



SPECIALIST OPERATIONS

PRIVATE & CONFIDENTIAL

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Your ref:
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11th July 2011

Dear Alan,

RE: Phone Hacking Inquiry

Following the events of last week, I thought it appropriate that I write to you concerning my role in these matters. You have sought certain assurances from me during a number of meetings that the initial inquiry had been thorough. I briefed you on the basis of what I had established and what I knew at the time. The responses I gave you were always in good faith.

The reason that a new investigation has been commenced, and the situation has subsequently changed so markedly, is that in January 2011 News International began to cooperate properly with the police. It is now evident that this was not the case beforehand. This has caused the new team to look more closely at information contained within the original material. The emerging findings are rightly a matter of great concern and have led me to make the very public apology you will have seen yesterday.

It is a matter of great regret that this level of co-operation from News International was not forthcoming earlier. Had it been, my decisions and my briefing to you would inevitably have been very different.

It may be helpful if I briefly set out the time-line concerning my role. The facts are that following some reporting in The Guardian in July 2009, as the then newly appointed Assistant Commissioner in charge of Specialist Operations, I was asked by the Commissioner to 'establish the facts around the case and to consider whether there (was) anything new arising in the Guardian article'. This was specifically not a review.

At this juncture (July 2009), the case had remained closed for over 2 years since the sentencing of Mulcaire and Goodman in January 2007. Following detailed briefings from the Senior Investigating Officer it was apparent that there was no new material in The Guardian article that would justify either re-opening or reviewing the investigation.

A short while later, this view was endorsed independently by the Director of Public Prosecutions, Ker Stammer QC, who had simultaneously ordered an urgent examination of the material supplied to the CPS. The Crown Prosecution Service acknowledged that Prosecution Counsel had seen all the unused material during the original investigation in addition to the actual evidence utilised in the case itself. It is appreciated that such a review is always undertaken in relation to any relevance in respect of matters on the indictment. However, in a written memorandum, dated 14 July 2009, Counsel stated this (the underlined aspects are my emphasis).

... we did enquire of the police at a conference whether there was any evidence that the Editor of the News of the World was involved in the Goodman-Mulcaire offences. We were told that there was not (and we never saw such evidence). We also enquired whether there was any evidence connecting Mulcaire to other News of the World journalists. Again, we were told that there was not (and we never saw such evidence).

In other words, Counsel had considered the unused material and stated in unequivocal terms that they were neither told about nor did they see any matters that appeared to merit further investigation.

On 16th July 2009, in his own statement on the matter, the DPP stated it would not be appropriate to re-open the cases against Goodman and Mulcaire, or to revisit the decisions taken in the course of investigating and prosecuting them. This led to the case remaining closed until January this year when new evidence was provided by News International which resulted in the commencement of Operation Weeting.

Therefore, as can be seen, in relation to events that took place in 2009 I was provided with some considerable reassurance, (and at a number of levels), that led me to a view that this case neither needed to be re-opened or reviewed. It was on this basis that I briefed you.

Just over 12 months later, on 1st September 2010, there was some further reporting in the New York Times. This led to a new Senior Investigating Officer being tasked to ascertain if there was any additional information that might require investigation. A number of interviews were conducted in the ensuing months and advice was again sought from the CPS.

In their final written legal advice on this matter provided on 10th December 2010, the Head of the CPS Special Crime Division concluded that he did not consider that there is now any evidence that would reach the threshold for prosecution. In my opinion there is insufficient evidence to provide a realistic prospect of conviction against any person identified in the New York Times article. This, again, was not a review of the original case.

In summary, my briefings to you on these matters have always been based upon what I knew at the time. I have acknowledged now that with hindsight and with what we are currently seeing, my decisions would have been different. If this has placed you in a difficult position then I very much regret this. However, I reiterate, the catalyst for the new investigation (and the level of resources now applied) is the new evidence being produced by News International since January of this year.

I am writing in similar terms to the Mayor, Boris Johnson, as well the Chair of the Metropolitan Police Authority, Kit Malthouse and am copying this letter to the Home Secretary, Dame Helen Ghosh and the Shadow Home Secretary.

I hope you find this helpful.

