

Witness name: Benedict Brogan

Dated: 14 October 2011

Filed in response to a notice dated 8 August 2011

The Leveson Inquiry into the culture, practices and ethics of the press

**WITNESS STATEMENT OF BENEDICT BROGAN
DEPUTY EDITOR, TELEGRAPH MEDIA GROUP LIMITED
14 OCTOBER 2011**

I, Benedict Brogan of 111 Buckingham Palace Road, London SW1W 0DT, will say as follows:

1. I make this witness statement in response to the Leveson Inquiry's notice dated 8 August 2011 (the "Notice"). In accordance with the terms of the Notice, and save where I have stated otherwise, this statement addresses my experience at Telegraph Media Group Limited ("TMG").

Question 1: career history in the media.

2. I am the Deputy Editor of the Daily Telegraph. I entered journalism in 1989 as a reporter on the Glasgow Herald, and was made its Lobby correspondent in 1993. I subsequently served as political correspondent of the Daily Mail, political editor of the Glasgow Herald, and political correspondent of the Daily Telegraph. In 2004 I returned to the Daily Mail as Whitehall editor, becoming political editor in 2005. In April 2009 I rejoined the Telegraph as chief political commentator. In December 2009 I was made Deputy Editor of the Daily Telegraph.

Witness name: Benedict Brogan

Dated: 14 October 2011

Filed in response to a notice dated 8 August 2011

Questions 2 to 5: corporate governance

3. Neither the Board nor TMG's Chief Executive Officer, Murdoch MacLennan, have an editorial role in producing the content of the Telegraph. All editorial decisions are a matter for the Editor (Tony Gallagher) and the senior journalists he leads. Those who are responsible for the commercial running of the company take no part in editorial decision-making. As Deputy Editor, I report to Tony Gallagher.
4. Perhaps unusually for a deputy editor of a national newspaper, I have a comparatively limited role in the actual production of the paper. I attend most editorial meetings and am involved in shaping its overall tone and content, but my other duties, particularly as a columnist, commentator and blogger, mean that a significant part of my time is devoted to my own journalism. I therefore do not play a major role in directing or deciding the specifics of our news coverage unless the Editor is absent. However, I do support the Editor by helping every evening to review and proof the pages of the paper before they are sent to print and I take part in the constant ongoing conversations about our coverage and, when appropriate, discuss editorial decisions with the Editor. In the absence of the Editor, however, I am ultimately responsible for all editorial decisions, and on these occasions involve myself much more directly in the detail of the daily edition.
5. In addition to my own journalism, and to my part in shaping the direction of the paper, my duties include but are not limited to: managing the paper's and the Editor's relationships with figures in public life ranging from the Prime Minister and other senior politicians to church leaders; representing and speaking on behalf of the Telegraph at outside events and in the media; recruiting senior staff; addressing matters that arise on a daily basis that are delegated to me by the Editor; supervising specific, ad-hoc editorial projects; and overseeing the recruitment and mentoring of graduate trainees, including the supervision of their training by senior journalists.

Witness name: Benedict Brogan

Dated: 14 October 2011

Filed in response to a notice dated 8 August 2011

6. Below I set out my understanding of the systems in place at the Telegraph to ensure that our journalists maintain high standards of professional and ethical conduct at all times and act within the law. I understand that Tony Gallagher will be addressing this in more detail in his witness statement, and that TMG's Finance Director, Finbarr Ronayne, will be addressing the financial governance procedures. I do not have a formal role in enforcing the company's systems and procedures. However, as Deputy Editor I seek to lead by example and always encourage our staff to observe high standards of fair, accurate and ethical journalism.
7. Newspapers have traditionally been a place where bureaucratic paper-based processes are eschewed in favour of human judgment, under often intense time pressure. The explosion in the volume and speed of information available, driven by the internet, has intensified that demand for speed. Newspapers operate in a highly competitive commercial environment.
8. However, at TMG I believe our journalism at all times remains anchored to our professionalism, our integrity and our sense of journalistic ethics. We are guided by the PCC Editors' Code of Practice ("**PCC Code**"), which is included in the terms of employment of all our journalists. They are expected to abide by it and to be conversant with it. In addition TMG provides a 24-hour in-house legal team which reviews editorial content on a referral basis. A significant portion of the newspaper is reviewed by lawyers – 'legalled' – and members of the legal team are available to discuss issues on an informal basis. The Telegraph is staffed by some of the most experienced journalists in Britain at all levels who bring their combined experience and judgment to bear on all editorial decisions. The work of all journalists is closely supervised by their departmental heads. Their decisions are in turn scrutinised by the senior editorial team. Before publication, stories are tested for accuracy, fairness, balance and legality.

