

**A Rusbridger**  
**September 2011**

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

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WITNESS STATEMENT OF ALAN RUSBRIDGER

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I, Alan Rusbridger, of Guardian News and Media Limited, Kings Place, 90 York Way London, N1 9GU, WILL SAY as follows:

1. I am the Editor-in-Chief of Guardian News and Media Limited ("GNM"). I have been Editor of the Guardian since 1995 and Editor-in-Chief of GNM since 2007. Unless stated otherwise, the facts stated in this witness statement are within my own knowledge and belief. In this witness statement I refer to documents that are exhibited to this statement in a GNM bundle at tab AR.
2. I make this statement in response to a Notice dated 5 August 2011 served on me under section 21(2) of the Inquiries Act 2005 and the Inquiry Rules 2006, by Lord Justice Leveson, as Chairman of the Inquiry. These require me to provide evidence to the Inquiry Panel in the form of a written statement and/or to provide documents as requested in the Notice.
3. Guardian News and Media Limited have carefully considered the Inquiry's request to waive privilege and have decided not to do so as a matter of principle. Accordingly anything I say in this witness statement is not intended to waive privilege and should not be read as doing so. We have otherwise done our best to assist the Inquiry as to the general position in relation to issues arising as to the newspapers' legal procedures.
- 4.
5. **Q (1) Who you are and a brief summary of your career history in the media**

I have been a professional journalist since 1976, when I started my career as a reporter on the Cambridge Evening News. I did two years of indentured training at the Cambridge Evening News. In 1979, I joined the Guardian as a reporter, columnist and feature writer. In 1986, I became the TV critic for The Observer, which was at that time separately owned. In 1987, I became the Washington Correspondent

for the London Daily News. In 1988, I rejoined the Guardian as a feature writer. From 1989 -1994, I occupied a number of roles at the Guardian, including Weekend Editor, G2 Editor, and Features Editor. In 1994 I became the paper's Deputy Editor, and in 1995 Editor.

In 1993, Guardian Media Group ("GMG") acquired the Observer newspaper. GMG wholly owns GNM, which is the publisher of the Group's flagship national newspapers – the Guardian and The Observer – as well as the [www.guardian.co.uk](http://www.guardian.co.uk) website, which is currently the second most popular website operated by a UK newspaper, with in excess of 2.8 million browsers a day). GNM also operates a number of other titles and businesses: the Guardian Weekly is one of the world's best-selling international weekly newspapers, and the Guardian Professional, a division of GNM, provides a range of services in the education, media and public sectors.

I am a member of the GMG Board (since 1999); the GNM Board; the Scott Trust (since 1997); a visiting professor of history at Queen Mary's College, London University; a visiting fellow at Nuffield College, Oxford. I have given the James Cameron, Hugh Cudlipp, Anthony Sampson and Andrew Olle lectures on journalism.

The witness statements of Dame Liz Forgan and Andrew Miller provide more information about the structure of and relationship between GNM, GMG and the Scott Trust.

From around 1997 to 2007, in addition to being Guardian Editor, I was Executive Editor of The Observer, but I played no part in the day-to-day editing or management of The Observer, which was left to the then Editor Roger Alton. I was however responsible, at GMG Board and Scott Trust level, for keeping the GMG board informed about any editorial issues of general importance across both papers. Each month, for GMG (and once a quarter for the Scott Trust), I brief the respective boards about editorial strategy and implementation; budgets; capital expenditure; industrial relations issues; significant stories and any issues about the Guardian or Observer which may have been commented on in the press or elsewhere. With the Trust, we spend more time talking about the journalism. Each year, in November, I outline our ambitions/targets/strategies for the year ahead and also review the past year against the previous year's targets.

I became Editor-in-Chief of both papers in 2007 when Roger Alton left and John Mulholland was appointed Editor of the Observer. Again, the responsibility for editing the Observer is John's alone. He sets the editorial lines and rarely discusses any Observer editorial content with me in advance of publication. We meet weekly to discuss issues common to both papers, including the digital forms of our journalism. We also discuss budgets, staff issues and general strategy. John periodically speaks directly to GMG or the ST, but generally I speak for both papers at this level.