[Redacted signature area]

John Yates
Assistant Commissioner

Hi. I am very happy to discuss any of this on a 1-1 if that would be helpful. J.

continued and the huge public interest, it is logical to have the sort of inquiry that was held on the Stephen Lawrence case and others, which goes beyond the Independent Police Complaints Commission.

6 July 2011 : Column 1561

Margot James (Stourbridge) (Con): Given what we have been told about the extent of the police and media connection, and about the way in which many stories appeared in the press with incredible speed the very next day, thanks to those tip-offs, does my right hon. Friend agree that the public will be satisfied with nothing less than what he is recommending?

Simon Hughes: I agree.

Another issue is the future of the companies involved and their interrelationship. I have no criticism of the way in which the Secretary of State for Culture, Olympics, Media and Sport has carried out his inquiries into competition in the British media industry. However, as the shadow Home Secretary and others have implied, there is a separate issue, which is about “fit and proper persons”. That is to do with the regulation of the media. Ofcom, the regulator, is based in my constituency. The rules are clear and I have checked them with Ofcom today. Under section 3(3) of the Broadcasting Act 1990, Ofcom

“shall not grant a licence to any person unless they are satisfied that he is a fit and proper person to hold it; and...shall do all that they can to secure that, if they cease to be so satisfied in the case of any person holding a licence, that person does not remain the holder of the licence”.

Ofcom therefore has an ongoing duty to be satisfied that those at BSkyB are fit and proper persons to hold a broadcasting licence.

For the avoidance of doubt, I think it is appropriate for Ofcom to be formally requested to consider whether BSkyB is a company whose directors will be fit and proper people. As the local Member of Parliament for Ofcom, I intend to go through its door and make that request in person before the end of the week. It needs to know that this House, which owes the hon. Member for Rhondda (Chris Bryant) a great tribute for initiating this debate, wants that matter to be considered at the earliest possible opportunity.

Ofcom will, of course, not prejudge a criminal trial. It cannot come to a conclusion that somebody is guilty of an offence before they are found to be guilty. However, it has a statutory obligation to consider at any time who is appropriate to hold a broadcasting licence. The message from this House must be that we want it actively to consider that obligation. If it comes to the view that the future owners of BSkyB are inappropriate, it should rule accordingly, which would mean that the BSkyB merger could not go ahead.

3.24 pm

Alan Johnson (Kingston upon Hull West and Hessle) (Lab): I will not detain the House for long. I put my name down to speak because I believe that we need to persuade those on the Treasury Bench to have a public inquiry, and I wanted to give my perspective. The Attorney-General was his usual assured and eloquent self on that issue. He got into trouble on the two issues on which the Government have been wrong today. The Prime Minister was right to say that we would have public inquiries. He was right to put that in the plural, because we may need several inquiries. He was wrong to say that Rebekah Brooks should not resign—[Hon. Members: “He didn’t say that.”] No, he did not say that, but when *Hansard* is published tomorrow, people will be able to read between the lines. The Prime Minister is also wrong to go ahead with the takeover of BSkyB.

6 July 2011 : Column 1562

I am conscious of the points that the Attorney-General made. I was a Home Secretary in the previous Administration. In looking for a public inquiry, we have to explain to the House a little about the atmospherics when the previous Administration took decisions, and did not take decisions, relating to this case. I am conscious that of the four Home Secretaries between 2005 and 2010, I am the only one still in this House. I wish I could give an eloquent explanation of how brilliant I was as a Home Secretary that would give people an insight into why I did not act, but I cannot.

What I can say is that in July 2009, when the revelation was made about Gordon Taylor on the front page of *The Guardian*, we looked at the matter carefully. Like all good Secretaries of State, I got another Minister, my right hon. Friend the Member for Delyn (Mr Hanson), to answer the urgent question, while I did other things. There was not much that we could do beyond asking the Metropolitan Police Commissioner John Yates and others whether there was anything behind the story. The atmospherics—the public mood and the mood in Parliament—said that this was an obsession of one newspaper. While we are criticising the press, let us praise *The Guardian* for doggedly staying on this case, despite all the attempts to stop it. We might also mention *The New York Times* in dispatches. We were told that this was the obsession of one newspaper and a few Back-Benchers. I pay tribute to my hon. Friends the Members for Rhondda (Chris Bryant) and for West Bromwich East (Mr Watson) for continuing to be irritants on this issue.

