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1. A. Yes.
2. Q. We can check that, but I think he was. I think, but
3. anyway for your purposes it doesn't matter.
4. A. Yes.
5. Q. Now, page 129, I think I would like to show you this
6. one.
7. A. Yes.
8. Q. You have seen in?
9. A. I have either seen this or something similar. Yes
10. I have seen it.
11. Q. You have seen it?
12. A. Yes.
13. Q. So Mr Rippon to Richard Thurston who is the -- the hole
14. has gone through it inevitably, but he works in News
15. Group?
16. A. He's head of news HR.
17. Q. He says he couldn't run the story because "It looked
18. like I was undermining all the women involved":
19. "I couldn't really explain all the reasons why I
20. didn't want to run it because it would like I was
21. undermining the women involved which would not have been
22. wise."
23. He's talking there about what he said publicly in
24. the blog, but was that something that he said to you
25. privately at the time as a reason not to run the story?
1. A. Well, I mean, there were things where he said he didn't, you know -- how could we trust their testimony, that sort of stuff, but then he didn't actually watch any of their testimony or read it. So he had no foundation for --
2. Q. He must have read at least?
3. A. The script, he read the script.
4. Q. The script, because as you pointed out earlier, he copied some of it into one of the emails?
5. A. He can't make any judgment from reading the script.
6. Q. Well, you can make a judgment. It might not be a sound one -- it might be a sound basis.
7. A. Yeah, I mean -- anyway he would want to see a big chunk of that personally. You know, you're not even able to observe them by reading the script or hear their voice.
8. Q. Yes. Look at a couple of pages back at 127, also on the 8th, from Peter Rippon to Liz Gibbons. You have seen that email before?
9. A. I saw it on Friday.
10. Q. Precisely:
11. "If Panorama do try to come to us. I will throw a lot of shit at him. He was so personally involved I became concerned about some of his behaviour, looking ...(Reading to the words)... not his job, et cetera."
12. A. Yes.

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

Q. This is all --

A. He talks about clouded judgment, well, you know, yeah, maybe there is some in here.

Q. Okay. I get the drift, I think.

A. Yes.

Q. You were going off to Panorama, and you say:

"I understand you still think I was the briefing the papers, I haven't."

A. Yes, and I give a logical argument that there are --

I've got stuff which were I to leak it would very easily destroy their case.

Q. And you sent the script, you tagged that on to the end of the email.

A. Yes.

Q. And then he replies on the 8th.

A. Yes.

Q. And he's still -- he's complaining about the briefing.

A. Yes.

Q. And complaining about some of the language you are using about the BBC trying to pretend things and not telling the truth.

1. Q. It starts, I think -- the exchange really starts with your email to him on 5 October at 158.

2. A. Yes.

3. Q. Right?

4. A. Yes.

5. Q. Actually it starts at 163 with his email to you --

6. A. Yes.

7. Q. -- saying:

"I meant to ask, did we really inform our interviewer that the Newshour film was not going ahead as she alleged in the ITV doe?"

8. That is a point that had been made on ITV.

9. She had a grievance about, I think, how she had been treated by the BBC and by you in particular, which you, I think, put your hands up to in part at least.

10. A. Yes. No, no, no, no, no. I mean, basically what --

11. I mean, if you want to know what happened there was I don't remember at the time but I apparently informed her by text saying 'You were right, I was wrong, bugger!', and that was the text I sent to her.

12. Q. And that that was a reference to her saying that when you left having done the interview, she said the BBC will never run this, they will block it?

13. A. Yes.

14. Q. And you said, "No, no, no, that's not right, I promise"

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<td>&quot;Attached is an email prepared by Meirion Jones intended to be of assistance. I should briefly explain how this document came about. On Thursday you formally asked me to take on responsibilities as acting Director of News re Savile.&quot; Now, that would have been the 18th, I think. Is that right?</td>
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<td>A. Yes. The 18th. Yes, 18th.</td>
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<td>Q. The 18th: &quot;I soon understood that ever since the Newsnight investigation was dropped no BBC News manager had sat down with Meirion or Liz and asked them to give their account of what happened.&quot; Is that true?</td>
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<td>A. Yes.</td>
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<td>Q. I also realised that no BBC manager had asked them to give their account in their own words.&quot; Is that true?</td>
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<td>A. Yes, except for the verbal conversation with Ken MacQuarrie on Tuesday the 9th.</td>
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<td>7</td>
<td>Q. That was after the balloon had gone up?</td>
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<td>A. Yes, yes.</td>
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<td>Q. &quot;But in discussion it soon became clear that they would do more than happy to cooperate and they rapidly agreed to do so.&quot;</td>
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84 (Pages 333 to 336)
involvement from childhood and so on.
What was your thoughts about contacting her as part
of the story, or reflecting her role in it?
A. It was -- I mean, obviously it's a difficult one for me.
Initially I had to think do I go -- do I do this story
or not? I had to think would I do this story if she
wasn't my aunt, and I thought, yes, I would do the story
if she wasn't my aunt, therefore I should do it.
The initial story -- and that might well change at
an later stage, but with the initial story that we put
out the key was to put out that Savile was a paedophile.
I was trying to avoid libelling living people like, for
instance, and to get that story out,
which would be a big story in its own right, I wasn't
trying to deal with other people in that context. That
was something which could have been done as it
a follow-up story, and I think it should have been done
by somebody other than me at that stage.
MR POLLARD: Was she at that stage -- or is she --
interviewable?
A. No, not really. She's in her 90s. The Mail did
an interview with her the other day, in which she
said she met me earlier this year with my mum. I have not
seen her for seven years. She's not -- she's not really
interviewable.