For about a year I was on the PCC Code Committee. I resigned in November 2009. A copy of my resignation letter dated 12<sup>th</sup> November 2009 is attached at tab AR.

**6. Q (2) How you understand the system of corporate governance to work in practice at the newspaper where you were/are employed with particular emphasis on systems to ensure lawful, professional and ethical conduct**

The Scott Trust engages me as Editor. I am, in corporate governance terms, answerable to the Scott Trust in relation to all editorial matters but I am actually employed by GMG, which pays my wages. I sit on the GMG Board. The Scott Trust, alone, can dismiss me.

I, as Editor of the Guardian and, since 2007, Editor-in-Chief of GNM am in the position of overall responsibility for journalistic standards and ethics. There is, on The Observer, a separate Editor who is responsible directly for the day to day running and journalistic standards and ethics matters relating to Observer journalism. In that regard, I would refer you to the witness statement of John Mulholland.

The Guardian has had its own Editorial Code of Conduct since 2002. It is kept under review and was last updated in August 2011. This is available on our internal intranet and, for members of the public who may wish to complain or otherwise raise issues relevant to it, it is available on the "About Us" section of guardian.co.uk. In practice it applies also to the Observer, although only expressly so since the most recent version introduced in August 2011. It addresses in some detail a number of issues, which are not covered by the PCC Code (such as declarations of, and conflicts of, interest). It also offers more comprehensive guidance on privacy issues. Copies of the 2002, 2007 and current versions of the Code are attached at tab AR. Its terms were finalised after discussion with the NUJ and senior editors and staff. The PCC Code is set out as an Appendix to the GNM Code and there is some cross-referencing to assist journalists when provisions overlap (see the introduction and the asterisked clauses). The introduction also makes it clear that freelancers, as well as staff journalists, are expected to comply.

In addition, in anticipation of the Bribery Act 2010 coming into force on 1 July 2011, on 27<sup>th</sup> June, we published an internal Anti-Bribery and Corruption Policy (which is at tab DS in the GNM bundle) which applies to all GMG and GNM staff - editorial and commercial - as well as the staff of GNM subsidiaries. In September we also published an updated version of our Gifts and Hospitality Policy. This Policy is available on our internal intranet and is also specifically referred to in the updated

Editorial Code. We also set up an Anti-Bribery and Corruption Committee (ABCC) which meets regularly made up of senior representatives from Editorial, Commercial and Legal, a confidential hotline for staff to report any concerns and an email address [antibribery@guardian.co.uk](mailto:antibribery@guardian.co.uk) for staff who have any questions about the policy. Briefings were arranged for senior Editorial staff and managers and the Editorial Legal and Commercial Legal departments have run seminars and training for staff.

The vast majority of Guardian staff are members of the National Union of Journalists, which has its own code of conduct.

In addition, we have separate Reader's Editors for the Guardian and the Observer, whose role has special significance in terms of enforcing and maintaining good governance. The Guardian's Reader's Editor is independent of the newspaper's staff and is appointed directly by the Scott Trust. The Observer's Reader's Editor was appointed 10 years ago by the then editor with an (unwritten) guarantee of independence.

Their details, and how to contact them and/or make a complaint, are all available on the internet with an e-mail address and available hours for contact. Their role is to:

1. correct or clarify any inaccuracies in the paper in a prominent column (daily in The Guardian, except Sunday, and weekly in the Observer);
2. write a column on any matters raised by readers about the paper in general; and
3. liaise with an external Ombudsman (see below) when required in relation to any matters which raise wider ethical concerns about the standards of journalism.

I attach at tab AR a description of the Guardian's Reader's Editor's role which I gave in a Harvard lecture in 2006 and the Reader's Editor's Terms of Reference. The lecture account remains a fair summary.

John Mulholland has set out in his witness statement details of the role and function of the Observer's Readers Editor. Below I deal in more detail with the Guardian's Readers Editor.