What was the view in the Home Office at the time? We looked seriously at whether to have an independent review of the Metropolitan police investigation. The hon. Member for Maldon (Mr Whittingdale) is right that although lots of things have happened since 2006, everything takes us back to the original inquiry led by Andy Hayman in 2005-06. All the information that is emerging was there at that time. We thought about getting Her Majesty's inspectorate of constabulary to do an independent investigation. Incidentally, I was told at the time that this matter was outside the IPCC's remit. That might not be the case now. My right hon. Friend the Member for Normanton, Pontefract and Castleford (Yvette Cooper) is right to ask if it has a role to play. There was a view that we should wait for the Director of Public Prosecutions to report. It was Keir Starmer by that point, I believe, not Ken Macdonald. The DPP said that, on the information given to him by the police—those were the precise words used—there was no cause for any further investigation. We were all swimming around wondering whether we were receiving the correct information.

I shall quote something that my right hon. Friend the Member for Delyn said in his written to statement to Parliament when he was Police Minister, after the fracas around the July 2009 incident. He stated:

“As mentioned in his statement on 9 July, Assistant Commissioner John Yates is ensuring that the Metropolitan Police Service has been diligent, reasonable and sensible, and taken all proper steps to ensure that where it has evidence that people have been the subject of any form of phone tapping (by Mr. Clive Goodman or Mr. Glen Mulcaire) or that there is any suspicion that they might have been; that they have been informed. The decision to inform individuals that they have been targeted for illegal interception of their phone communications is an operational matter for the police.”—[*Official Report*, 14 July 2009; Vol. 496, c. 11WS.]

6 July 2011 : Column 1563

Clear statements were being made to us. Ministers will know that if the Home Office called in an independent investigator—HMIC or the IPCC—it would cause serious concern, because politicians would be interfering in an operational matter. For all those reasons, even though I and my good friend the former Police Minister may find some of the questions awkward, I believe that a public inquiry is the right way to go.

I have huge regard for the work of the Metropolitan police, but was it being evasive, dishonest or lethargic? I think it is one of those three.

Frank Dobson: Or all three.

Alan Johnson: Or was it being all three? The hon. Member for Maldon used a vivid phrase about rolling away a huge stone and looking under it. I believe that there was a certain lethargy with so much else going on, and an attitude of “We’ve got two people banged up. Do we need to go any further into this?” Because of the diligence of Members of Parliament—Back Benchers, not Front Benchers—and of some parts of the press in refusing to give up, we can now roll away the stone. Although what we find underneath will be uncomfortable, it will be good for this House and for our society to do so.

Several hon. Members *rose* —

Mr Speaker: Order. In view of the level of interest in the debate, I am reducing the time limit for Back-Bench speeches to five minutes from now. I would simply add that Members will want to help each other, and they might wish to exercise a degree of self-restraint in either taking or making interventions.

3.31 pm

Oliver Heald (North East Hertfordshire) (Con): May I start by picking up on a point that the right hon. Member for Bermondsey and Old Southwark (Simon Hughes) made? He said that celebrities and Members of Parliament having their phones hacked into was bad enough. However, whenever a child goes missing or there is a death in suspicious circumstances, people up and down the land and parents in particular feel a sense of dread and great concern. To think that the allegations that are coming out now relate to such incidents is truly shocking, and that sense of shock is felt right across the House.

When we last debated the matter on 9 September last year, concern was expressed about the position of Members of Parliament. The right hon. Gentleman made a speech, as did the hon. Member for Rhondda (Chris Bryant), who has been so dogged on the issue. The point they made was not that an MP is above anyone else, because of course they are not, but that we have ancient rights that are very important to democracy. We call them privilege, but they are really about having freedom of expression to come here and put our case for the people whom we represent without being impeded in that work. The fact that those rights might have been interfered with in the course of the scandal was why the issue was referred to the Committee on Standards and Privileges.

Of course, the Committee was in the position that my right hon. and learned Friend the Attorney-General described. We were not able to look into the detail of the allegations, because we did not want to prejudice

6 July 2011 : Column 1564

what the police were doing any more than anybody else. However, we did look into the principle of how our rights are affected in the modern idiom. Our rights were put forward in 1688, I believe, in the Bill of Rights, which explained what we now call privilege. It was the following year, in 1689, that somebody started trying to interfere by intercepting our letters, so this is not a new problem.

