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**Summary of meeting**

**Response to Guardian Article re phone tapping**

**Thursday 9th July 2009 at 11am**

**Room 556 (ACSO Office) – Victoria block, NSY**

**Attendees:**

AC John Yates - Chair (JY)  
DAC Stuart Osborne (SO)  
DCS Clive Timmons (CT)  
DCS Phil Williams (PW)  
Chief Supt Richard Walton (RW)  
Naz Saleh (NS)  
Felicity Ross (FR)  
Ed Stearns (ES)  
D/Supt Dean Haydon - minutes (DH)

Gold Group meeting convened in response to Guardian article regarding renewed interest in phone tapping allegations (SO15 Operation Caryatid refers).

JY stated purpose of meeting was to establish facts of original case to inform MPS press statement for release later this afternoon, which he will do to camera, ensuring consistent MPS messages.

To date, no decision log has been opened by AC Yates or his private office. A record of decisions and actions are being maintained on minutes and where necessary a rational will be expanded upon in these records.

CT circulated briefing documents on original case and gave brief overview. Original SIO - DCS Phil Williams, IO - Keith Surtees. Investigation focused on News of the World and tapping of Royal family aides phones. Two defendants had pleaded guilty and were imprisoned - Glen Mulcaire and Clive Goodman.

Complex investigation and involved accessing peoples voicemails without their knowledge, using default pin codes. Interception offence committed when defendants accessed voicemail box prior to the actual phone holder accessing it themselves.

CPS / Counsel advised on this case.

5 major phone companies involved. Revealed security failings in their systems so Heads of Security engaged and advised. Data retention and retrieval difficulties making it difficult offence to prove.

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Lots of data sifted and PW made decision logs at time with rationale for his investigative strategy, who to/ not to inform.

Investigation focused on 'suspicious' activity. This was deemed a course of conduct by defendants making numerous attempts to access peoples voicemail, hence indicating a targeted effort to interfere with their phone. Priority category by investigation team focused on Royals, Police, Military, and Government officials where there was potential of threat to national security or threat to life. Where there was clear evidence phones had been accessed, meeting this criteria, then all people were informed.

Phone companies were tasked at that time to then give an indication as to whether 'other' peoples voicemails (outside above criteria) had been rung but not accessed (i.e no interception). There was no definitive clarity as companies did not retain such data.

There was another category of celebrities such as Max Clifford and Elle Mcpherson where evidence showed voicemails had been rung on a number of occasions. These people were informed and provided statements, which formed part of the defendants charges to show a course of conduct to access wider peoples phones.

Some MP's that were informed at the time included Boris Johnson, Simon Hughes, Harriet Harman and George Galloway due to activity on their phones.

Graham Taylor from the Football association took out High Court action in relation to activity on his phone. This forced the MPS to release 3rd party disclosure of a number of documents from the investigation.

**ACTION** - DLS to retrieve High Court papers to confirm what was disclosed.

Due to security breaches - SCD14, Security Services and Cabinet office informed of investigation.

PW confirmed that he had no knowledge of John Prescott's phone being intercepted. If he had been subject to interception and evidence supported this then he would have been informed.

**ACTION** - PW to confirm.

CT stated there was a corporate and business risk for the phone companies as the investigation had revealed failings in their systems. The interception related to their customers and hence they have a duty of care to them also due to invasion of privacy etc.

Guardian article points;

3000 names

During searches of defendants premises, large amount of material seized, names, numbers etc. One defendant was a private investigator and as they had accessed

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mobile phone company systems, they had interest and potentially access to numerous people/phones. There was no evidence to prove criminally any other persons phone had been intercepted. There was strong evidence that they had intercepted 3 Royal family aides phones and a further 5 other high profile people, all of which were subject to the charges and proceedings in court. Wider people were not informed as there was no evidence to suggest there was any criminal activity on their phones. [REDACTED]

**ACTION** - DPA to review Guardian article in full to provide definitive response to points raised

Did we alerts others

Yes as outlined above. No evidence to support wider phones had been intercepted.

How did we exclude people from investigation and reasons not informing them

Full decision log entry and rationale at the time. Filter used to establish if there was any 'suspicious' activity on their phones with the priority criteria as previously outlined.

Why were SO15 involved

DAC Peter Clarke and DCS Tim White had oversight of case and investigation deemed to have national security issues due to Royal family.

Why was there not a more wide ranging investigation

There was no evidence to expand the investigation wider which if it had done, then this would have been an ineffective use of Police resources.

What other journalists were involved

There was no evidence at that time to implicate involvement in any other journalists.

Reopening of investigation

No evidence to justify.

Key newsworthy / MPS points to make; Successful prosecution leading to guilty pleas and terms of imprisonment, assistance provided to private prosecution at High Court, full and auditable decision making process on evidence and those to be informed, CPS and senior Counsel advised, Government informed at the time. Revealed failings in phone companies systems, Heads of Security engaged to rectify vulnerabilities.

Potential vulnerabilities; could be criticism that MPS has not looked after wider private individuals.

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**ACTION** - DPA to prepare JY press lines for release to camera outside NSY this afternoon.

Further Gold Groups to be convened, dates and times to be confirmed.