There are various points to be made about the importance of his function. The Readers Editor receives a substantial volume of correspondence. Readers tend to be our best critics. An editor will often have a vested interest in a particular story, and an author certainly will. There are obvious advantages in the objective neutrality which the Readers Editor has and is seen to have. The matters he reviews may well have an ethical dimension – such as alleged plagiarism or the alleged distortion of photographs. In his weekly column he has sometimes aired uncomfortable issues about particular stories or journalists. Sometimes he/she may identify processes, or

individuals, which/who are at fault. In these instances he will draw them to the attention of the appropriate editor. He will have regard to the GNM Code when considering any complaint with an ethical dimension. The newspaper's editor cannot edit the Reader's Editor's text.

A dissatisfied reader can appeal from the Reader's Editor to the external ombudsman, who is currently John Willis, a former BBC Director of Factual & Learning, a former Channel 4 Director of Programmes and Chief Executive of United Productions. Examples of his reports can be found here:

<http://www.guardian.co.uk/theguardian/2008/apr/07/opendoor>

<http://www.guardian.co.uk/news/2006/may/25/leadersandreply.mainsection>

Hard copies are attached at tab AR.

The newspaper also reserves a space four days a week for a readers' column on the leader pages.

Another important source of supervision comes through the newspapers' legal department. As to the structure I refer to the witness statement of Gillian Phillips, current Director of Editorial Legal Services at GNM. The most likely (though by no means only) context for ethical issues to arise is in relation to investigative reporting. Articles of that type will usually be subject to extensive pre-publication legal advice internally and/or from specialist barristers and solicitors. We attach considerable importance to the availability of the so-called Reynolds defence, which inevitably involves scrutiny of the quality of sources and whether the journalism has been responsible. While I would not inevitably expect journalists to disclose the identity of confidential sources to the advising lawyer, the methods used would ordinarily be examined including (if there is any reason to suspect any departure from our usual practice) whether sources have been paid.

It is a matter of fact that the Guardian and The Observer carry little by way of celebrity 'private life' journalism beyond interviews where celebrities may choose to disclose private material about themselves or coverage of what is already publicly known.

The editorial structure of the newspaper flows from the creation of content, whether for the print or digital edition of The Guardian. Writers or reporters report into commissioning editors for features and news editors for news. On the news side, we have a team of specialist news editors, eg politics and environment, and they are the line managers for the specialist reporters in their areas. They will manage the reporters on a day to day basis, come up with story ideas with the reporters, edit their copy, deal with the legal department, and see the finalised story through to publication. They are supported by editorial managers, who

deal with administration, pay freelancers, process expenses, book travel etc, and managing editors who deal with staffing issues, budgets, discipline, pay. The specialist news editors report in to a Head of News and one of the Deputy Editors, who are responsible for the overall news content. They report in to the editor. The managing editors team liaise with the editorial legal team on more serious legal issues, deal with union issues, deal with complaints, PCC matters etc. The managing editors report to the editor. The managing editors meet every week with the HR department and the admin managers so that any staffing issues can be raised.

We also hold a daily open editorial meeting: so that any member of the editorial staff can come and discuss the day's content, or criticise editorial proposals. Insofar as an important proposed story involved significant ethical complications, I would expect them to be raised either at the meeting or, if especially sensitive, with me personally (or in my absence the appointed deputy). As to reporting lines, the deputy editors and managing editors report to the editor. One Deputy editor looks after News; another after comment and the Saturday paper; another after sport. Home, foreign and city editors report to the Deputy Editor (News). They take the daily decisions about content – and are the main line managers in terms of such matters as career development, assessments, and disciplinary matters. The managing editors' department has an overall responsibility for managing legal queries and legalling, budgets, pay, PCC matters, editorial policies, union negotiations, security of foreign correspondents, and training. A minor matter of discipline or concerns about minor ethical breaches would be handled at news editor level. If it were serious enough to be elevated to editor level it's likely that the managing editor would handle it in the first instance.

7. **Q (3) What your role is/was in ensuring that the corporate governance documents and all relevant policies are adhered to in practice. If you do not consider yourself to have been/be responsible for this, please tell us who you consider to hold that responsibility**

As Editor, I set the overall ethical standards by which the Guardian operates. The relevant Managing Editors and Heads of Department are in more direct control of the 600 or so journalists that we employ on the Guardian and The Observer and associated websites.

