

Leveson Inquiry

Second Statement of Mark Thomson

1. I refer to the evidence given to the Inquiry by my client Hugh Grant (1st supplementary statement, and his oral evidence of the 21st November) by Liz Hartley, lawyer for Associated Newspapers (her Supplementary statement of 5th January and her oral evidence in January), and the evidence given by Paul Silva the photo editor for the Daily Mail on 9th January). I also refer to the 2nd supplementary statement of Hugh Grant of 3rd February, and the judgment of Mr Justice Tugendhat (the "Judgment").

2. I confirm that I also act for Tinglan Hong. As a result of intense paparazzi harassment and pursuit by certain photographers culminating in Ms Hong being under siege at her home , I acted for Ms Hong in her application for an anti-harassment injunction which was granted by Mr Justice Tugendhat on 11th November 2011 and his judgment was released a week later on 18th November. I refer to the order granted by Mr Justice Tugendhat a copy of which I have supplied to the Leveson Inquiry. On the return date at the end of November, the injunction was extended until trial or final order.

3. As I mentioned in my first statement, I have also been heavily involved in the voicemail hacking litigation, acting for numerous victims. Although numerous claims have settled, since about the middle of January this year I have been co-ordinating the remaining claims against Newsgroup Newspapers Limited. The trial is fixed for 13th February 2012.

4. As is clear from the Judgment there were two key articles published about my clients. The first one was in the News Of The World dated 24th April 2011 and the second article was in the Daily Mail dated the 2nd November. Both articles were intrusive and included pictures, in my view, obtained as a result of pursuit and/or surveillance. As the Judgment made clear the News Of the World article included pictures of Ms Hong and Mr Grant taken surreptitiously over a 4 month period, the earliest one taken in January 2011 (see paragraph 5 of the Judgment). The photographs were credited to Rob Todd and Kerry Davis.

5. The article in the Daily Mail of 2nd November, written by Keith Gladdis (who until July 1011 was working for the News Of The World) and Ben Todd, also includes 3 photographs of Ms Hong, one of them was taken in January and was one of those included in the News Of The World article and there were two others one of which was taken in September 2011, showing Ms Hong in Fulham heavily pregnant. The photographs were credited to Robb Todd and Brad Page.

6. The Judgment also made clear that one of the paparazzi who had been pursuing Ms Hong for a number of months was the driver of a black Audi. I have yesterday ascertained the identity of the driver of this black Audi. Ms Hong had previously provided me with photographs of some of the paparazzi who were putting her under siege in November and in a number of the photographs she recognised a man in a blue jacket as the driver of the Audi car who had been pursuing her for many

months. Ms Hong has informed me and I believe that the driver of the black Audi not only followed her in April 2011 but also in September and October 2011

6. Accordingly I yesterday contacted two photojournalists acquaintances in confidence who both independently told me that the photographer wearing a blue jacket in the photograph was Rob Todd and I was also informed that he was a staff photographer at the News of the World until its closure in July and subsequently has worked freelance for other tabloid newspapers. This information is corroborated by the credits in both articles which I have mentioned above.

7. It appears clear to me the photographer used by the Daily Mail, Rob Todd, was indeed engaged in surveillance, pursuit and harassment of Ms Hong and does come within the terms of the order of Mr Justice Tugendhat. Indeed I also believe that the photographs in the News of the World article and the later Daily Mail article themselves objectively gives rise to a strong suspicion that Ms Hong was subject to surveillance and pursuit by unknown paparazzi and should not have been published by a responsible newspaper.

I confirm that the facts in this statement are true.

Mark Thomson

4th February 2012