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

MR POLLARD: -- happened. We have heard quite a lot of
opinions about Peter Rippon's style as editor and his
experience. I know you said you have no sort of
hostility towards him --
A. Right.
MR POLLARD: -- no hostility as an individual. What was
your honest opinion of him as an editor at that time?
A. I think being editor of Newsnight is a really tough job.
That and Today are probably the two toughest jobs in the
BBC. We are lucky we have had really strong people who
have done that job, like Peter Barren whose party it
was. I think you have to be really exceptional to do
that job without it killing you. And I'm not sure that
he ever adapted to television from radio. And I think
he wanted to get out of that. And I think a better
managed BBC would have given him opportunities to do

that.
He's not a bad person. You know, despite the fact
he says he wants to throw shit at me and all this sort
of stuff, he's not a bad person, but it needs
exceptional talent, I think, to do that work and
exceptional hard work, and exceptional attention to
detail.

MR POLLARD: In your opinion, did, if you like, his personal
style of editing or managing or executive producing
contribute to some of the problems with the Jimmy Savile
story?
A. Well, I suppose it depends whether you think it was
an honest journalistic decision or not. If it was
an honest journalistic decision and it was taken without
reviewing the evidence, then obviously that is a serious
problem about the journalism.
If you don't think that, then he didn't need to
engage with the evidence. So I will probably leave it
at that.
MR POLLARD: You were still convinced that it wasn't
a reasonable journalistic decision?
A. Absolutely. Absolutely convinced, yes.
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|---------------------|---------------------|
| MR POLLARD: Just a couple of other specific things. I was interested in the Chunk Click clip showing the two girls with [redacted] in the Jimmy Savile studio, what was the response both for you and Liz MacKean and Hannah, and separately Peter Rippon, when that was uncovered? A. We thought that was amazing, because at that -- I suppose that was what I was going to do with the flip chart, all that sort of stuff, the way that all these different things started coming together and corroborating each other. And, yes, we showed that to Peter and he was excited by that at that time. MR POLLARD: Was that regarded as a big leap forward in the story? A. Yes, it was. Because, you know, the chances of that tape surviving were really slim from the 1970s. Most of that sort of stuff has gone. They, I think, went about six or eight recordings. I think three of those survived, which is remarkable. And, yes, immediately seeing them in proximity, it got you a long way with their story. Once you put them in the same room as these people, it doesn't take it very much further to believe that they could have ended up in the dressing room with them. MR POLLARD: And you identified in the end both of the girls, [redacted] was one, and [redacted] was the other or was it, or was there some doubt about -- A. You would need to check that one with Hannah, I think, or maybe Liz might know that. But, yes, we found several. We found in a number of Duncroft girls there. MR MACLEAN: Was the confusion that the girl was not [redacted] or that [redacted] wasn't the girl involved in the incident? A. I cannot now remember. I'll be honest, I can't remember. I'm pretty sure that [redacted] was on the video. But I think the question was whether I didn't think that she was the one anymore, although subsequently for ITN she said that she did know who she was, and that may be that she has talked subsequently to other girls and between them they have worked out who it is, I don't know. MR POLLARD: Do you think the BBC were briefing against you? If so, was that internally and/or externally? A. They were certainly briefing externally. On a big scale. I mean, you saw that thing about dripping poison from earlier in the year from the press office. They were doing that right through that period. MR POLLARD: Is -- A. And not just against me, against the rest of the team as well, you know, like the idea that Hannah was a work experience girl and all this other stuff. |