8. **Q (4) Whether the documents and policies referred to above are adhered to in practice, to the best of your knowledge**

All members of the editorial staff are made aware of the Guardian's

editorial code of conduct and can readily access it if needed. The PCC Code is part of every Guardian journalist's contract of employment. To the best of my knowledge and belief they generally comply. The Guardian and the Observer have a good record in terms of upheld PCC complaints. In my time as Editor, I can only recall one occasion on which the PCC came to an adverse adjudication against the Guardian on a matter (payment to criminals) which attracted widespread criticism and led to a change in the PCC Code. It is extremely rare that we are challenged on privacy either through the PCC or directly to the Readers' Editor (who handles around 25,000 complaints and queries a year). We are only aware of eight complaints involving privacy to either our own Readers Editor or the PCC since 2006 – a rate of 1.6 per year. None of the complaints dealt with by the PCC were upheld. Details can be supplied, if required.

In the course of publishing thousands of stories a week, we do occasionally fall short of the standards to which we aspire. Whenever we make an error that is considered significant, we endeavour to actively and speedily deal with such matters and publish a correction or clarification promptly and transparently. We have a dedicated and prominent column in the Guardian for this.

8. **Q (5) Whether these practices have changed, either recently as a result of the phone hacking media interest or prior to that point, and if so, what the reasons for the change were**

In August this year, we published a new version of the Editorial Code which amended it in some respects. Most relevant to the Leveson Inquiry would be the stiffening we made to the section on privacy (see pp xx). This now contains more detail about the circumstances in which intrusions into privacy can be considered or justified by Guardian News and Media journalists and the internal steps and authority that must be complied with. This was not, strictly speaking, provoked by media interest around phone hacking. It has been a concern of senior editors for some time, and was, indeed, suggested by me as a useful measure to incorporate in the PCC Code of Practice in late 2009. The reason for changing this aspect of the GNM Code is that, over time, the technical ability to intrude on people's privacy has increased, as have the broader concerns in society about who is infringing privacy and why. There has, of course, been corresponding concern about the treatment of privacy by digital organisations, governments, police services, health authorities, and other institutions.

9. **Q (6) Where the responsibility for checking sources of information (including the method by which the information was obtained) lies: from reporter to news editor/showbiz editor/royal editor to editor, and how this is done in practice (with some representative**

**examples to add clarity)**

Where the responsibility lies is obviously highly dependent on the circumstances.

Sources of information are myriad by nature – ranging from contemporaneous documents, to communications such as letters or emails, to recorded interviews to word of mouth. It can be first hand or second hand or third hand. The material can be obtained in a wide variety of ways from the entirely conventional to more sensitive means as appears from Clause 10 of the PCC Code which is headed “Clandestine devices and subterfuge” and states that, subject to possible exceptions in the public interest :

“(i) the press must not seek to obtain or publish material acquired by using hidden cameras or clandestine listening devices; or by intercepting private or mobile telephone calls, messages or emails; or by the unauthorised removal of documents or photographs; or by accessing digitally-held private information without consent.

(ii) Engaging in misrepresentation or subterfuge, including by agents or intermediaries, can generally be justified only in the public interest and then only when the material cannot be obtained by other means.”

This applies not only to material that we acquire by these means but to material that is given to us that has been obtained by these means. So it is important that we are aware of the means by which material has been obtained. The GNM Editorial Code has additional provisions (see, for example, the separate paragraphs headed Privacy, Sources, Subterfuge, and Verification). Obviously the reporting line depends on the seriousness of the issue. Some sources and methods are entirely uncontroversial; others are not.

Sources who are promised confidentiality must be protected. It is not uncommon for a source to require only their actual contact to know who they are. Especially in sensitive cases, sources may have very genuine concerns about their identity being revealed in terms of losing their job, being prosecuted, or being hounded.