However, the Committee considered whether we needed to do something to tackle the problem in the modern context. We came to the conclusion, first, that it was necessary for us to debate whether it is just parliamentary activities that should be covered by privilege, or whether it should

Mrs May: I thank my hon. Friend for his question, which concerns an issue that he raised with me on the Floor of the House on 13 July. I am grateful for the letter that he sent me to follow up on that exchange, and I have passed that correspondence on to the Ministry of Justice, which is responsible for considering the publication of trial transcripts and is examining the possibility of making available more information—more transcripts—about remarks made by judges when sentencing. The Under-Secretary of State for Justice, my hon. Friend the Member for Reigate (Mr Blunt), will be in touch with my hon. Friend the Member for New Forest East (Dr Lewis) on this matter shortly.

Lilian Greenwood (Nottingham South) (Lab): Police community support officers have become an essential part of local communities in Nottingham and elsewhere, so what reassurance can the Minister offer on this matter to my constituents, who are worried that the cuts in policing proposed by the Government will lead to a reduction in their number?

Nick Herbert: We share the hon. Lady's support for PCSOs, which we believe are an important part of the policing family. We are determined that police forces should make efficiencies and savings, and that the front line of policing will be protected.

T9. [13116] **David Morris (Morecambe and Lunesdale) (Con):** May I ask my hon. Friend the Minister to look into the case of one of my constituents, who is apparently being deported for working for too many hours in a part-time job and losing her working visa in this country?

Damian Green: I am grateful to my hon. Friend for that question. He will understand that I cannot comment on the case on the Floor of the House, but if he wishes to write to me, I will of course look into it and get back to him as soon as possible.

Mr James Gray (North Wiltshire) (Con): The Minister will be aware of the awful case, widely reported at the weekend, of Sergeant Mark Andrews of the Wiltshire constabulary who was convicted of a serious assault on my constituent, Miss Pamela Somerville, when she was incorrectly in police custody. Will Ministers take a look at the rules, regulations and protocols covering police cells to make sure that that kind of outrageous event cannot occur again?

Nick Herbert: It is essential that offenders taken into custody are treated and supervised properly. I will happily look at the matter and ensure that we have adequate systems in place to ensure that is the case.

6 Sep 2010 : Column 21

Greg Mulholland (Leeds North West) (LD): In light of the Deputy Prime Minister's very welcome announcement that the child and female wing of Yarl's Wood will be closed, may I ask my right hon. and hon. Friends what plans there are to look at the long-term role and future of Yarl's Wood as a whole?

Damian Green: My hon. Friend is correct. At the moment, we are looking at alternatives to detention for children. Yarl's Wood is, as he knows, used for the detention both of single women and of women with families. It is our intention to minimise the detention of children in the future as a whole and, therefore, that aspect of Yarl's Wood's use will disappear, but clearly not its use for adult women.

Sarah Newton (Truro and Falmouth) (Con): Will my right hon. Friend join me in offering the warmest congratulations to the Prime Minister and his wife on the safe delivery of their daughter, Florence Rose Endellion, at the Royal Cornwall hospital in my constituency? Will she join me in thanking the staff at the hospital for their kindness and care, given not only to the Camerons but

6 Sep 2010 : Column 22

to all those visiting Cornwall for their holidays who find themselves in need of the NHS?

Mr Speaker: Order. I am sure that somewhere in that eloquently and elegantly phrased question the hon. Lady wanted some sort of response on police matters—perhaps police attendance, police security or something of that sort.

Sarah Newton: Indeed, Mr Speaker.

Mr Speaker: I am grateful to the hon. Lady.

Mrs May: Thank you, Mr Speaker. I am indeed very happy to join my hon. Friend in congratulating the Prime Minister and his wife Samantha on the safe delivery of their daughter, Florence, who as my hon. Friend said has a Cornish name as well. I am sure that the Prime Minister and his wife were very pleased to have been protected and kept safe while they were in Cornwall by the appropriate local constabulary.

Several hon. Members rose -

Mr Speaker: Order. All good things come to an end.