Witness name: Benedict Brogan

Dated: 14 October 2011

Filed in response to a notice dated 8 August 2011

9. TMG also has systems in place to control and limit expenditure by journalists. Any significant expenditure requires senior approval. We bear down on expenses to control and reduce costs, and, as a result, I believe it would be difficult for individual journalists to make significant payments without the knowledge of more senior colleagues or a record in our financial systems.
10. To the best of my knowledge, everyone at the Telegraph seeks to comply with the PCC Code and all internal policies and procedures. I believe the Editor and the senior team set a clear ethical example to the staff. In my experience our journalists take their professional standards seriously. They are conscious not only of their professional responsibility as journalists, but of the traditions of integrity that the Telegraph has always represented.
11. When on occasion we are found not to have met those standards either through inadvertence or misunderstanding, we are willing to be held to account and are usually prompt in rectifying our mistakes. Given the volume of information we publish each day in print and online, it is heartening to note that we are rarely found wanting. I am not aware of any systemic issues of non-compliance. As a newspaper I believe we have a record to be proud of.
12. Our policy remains unchanged: the Telegraph continues to be committed to fair, accurate and ethical journalism. To the best of my knowledge, the Telegraph has never used phone hacking or computer hacking. The phone hacking affair has however given us an opportunity to reaffirm our commitment to high journalistic standards. To that end the CEO has recently issued all staff with a consolidated code of conduct that brings together the core principles from existing policies.

Questions 6 and 7: sources of information

13. The Telegraph begins each day with a blank canvas. It is rapidly filled with a selection of material extracted from the mass of news information

Witness name: Benedict Brogan

Dated: 14 October 2011

Filed in response to a notice dated 8 August 2011

that comes to light each day. An edition typically consists of a mix of reports on the news of the day and new material that we have uncovered through our own work. Our commercial success depends on our ability to produce a compelling blend of news and features that informs and surprises our readers.

14. We rely on our team of reporters to research, report and generate news stories. These can come from any number of sources: a tip off from a contact, a public announcement, leaked documents, events, information from readers or even from fellow members of staff. Story ideas, as well as their execution, are scrutinised by our news editors, whose duty it is to ensure that they are always prepared to the highest standards. Stories that pose possible legal or PCC Code issues are referred to our legal team and to more senior staff. The Editor and his senior colleagues in turn scrutinise all material as needed and if necessary ask their own questions to satisfy themselves that our standards are being met.
15. Responsibility for checking sources of information however lies first and foremost with the journalist responsible for the story, acting under the terms of the PCC Code and the Telegraph's commitment to high standards of journalism as described above. The journalist's work is then assessed and vetted by the news editor and his team, and if necessary by more senior members of the editorial team, and if appropriate by the Editor.
16. As Deputy Editor I am not always aware of the source of stories, either because on the day I am not involved in the production of news, or because the sourcing is uncontroversial and does not need to be referred up to my level. When the Editor is absent and I am responsible for editorial decisions, the extent to which I am aware of the source of a story depends on the story and the journalist involved. For example, if a junior reporter were to offer a story that was evidently controversial, I would want to know in detail how the story was obtained, who his source was and what decisions we had made in assessing the material, its

Witness name: Benedict Brogan

Dated: 14 October 2011

Filed in response to a notice dated 8 August 2011

reliability, its origin, and in reporting it. Equally, if a senior colleague with a proven record and a reputation for excellence and reliable sources were to propose a major story, I would not feel the same need to test his sourcing. In broad terms, the more sensitive the story the more likely decisions concerning its progress will be referred up the chain of command.

17. I am only occasionally involved in detailed decision making concerning our news operations, which are the preserve of Chris Evans, the Assistant Editor. I understand, however, that anyone planning an investigation would discuss it with him and if necessary the Editor. Undercover operations are rare and by their nature sensitive. They are kept confidential from most people in the Telegraph, but I would expect them usually to be authorised at a senior level. They may also be discussed with the Editorial Legal Director to discuss any PCC Code or legal implications. Before deploying any form of subterfuge we would ask ourselves questions such as: is there another way to obtain the information? Is it in the public interest? Are the proposed methods legal, and are they proportionate?
18. As far as my own journalism for the Telegraph is concerned, it is my responsibility to ensure that what I write is accurate and well-sourced. I obtain information from a wide range of sources, some of them confidential. Over twenty years in political journalism I have built up a range of trusted contacts whom I can rely on to provide me with accurate information. Often this is an act of trust. If necessary I may ask where they in turn have obtained the information, in particular if the information is evidently intended to discredit politically an opponent, or if there is a risk that it might have been obtained illegally. In the unlikely event that it may have been obtained illegally, I would carefully consider, in close consultation with senior colleagues, the legal and ethical risks of proceeding and whether the story was of compelling public interest.