It will be noted that the GNM Editorial Code requires not only that there should be a public interest where privacy is intruded upon, but that intrusions must be authorised at a sufficiently senior level and with appropriate oversight. This is fact sensitive and a matter of judgment.

I have explained at para 5 (Q2) page 5 how the editorial chain of command fits together.

Generally, reporters are the first line of contact on any story and they

will make the initial checks about sources of information. Much has to be left to the judgment of the reporter.

I would expect the reporter in the first instance to discuss issues of this kind with his immediate editor. Depending on the nature of the story, the expertise of the journalist, what is known about the source, such matters may be dealt with at a relatively low editorial level or they may need to be taken higher up the chain - to a head of department, or to a deputy editor or to a managing editor or to me. These are matters of judgment for the journalist and the editor. Where there is perhaps only a single (perhaps anonymous) source for a contentious story, I would expect the editor to ask the reporter about such matters as whether there are other ways of testing the veracity of the evidence, whether the source is trusted and is in a position to know what they are divulging, and whether the story is in the public interest. If there is a possibility that additional confirmation could be obtained by holding off for a few days, then we may need to wait unless there is a news imperative for getting the story out immediately.

I refer above to the important role of "editors". Ten years ago the Guardian, Observer and website each had separate "generalised" news desks. Today there is more integration, but also more specialisation.

10. **Q (7) To what extent an editor is aware, and should be aware, of the sources of the information which make up the central stories featured in your newspaper each day (including the method by which the information was obtained)**

See previous answer in relation to sources.

11. **Q (8) The extent to which you consider that ethics can and should play a role in the print media, and what you consider 'ethics' to mean in this context**

Ethics should certainly play an important role in print media both as to content and as to how information is obtained. Newspapers have an enormous power to shape debates and, generally, over people's lives. It is right that we operate by agreed professional codes of conduct and that we exercise that power carefully and responsibly. It is for this reason we have an Editorial Code. Ethics in this context normally means operating according to standards of behaviour, which would be acceptable to an ordinary reader with reasonable values.

12. **Q (9) The extent to which you, as an editor, felt any financial and/or commercial pressure from the proprietors of your newspaper or anyone else, and whether any such pressure affected any of the decisions you made as editor (such evidence**

**to be limited to matters covered by the Terms of Reference**

The Guardian is owned by the Scott Trust, so it does not have a "proprietor" in any conventional sense. Trustees do not discuss the editorial or political line of the paper. There are certainly commercial pressures on the Guardian. We operate in an extremely competitive market including new media players such as Google, Facebook, Youtube and Twitter. However I have never felt that financial or commercial pressures have inappropriately affected my decisions as Editor.

13. **Q (10) The extent to which you, as an editor, had a financial incentive to print exclusive stories (NB. It is not necessary to state your precise earnings)**

I receive a straight salary. I have never had any financial incentives relating to editorial material, nor does any Guardian journalist. I have not received a bonus for several years and when I did it did not contain any financial incentive relating to editorial material.

14. **Q (11) Whether, to the best of your knowledge, your newspaper used, paid or had any connection with private investigators in order to source stories or information and/or paid or received payments in kind for such information from the police, public officials, mobile phone companies or others with access to the same: if so, please provide details of the numbers of occasions on which such investigators or other external providers of information were used and of the amounts paid to them (NB. You are not required to identify individuals, either within your newspaper or otherwise)**

In 2000, we commissioned a report about allegations of corrupt links between an international corporation and officials in Europe and Whitehall. We used a corporate security company run by two leading former SIS officials. They could not substantiate the allegations and no report appeared.

In December 2006 the Information Commissioner's Office ("the ICO") published a report entitled "What Price Privacy Now" which in a table (on page 8) revealed that The Observer had extensively used the services of Steve Whittamore, a private investigator – not for hacking phones but for obtaining information in circumstances which could infringe the Data Protection Act ("the DPA") in the absence of a public interest defence. The Information Commissioner did not express any conclusions as to whether such a defence would have been available. He recognized (at page 8 of the Report) that some of these cases "may have raised public interest or similar issues" and noted that "no such defences were raised by any of those interviewed and prosecuted in Operation Motorman" (none of whom were journalists). I was alerted to the ICO's ongoing inquiries by Nick Davies. Training sessions were

arranged between March and June 2007. I informed the Chair of the Scott Trust. Roger Alton issued a public statement [attached at tab AR] which included the following:

“...There were strong public interest defences for most of those cases, it is possible that some of the inquiries did not sufficiently fit that criteria. As a result, I have now taken steps to ensure that no inquiries will be made through outside agencies unless I believe that there is a compelling public interest to do so.”