6 Sep 2010 : Column 23

Phone Tapping

<http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm100906/debtext/10...> 01/05/2012

3.32 pm

Mr Tom Watson (West Bromwich East) (Lab) (Urgent Question): To ask the Secretary of State for the Home Department if she will make a statement on the Metropolitan police investigation into phone hacking by the *News of the World* newspaper.

The Secretary of State for the Home Department (Mrs Theresa May): In December 2005, the Metropolitan police began an investigation focusing on alleged security breaches within telephone networks after concerns were raised by members of the royal household at Clarence House. That investigation resulted in the prosecution and conviction of the *News of the World* royal editor, Clive Goodman, in 2007 for unlawfully intercepting the phone messages of staff in the royal household. A private investigator, Glenn Mulcaire, was also convicted and jailed for intercepting the phones of a number of people.

That investigation has already been reviewed by the Metropolitan police, the Director of Public Prosecutions and the Crown Prosecution Service, who all concluded that the investigation was proper and appropriate. The Select Committee on Culture, Media and Sport also previously examined the scope and nature of the police investigation, and the previous Government updated the House on these matters in July 2009 and took no further action. Hon. Members will be aware that there have recently been allegations connected to that investigation in *The New York Times*.

Any police investigation is an operational matter in which Ministers have no role. I understand that the original investigation was complex and was informed by high-level legal advice. As a result of that investigation, as I have said, two individuals were successfully prosecuted. The police have made it clear that during the investigation there was early and regular consultation with the Crown Prosecution Service, so that the lines of inquiry followed were likely to produce the best evidence. The CPS had full access to all the evidence gathered, and the final indictment appropriately represented the criminality uncovered. The Metropolitan police have indicated that if there is further evidence, they will look at it. That is the right course of action, and it is right for the Government to await the outcome.

Mr Watson: Claim No. 1: there is no new evidence; there is. Claim No. 2: people were cleared by the Culture, Media and Sport Committee; they were not. Claim No. 3: a single, rogue reporter was responsible; he was not—the inquiry heard that a second *News of the World* reporter, Ross Hall, transcribed illegally hacked phone messages. He has not been interviewed by the police. He sent the now notorious e-mail to *News of the World* chief reporter Neville Thurlbeck, reporter No. 3, who has not been interviewed by the police. Last week, former *News of the World* reporter Sean Hoare testified that when he worked for the paper his bosses instructed him to hack into phones. He has not been interviewed by the police.

A fifth reporter, Sharon Marshall, confirmed to *The New York Times* that she witnessed phone hacking while working for the *News of the World*. As far as we

6 Sep 2010 : Column 24

know, she has not been interviewed by the police. Last week, News International confirmed that a sixth reporter has been suspended for alleged phone hacking. As far as we know, he has not been interviewed by the police.

John Yates said that he had interviewed many reporters. Well, who? How many people were on Mulcaire's target lists? How many were notified that their name was on the lists? How many phone numbers, PINs and suspected computer passwords were on the lists? What other personal and private information was recovered? Most importantly, who decided, according to what criteria and on whose authority, which victims were investigated and which were not, and who was notified?

Can the Home Secretary confirm that former Prime Minister Tony Blair has formally asked Scotland Yard whether his phone was hacked into? The integrity of our democracy is under scrutiny around the world; the Home Secretary must not join the conspiracy to make it a laughing stock.

Mrs May: I say two things to the hon. Gentleman. First, he says that there is new evidence. As far as I can see, allegations have been made in a newspaper. The Metropolitan police have made it clear that if there is fresh evidence, they will consider it. Secondly, as Home Secretary I consider it appropriate that the Government take the view that it is for the Metropolitan police to decide what is the right course of action on an operational matter. As I said in response to the urgent question, it is appropriate for this Government to wait for the outcome.

Mr John Whittingdale (Maldon) (Con): As the Home Secretary indicated, the Culture, Media and Sport Committee spent a considerable time examining this matter in the previous Parliament. We reported our conclusions to the House and we stand by them. We certainly found it very difficult to believe that Clive Goodman was the only member of the *News of the World* newsroom who was aware that phone hacking had been carried out by Glenn Mulcaire, but we found no evidence to suggest that the then editor knew of it. If there is credible new evidence, that would obviously be a matter for the police, but perhaps the Home Secretary could give an assurance that the Select Committee will be informed of the outcome of any investigation.