| Page 342 |
|---------------------|---------------------|
| MR POLLARD: Are you convinced that neither you nor any other member of your small team was actually feeding information to external journalists? Because quite clearly some of the stories in the -- well, you might argue as soon as the Miles Goslett enquiry of 21 December, but certainly some of the stories in January and February, were incredibly accurate about the process that had been followed and what had been found. The suspicion must be that somebody who had been working on that story had given some details rather than just somebody who had may be heard of it secondhand within television centre? A. I mean, it's possible. I'm sure I didn't. I am sure Liz didn't. [redacted] Um, I don't know what -- MR POLLARD: Do you think [redacted] A. I don't know. I'm not going to accuse anyone because I just genuinely don't know. It may also be that [redacted] MR MACLEAN: [redacted] Whereas from -- A. [redacted] |
from BBC because I heard them trying to move it around that in the BBC the preceding days. I ended up on the Saturday with my 19-year-old daughter being harassed on the doorstep by a Sunday Times journalist following up on a tip they had been given by BBC on a false story, and at that point, you know, I didn’t respond to Miles Goslett, whatever, I found the story in the paper the next day, then rang up Miles Goslett. From then on I had to ring people up if they rang me to check what was the latest thing that was being thrown at me. I found myself in a really bad position there.

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

MR POLLARD: Two more questions. One is about Mark Williams-Thomas.
I imagine ITV must have been working on the story since, I’m guessing, the first couple of months of 2012, perhaps even earlier.

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

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

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

I am also confident that they would not have said that he was too old. The only person who claimed to still have it was [redacted]. I think it made her powerful, the fact that she claimed to have it, it gave her control, and I think ultimately when the Mail came back to her -- and I suspect probably offered her a brick of cash for the letter -- she delivered them the letter.

That’s what I would suspect.

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

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

MR POLLARD: What’s the date?

MR MACLEAN: Sorry, what was the time?

A. 3 October 2012, 17.19. The top page is Anna Bolton News. On the top of page 17.21, Paddy Feehey to Peter Rippon.
MR MACLEAN: Page A8/179. It’s that one?

A. Yes. You have underlined something different to what I wanted to say.

Q. You tell me which bit to underline then.
<table>
<thead>
<tr>
<th>Reed Smith Meetings</th>
<th>12 November 2012</th>
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<tbody>
<tr>
<td>1 A. I think the -- he says:</td>
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<td>2 &quot;She was our investigation ...&quot;</td>
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<td>3 About It is absolutely clear that is the key witness and the absolute core person and that she didn't go to the police. So he knows that for sure by the end of the Wednesday, and yet he keeps up -- keeps that blog up.</td>
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<td>4 MR MACLEAN: Yes, I see.</td>
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<td>5 A. And sends that to Helen Boaden as well.</td>
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<tr>
<td>6 MR POLLARD: The point is that's an acknowledgment that she can't have gone to the police, she can't have talked to the police --</td>
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<td>7 A. Two things. She's the core of the whole investigation, she's the key witness. And, two, she had not gone to the police. And yet up goes the -- that stays up as the blog for the next however it is long.</td>
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<td>8 MR SPAFFORD: Anything else you want raise?</td>
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<td>9 A. I will leave it at that.</td>
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<td>10 MR SPAFFORD: Can I just raise one point with you about confidentiality. Today at lunchtime when you were downstairs in your room, were you on the phone to Liz MacKean?</td>
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<td>11 A. Yes.</td>
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<td>12 MR SPAFFORD: Can you tell us what you were discussing with her, did it cover anything discussed in this morning's interview?</td>
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<td>13 Page 349</td>
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<td>14 A. Let me think. I talked in generalities. I didn't talk about anything specific.</td>
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<td>15 MR SPAFFORD: Did you discuss anything raised this morning in the interview?</td>
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<td>16 A. It's very difficult to think. It was a very bad line.</td>
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<td>17 What did I say? I think I said -- I said I didn't talk about anything specific, but I think I said I had been questioned about the CPS -- the CPS line. That's what I said.</td>
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<td>18 MR SPAFFORD: Why did you do that, given the confidence agreement that you had signed, which makes it very clear that you are not to discuss anything discussed in interview with anybody?</td>
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<td>19 A. Er, well, obviously I -- I misinterpreted that, and, you know, I made no secret of it. I made the phone call where everyone could hear me.</td>
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<td>20 MR SPAFFORD: Okay, just --</td>
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<td>21 A. I didn't conceal that call or anything like that.</td>
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<td>22 MR SPAFFORD: I know, but we went through this process of confidentiality agreements with you and with your lawyers.</td>
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<td>23 A. Okay.</td>
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<td>24 MR SPAFFORD: And one of the vital parts of that is you are not to discuss with any person under any circumstances anything that is discussed in interviews.</td>
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