I further refer to the witness statement of Mr Mulholland on this issue.

The Guardian did not feature in the ICO's list.

Other than as stated above, since the publication of “What Price Privacy Now” in December 2006, I do not believe that the Guardian or the Observer newspaper has used or paid private investigators in order to source stories or information and/or paid for such information from the police, public officials, mobile phone companies or others with access to the same.

There have been occasions when staff joining from other titles have asked whether they can use a Private Investigator. The answer has been no, except to access information in the public domain. I cannot be certain that no Guardian journalist - particularly one joining from another newspaper - has ever used a Private Investigator for other purposes, but neither I nor any of my senior editors are aware of any such use. Expense sheets specify the payee, and we have found no evidence of such use in them.

15. **Q (12) What your role was in instructing, paying or having any other contact with such private investigators and/or other external providers of information**

I personally commissioned the corporate security company referred to above in my answer to Q (11). In more than 16 years as Editor, I am not aware that I have ever met, or paid any private investigators.

16. **Q (13) If such investigators or other external providers of information were used, what policy/protocol, if any, was used to facilitate the use of such investigators or other external providers of information (for example, in relation to how they were identified, how they were chosen, how they were paid, their remit, how they were told to check sources, what methods they were told to or permitted to employ in order to obtain the information and so on.**

I had no discussions with the company involved about their methods in

(11). I relied on the standing and professional experience of the individuals concerned.

For the avoidance of doubt, The Guardian and the Observer pay subscriptions to various bodies whose servants may be described as public officials such as:

- [192.com](http://192.com) [addresses and neighbour's addresses from present and historic electoral rolls]
- Companies House [addresses and dates of birth]
- Land Registry [ownership of properties]
- Nexis [media references to individuals]
- Factiva [ditto]

We have used other companies for the provision of similar uncontentious information, which is not "private" in nature (usually because they are quicker and more comprehensive than the separate registries listed above, for example, Commercial and Legal Services UK Limited, has a range of these databases to hand). The ones I am aware of are Commercial and Legal Services UK Limited and Census Searches Limited. Since this Inquiry commenced it has been drawn to my attention that the former company currently describes itself as a private investigator on the website, but I understand that it is not in that context that we have used their services.

**17. Q (14) If there was such a policy/protocol, whether it was followed, and if not, what practice was followed in respect of all these matters**

See (11).

**18. Q (15) Whether there are any situations in which neither the existing protocol/policy nor the practice were followed and what precisely happened/failed to happen in those situations. What factors were in play in deciding to depart from the protocol or practice?**

See (11).

**19. Q (16) The extent to which you are aware of protocols or policies operating at your newspaper in relation to expenses or remuneration paid to other external sources of information (whether actually commissioned by your newspaper or not). There**

**is no need for you to cover 'official' sources, such as the Press Association**

Yes I am aware of these. In addition to our Editorial Code and Anti-Bribery and Corruption Policy, we have internal policies about reclaiming expenses. They are on our intranet. The system for the payment of expenses (including to external sources of information) is conducted through the managing editor's department. The managing editor has regular discussions with individual editors about their departmental spend. I have a clear idea how the processes work.

**20. Q (17) The practice of your newspaper in relation to payment of expenses and/or remuneration paid to other external sources of information (whether actually commissioned by your newspaper or not). There is no need to cover 'official' sources such as the Press Association**

Our practices are covered by our policies. We pay non-staff journalists and contributors either per article or on a contract. More detail can be supplied if needed.