Mrs May: I am grateful to my hon. Friend for his intervention. It is helpful of him to put before the House what happened in the Select Committee inquiry on the matter. As I have said, it is for the Metropolitan police to consider fresh evidence, if any comes forward, and I am sure that the Select Committee will be kept informed of any developments.

Alan Johnson (Kingston upon Hull West and Hessle) (Lab): Mr Justice Gross said in the case of Mulcaire and Goodman that it was not about press freedom, but about a

"grave, inexcusable and illegal invasion of privacy."

Last year, I was assured that the Metropolitan Police Service had not received any allegations in respect of other *News of the World* journalists. I was also told that the Metropolitan police had taken all proper steps to ensure that where there was

<http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm100906/debtext/10...> 01/05/2012

evidence of phone tapping, or any suspicion of it, the individuals concerned would be informed.

6 Sep 2010 : Column 25

The Home Secretary will be aware of the claims by *The New York Times* to have spoken to over a dozen former *News of the World* reporters, and to at least one of its former editors, who say that phone tapping was pervasive. Furthermore the hon. Member for Maldon (Mr Whittingdale), a very distinguished Chair of the Culture, Media and Sport Committee, said:

"There was simply no enthusiasm among Scotland Yard to go beyond the cases involving Mulcaire and Goodman. To start exposing widespread tawdry practices in that newsroom was a heavy stone that they didn't want to try to lift."

Does the Home Secretary agree that this stone has to be lifted, and that she must subject the actions of the Metropolitan police in this case to greater scrutiny in the light of this allegation and the new revelations from *The New York Times*? The original investigation, we are told, uncovered 2,978 mobile phone numbers of potential victims and 91 PIN codes. Can the right hon. Lady ascertain how many of the people concerned have now been informed?

When I was Home Secretary dealing with this case, there was nobody anywhere in Government who was implicated. Now there is. The Home Secretary and the Deputy Prime Minister have lectured the House many times about their perception of the surveillance state created by the previous Government. It appears that they may have their very own expert on the matter in charge of Government communications. Can she assure me that Andy Coulson will not be involved in any way in the Government's response to the latest allegations? Does she agree with her right hon. Friend the Secretary of State for Energy and Climate Change, who told Parliament last year that

"it is extraordinary that the Leader of the Opposition, who wants to be a Prime Minister, employs Andy Coulson who, at best, was responsible for a newspaper that was out of control and, at worst, was personally implicated in criminal activity"?

"The exact parallel",

said the right hon. Member for Eastleigh (Chris Huhne),

"is surely with Damian McBride. If the Prime Minister was right to sack him, should not the Leader of the Opposition sack Andy Coulson?"—[*Official Report*, 9 July 2009; Vol. 495, c. 1132.]

I agree with those sentiments expressed by the right hon. Lady's Cabinet colleague—does she?

Mrs May: I will take first the issue that the shadow Home Secretary raised about the number of people involved who may or may not have had telephone calls intercepted. Assistant Commissioner Yates made it clear in his interview on the "Today" programme this morning that there are—[*Interruption.*] Labour Members may tut, but Assistant Commissioner Yates was interviewed on the matter this morning and made it clear that there is often a misunderstanding between somebody's name appearing on a list and that person assuming that they have therefore had their phone intercepted. He made it clear—[*Interruption.*]

Mr Speaker: Order. The House must exercise a degree of self-restraint. I am trying to help the House by facilitating an exchange on this important matter. The responses of the Home Secretary must be heard.

Mrs May: Thank you, Mr. Speaker. I can quote from that interview, where Assistant Commissioner Yates said:

"There's a misunderstanding here which suggests just because your name features in a private investigator's files, you have been hacked."

6 Sep 2010 : Column 26

He went on to explain that that was not the case.

The right hon. Member for Kingston upon Hull West and Hessle (Alan Johnson) also raised the issue in relation to Mr Coulson. As my hon. Friend the Member for Maldon (Mr Whittingdale) has made clear, when the Culture, Media and Sport Committee investigated the matter, it concluded:

"We have seen no evidence that"

the then editor

"Andy Coulson, knew."

<http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm100906/debtext/10...> 01/05/2012

That was the decision taken by the Select Committee of the House.

