

NI Group Limited
J Ungoed-Thomas
Second Statement
Exhibit "JUT1"
21 March 2012

**IN THE MATTER OF THE LEVESON INQUIRY INTO THE CULTURE, PRACTICES AND
ETHICS OF THE PRESS**

**SECOND WITNESS STATEMENT OF
JON UNGOED-THOMAS**

1. I am the Chief Reporter of the Sunday Times and gave evidence to the Leveson Inquiry on 14 March 2012. This is my second statement to the Inquiry.
2. I have signed the Inquiry's confidentiality undertaking, a copy of which appears at page 1 of Exhibit JUT1.
3. When I gave evidence to the Inquiry, I was referred to an article written by me and published in the Sunday Times on 11 March 2012 ("Police 'nobbled' press inquiry into corruption") which relates to the evidence of Bob Quick to the Inquiry. A copy of the article appears at page 2 of Exhibit JUT1. Specifically, I was asked: "Was that information obtained wholly from material in the public domain?" I replied that it was from information in the public domain, which remains my position.
4. I had, however, seen an extract from an unredacted copy of Mr Quick's statement which concerned the story. I explain below why I consider the redacted information contained in that extract – namely the names of two journalist and The Guardian newspaper - was already in the public domain.
5. On Wednesday 7 March 2012, Mr Quick gave evidence to the Leveson Inquiry. The following day, on Thursday March 8, I received an extract of Mr Quick's witness statement, together with some cuttings from the Press Gazette from 6 July 2001, for the purpose of writing a news article. Copies of the cuttings from the Press Gazette appear at pages 3 to 7 of Exhibit JUT1. At this time, I assumed that the material I had been passed was all in the public domain, since Mr Quick had by then already given evidence.
6. In researching the article and prior to reading the extract from Mr Quick's statement, which I later learnt was unredacted, I read some cuttings from the Press Gazette from 6 July 2001. The Inquiry will see that these cuttings concern the matter which was briefly referred to in paragraph 14 of Mr Quick's statement to the Inquiry, which paragraph was partially redacted prior to publication on the Inquiry's website after Mr Quick gave evidence.
7. I was aware that the published version of Mr Quick's statement had been redacted, because I checked the Inquiry website. However, I knew that the confidentiality undertaking did not apply where the information was not confidential because it was in the public domain. I considered that the material which had been redacted from Mr Quick's statement (that is, the names of the journalists and the newspaper involved) was not

confidential, because that information was already in the public domain as a result of the Press Gazette's articles. In relation to this, I also spoke to one of the journalists involved, Michael Gillard, who considered the redaction unnecessary since the identity of the journalists could be inferred from what was unredacted in Mr Quick's statement. This kind of incident, where the police have allegedly pressured a newspaper to take action against journalists, is extremely unusual. The references in Mr Quick's statement to the Rees "drugs planting" case" (which had not been redacted) also confirmed that paragraph 14 of his statement was dealing with the same subject matter as the Press Gazette articles which I had already read.

8. Significantly, the new development in the story which was contained in Mr Quick's evidence - to the effect that he believed that the action taken by Mr Hayman and Mr Quick had resulted in the journalists in question no longer being employed by the newspaper - was unredacted.
9. I should add that I was keen to run this article as I felt that this was a story with a strong public interest. The intervention of a senior police officer in what the journalists claim were legitimate journalistic inquiries, and the contention by Mr Quick that this intervention had resulted in the journalists leaving the newspaper in question, are matters of serious concern.
10. In the course of writing the article, I emailed the Guardian to get their comment on the story. A copy of my email to them is set out at pages 8 and 9 of Exhibit JUT1. In my email, I referred to paragraph 14 of Mr Quick's statement and included the text from the unredacted extract of that statement. At the time, I did not consider the use of this extract for this purpose to be an issue, because I considered the information that had been redacted to be in the public domain.
11. The Guardian subsequently raised concerns about the confidentiality of the extract I had quoted from. As a result, I immediately sought legal advice on whether it was still appropriate to pursue and publish the story. On the basis that we considered the redacted material to be information in the public domain, we decided to proceed with the story.
12. Since giving evidence, I have been advised that even though the identities of those involved in the story – both the journalists and the newspaper - was in the public domain my actions in emailing The Guardian newspaper an unredacted extract of the statement may have constituted an inadvertent breach of the confidentiality undertaking that I signed. If that is the case, I would like to take this opportunity to apologise unreservedly to the Inquiry for that.

I believe that the facts stated in this witness statement are true.

Signed



Dated

March 22 2012