We do sometimes pay for drinks or meals with sources including public officials and police officers. I refer further to Nick Davies' witness statement on this issue. As far as I am aware we do not pay for such things for mobile phone companies. Where journalist pay for drinks or meals with their sources, these would be put through the normal Guardian expenses procedure.

We also pay expenses to freelance journalists, and they are invoiced directly to editorial and processed by Administrators using the GNM Rights Commissioning System ("RCS"), a bespoke payments system.

As well as the RCS system, which is used for editorial content which makes up the vast majority of editorial spend, we also use the Procure to Pay system (P2P), whereby regular suppliers of other services – eg travel, subscriptions, venue hire – have their payment details recorded and transactions are given a unique purchase order number which enables the invoice to be paid. Where we make one-off payments to non-contributors, because we do not expect to use them again, we request a cheque or a BACS transfer through the finance department, which keeps a record of them.

We also pay what are known colloquially as "tip" fees – small payments to freelance journalists and occasionally members of the public for information for stories. To the best of my knowledge we do not pay tip fees to the police, public officials or mobile phone companies. Administrators will also use RCS to process miscellaneous payments, such as tip fees.

Expense claims are self-approved by the administrator entering the claim if the amount does not exceed their approval limit. Should the amount exceed this limit, approval is undertaken by the next manager with higher approval limits.

#### Approval Limits

Role	Commission Limit (Typical Ranges)	Expenses Limit (Typical Ranges)
Managing Editor	£1000-£5000	£200-£5000
Departmental Head	£500-£1000	£200-£1000
Commissioning Editor	£100-£5000	£100-£1000
Administrator	£100-£500	£50-£200

At any time we have around 450 users of the RCS payment system.

Staff journalists are also permitted to entertain their contacts and claim this on the expenses. We publish clear guidelines on our intranet on what is acceptable and if journalists exceed these limits their claims will be referred to the managing editor for discussion. These can be provided if required.

21. **Q (18) In respect of editorial decisions you have made to publish stories, the factors you have taken into account in balancing the private interests of individuals (including the fact that information may have been obtained from paid sources in the circumstances outlined under paragraph 11 above) against the public interest in a free Press. You should provide a number of examples of these, and explain how you have interpreted and applied the foregoing public interest**

GNM's Editorial Code states the balancing act that must be undergone – and the processes reporters and executives must follow – before we intrude on privacy. We do not generally publish private life exposes as opposed to interviews or public domain material, so that particular private life-public interest balance is rarely in play.

In general, we believe that public figures are entitled to a private life unless it can be shown that their activities are against the law, are in conflict with their public pronouncements or duties or are so offensive that they could affect their public office or

activities. To the best of my knowledge, while we have been served with injunctions for breach of confidence, we have never been sued for invasion of privacy, or been in receipt of injunctions on grounds of breaching privacy.

The updated GNM Editorial Code sets out an adaptation of what we refer to as "the Omand principles" (based upon guidance drawn up by the former Government Communications Headquarters director Sir David Omand – launched as his ethical principles for intelligence in an article in 2006,

David Omand, 'Ethical Guidelines in Using Secret Intelligence for Public Security', Cambridge Review of International Affairs, Vol 19 No. 4, December 2006), which contain five criteria for intruding on privacy:

1. There must be sufficient cause - the intrusion needs to be justified by the scale of potential harm that might result from it.
2. There must be integrity of motive – the intrusion must be justified in terms of the public good that would follow from publication.
3. The methods used must be in proportion to the seriousness of the story and its public interest, using the minimum possible intrusion.
4. There must be proper authority – any intrusion must be authorised at a sufficiently senior level and with appropriate oversight.
5. There must be a reasonable prospect of success; fishing expeditions are not justified.

This would appear to give more in-depth guidance than the PCC Code.

**22. Q (19) Whether you, or your newspaper (to the best of your knowledge) ever used or commissioned anyone who used 'computer hacking' in order to source stories, or for any other reason**

No.

I believe that the contents of this witness statement are true.

[Redacted Signature Box]

Alan Rusbridger

28 September 2011

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Date

**A Rusbridger  
September 2011**

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

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**WITNESS STATEMENT OF  
ALAN RUSBRIDGER**

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