As the right hon. Member for Kingston upon Hull West and Hessle said, he looked at the issue last year. He looked at what had happened and the way it had been handled, and he said that he was reassured.

Mr Adrian Sanders (Torbay) (LD): As a member of the Select Committee, I recall that we had evidence that hundreds of people who are the victims in the matter appeared on lists. They would like to know whether information was illegally gathered from them, and the Metropolitan police will not tell them. Secondly, they would like to know what information was illegally gathered and with whom that information was shared. Surely the only way of getting to the bottom of this is a proper judicial inquiry so that people are compelled to give evidence and they give that evidence on oath.

Mrs May: I say to my hon. Friend that the matter has been investigated by the Metropolitan police, who did so in very close co-operation with the Crown Prosecution Service and with leading counsel. The matter has also been looked at by the Select Committee of the House. The findings of that Select Committee are clear. The findings of the Metropolitan police at the time that they investigated the matter and then looked again at it last July are also clear. Two individuals were prosecuted as a result of that investigation. The Metropolitan police have made it clear that if fresh evidence is there, they will look at that fresh evidence.

Frank Dobson (Holborn and St Pancras) (Lab): Does the Home Secretary agree that, in circumstances in which Members of this House may not have their telephone communications intercepted by the police or the security service, it would be totally unacceptable for their communications to be intercepted unlawfully by newspapers? Does she accept, on the evidence of what has been said in the House this afternoon, that there has been a distinct lack of zeal on the part of the Metropolitan police in looking into these accusations?

Mrs May: Far from that, the Metropolitan police investigated these matters when they were first raised. The matter was considered again in July 2009, when the then Policing Minister, on behalf of the then Home Secretary, who was absent from the House that day, came to the House in response to an urgent question and, as a result of that, indicated that the Labour Government were taking no further action in relation to the matter.

Philip Davies (Shipley) (Con): Does my right hon. Friend agree that the shadow Home Secretary let the cat out of the bag by showing that this is a rather thinly veiled attempt to try to make as much political capital as possible instead of actually trying to get to the bottom of what happened? Everything that we have heard today has been thoroughly covered in the Select Committee report; there is absolutely nothing new. We took up the concerns about the Metropolitan police's investigation at the time, when Assistant Commissioner Yates said, regarding the failure to conduct wider interviews during our Select Committee hearings:

"perhaps in 2006 it ought to have been done; I do not know, but in 2009 that is going to take us absolutely nowhere."

Can my right hon. Friend ensure that we do not waste any more time and effort on trying to make political capital out of flogging an old horse?

Mrs May: My hon. Friend has referred to the Select Committee report's findings on this matter, to which I and others have also referred. As for his initial observations about the reasons behind this issue, I simply say that those who are watching will see the nature of and manner in which some of the points are being raised by Labour Members of Parliament.

Chris Bryant (Rhondda) (Lab): The trouble is that the police have not investigated even where there is new information and new evidence. Last summer, I wrote to the Metropolitan police and asked whether, to their knowledge, from the material that they had gained from Mr Mulcaire, I was a person of interest to him. They replied that I was, and they suggested that I ring my mobile company, which then informed me that my phone had indeed been interfered with. I told the police this months ago; they have done absolutely nothing about it.

I say in all seriousness to the Home Secretary that there may well be dozens of right hon. and hon. Members whose phones have been intercepted—several people on the Government Front Bench at the moment, as well as those on the Opposition Benches. Surely the least that she could do is write to the Metropolitan police to ask them to notify every single right hon. and hon. Member who was a subject of that investigation of the fact that they were involved, and then they can choose whether to investigate further.

Mrs May: At the time of the investigation, the Metropolitan police made it clear that those people whose phones they believed had been intercepted were contacted by members of the Metropolitan police. The hon. Gentleman has had an exchange with them on this matter. I come back to the point that I made earlier: the police have said on many occasions that if fresh evidence were to come forward they would look at it. It is not for the Government to look at that evidence; it is for the Government to await the outcome of any such investigation should that arise.

Stephen Barclay (North East Cambridgeshire) (Con): In terms of what the Metropolitan police have and have not said, can my right hon. Friend confirm that they have now made it clear, on the record, that the press department of the Metropolitan police in no way interfered with the handling of this case?

6 Sep 2010 : Column 28

<http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm100906/debtext/10...> 01/05/2012