Witness name: Benedict Brogan

Dated: 14 October 2011

Filed in response to a notice dated 8 August 2011

Question 8: the role of ethics in the print media

19. I believe ethics should play a role in print media, just as they should in any other area of professional or personal endeavour. Editors have a duty to foster a culture of ethical behaviour through personal example and rigorous supervision. The Telegraph is careful to recruit journalists with experience, judgment and integrity who by their work embody the tradition of journalistic excellence that is the Telegraph's hallmark. Good journalists in a well managed organisation that has always striven to abide by high standards do not need regular memos on what is ethical. However, they do need to be kept aware at all times of relevant legal and professional requirements and guidelines, while relying on their own and the organisation's ethical standards to guide their decisions.

Questions 9 and 10: financial and/or commercial pressure and incentives

20. TMG is a commercial organisation. As a member of the senior team I am aware of the imperatives of profit and cost-management. But I have never felt pressured by the proprietors or managers of TMG to shape my editorial decisions or my own journalism according to financial needs.
21. I participate in the bonus scheme. My bonus is determined in part by financial targets. Although it is possible that the publication of exclusive stories may contribute to the commercial success of the Telegraph, I have never considered my bonus when deciding whether or not to run a story.

Questions 11 to 17: payments to private investigators and other external providers of information

22. The general practice of the Telegraph is that we do not pay for stories. The vast majority of what we publish is based on publicly available information, supported by on the record comments, off the record conversations, and information passed to us confidentially by our contacts. I am not aware of anyone paying a police officer or a public official (other than contributors or columnists who produce content for the

Witness name: Benedict Brogan

Dated: 14 October 2011

Filed in response to a notice dated 8 August 2011

paper, e.g. Lord Coe) for information. Nor am I aware that anyone during my time at the Telegraph has used or paid a private investigator to source a story, or a mobile phone company for anything other than standard mobile services.

23. We do pay for information in some specific situations of which I am aware: we purchase photographs, usually from established photographers/agencies but sometimes from members of the public; we buy serialisation rights to books; as is public knowledge, we paid for the disc that contained details of MPs' expenses; we pay freelance contributors for articles; we occasionally pay tip-off fees for information or ideas that lead to an article: these should be agreed to by the Desk Heads before being submitted for formal approval through our payment systems.
24. In my journalistic work I have no need to pay sources of information for material. Like other journalists I regularly entertain contacts – normally in my case politicians, senior public servants and other public figures. This is usually breakfast, lunch, dinner, a drink or coffee, and is reflected in the expense claims I submit in the normal way. It is seldom extravagant, and I have never offered any other type of benefit in kind to a contact. I am not aware of any other journalists at the Telegraph doing so. I believe the Telegraph's financial processes impose rigorous audit requirements on journalists' expenses, making it difficult, in my view, to envisage unauthorised disbursement of funds. However, I have no direct responsibility for enforcing the expenses or remuneration regimes, which are a matter for Richard Ellis, the Executive Director, Editorial, his team and HR.

Question 18: editorial decisions

25. Although the Editor ultimately decides what is published, I am from time to time involved in the decision making process either because he or other executives consult me or because I am in charge in his absence.

Witness name: Benedict Brogan

Dated: 14 October 2011

Filed in response to a notice dated 8 August 2011

26. In balancing the private and public interest, I have mind to the law, the strictures of the PCC Code, the expectations of our readers, and the importance of the story. As a commentator on British politics, I believe that the proper functioning of our democracy requires the closest possible scrutiny of those who are elected or employed to act in our name. There may at times be reason to extend that scrutiny to their private lives if, for example, what they are doing is illegal or, when their public pronouncements are taken into account, would alter significantly how they are perceived by those they represent.
27. On MPs' expenses for example, Parliament voted not to publish the material in part because it concerned the private financial affairs of MPs. On studying the material, we concluded that regardless of its sourcing, there was an overwhelming public interest to allow the taxpayer to discover the detail of how his funds were being spent. At the other extreme, we sometimes come across information concerning the private lives of politicians which we believe has nothing to do with their public roles and we therefore choose not to pursue or publish. Privacy issues often arise with photographs. In one recent example the picture desk brought to my attention photographs of the Camerons on holiday in Italy. They were being offered for sale. While our readers might have enjoyed the sight of the Prime Minister in his swimming trunks, they were taken from a distance by long lens camera and were plainly in breach of PCC guidelines. We declined them. Privacy issues also arise routinely in - for example - court cases: it is not unusual for us to choose not to report graphic details of crimes described in open court because we have mind to the potentially intrusive effect on victims.

Question 19: use of 'computer hacking'

28. To the best of my knowledge, I am not aware of anyone at the Telegraph being involved in computer hacking, or commissioning computer hacking, to source a story.

Witness name: Benedict Brogan

Dated: 14 October 2011

Filed in response to a notice dated 8 August 2011

Document Requests

29. The Notice asks me to provide the Inquiry Panel with certain documents. TMG has centrally co-ordinated the search for documents falling within the scope of the notices received by all TMG employees, and I believe that any documents falling within the scope of this request will be included in the documents submitted by the company secretary.

I believe the facts stated in this witness statement are true



Benedict Brogan

14 October 2011