

**The Leveson Inquiry**

**Witness Statement for Part 1, Module 1**

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**Witness statement of Charlotte Harris**

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I, Charlotte Harris of Mishcon de Reya Solicitors, Summit House, 12 Red Lion Square, London will say as follows:

1. I make this statement in connection with my role as a Core Participant to assist the Leveson Inquiry.
2. For the purposes of this statement, I refer to a small paginated bundle of documents marked "CH1". Where I refer to page numbers in this statement, I am referring to pages in "CH1". "CH1" should remain strictly confidential.
3. I am an employed barrister at the London law firm Mishcon de Reya. I specialise in media law, in particular defamation, privacy and harassment. My clients include well known individuals such as sportspeople, politicians and TV personalities. For example, recent privacy cases I have conducted include *Ntuli v Donald* (Court of Appeal), *Vanessa Perroncel v NGN*, *NEJ v Wood* and *AMN v HXV*. In 2009 I sued NGN on behalf of Max Clifford. I now represent a substantial number of phone hacking claimants (and potential claimants) including Sky Andrew, Ulrika Johnsson, Abi Titmus, James Hewitt, Paul Dadge, Calum Best, Sally King and Mark Oaten, all who have claims at the High Court in respect of phone hacking. Some of my clients are Core Participants in this Inquiry or may become Core Participants in this Inquiry. I also acted for Lee Chapman, Leslie Ash and their children in respect of phone hacking. I am acting for Rebecca Leighton in respect of her treatment by the press during and after the time of her arrest over allegations of poisoning patients at Stepping Hill Hospital that were consequently dropped through lack of evidence.

4. Prior to joining Mishcon de Reya I was Head of Media at the Manchester law firm JMW.
5. The purpose of this witness statement is to assist the Inquiry in its understanding of the surveillance of me whilst conducting hacking claims against NGN. I also hope to assist the Inquiry on the nature of press treatment of my clients in and around phone hacking, and in circumstances where they have become victims of press intrusion.
6. The surveillance was to obtain private information about me and my family. The information contained in the various reports and correspondence relating to the surveillance is, at times, speculative or simply inaccurate. In my view, it should not be made public by way of being published via the Inquiry either to the public or to the other Core Participants. I hope that suitable safeguards will be imposed to prevent any further invasions of our privacy.
7. I attach a confidential exhibit "CH1" to this witness statement which contains all the material in unredacted form. However this is produced for the Inquiry Chairman and counsel to the Inquiry who will be questioning me. I value my privacy and the privacy of my family and am anxious to prevent that privacy being invaded any further. Some of the material is not only private but also confidential to others. Much of it may be legally privileged.
8. In May of this year I had a meeting with an individual I know and trust. The individual is not a journalist, politician, claimant or phone hacking victim and I had never discussed this aspect of my practice with them. I do not intend to name this individual. In the meeting I was given documents which contained 20 pages [CH1 6 – 26]. The document appears to be a report prepared to brief an individual or group of individuals on the phone hacking scandal. There is a section in the report that is headed "Report III" which contains material on the lawyers involved in the phone hacking cases including me and two others. The material is highly intrusive.
9. The individual who gave me the documents told me that I should "watch myself" because I was being followed. I read the report immediately. It was clear that an intrusive personal investigation had been conducted on me simply

because I was a lawyer involved in the phone hacking cases. The purpose of the report was to obtain information which could be made public in the hope of putting pressure on me presumably to deter me (and my clients) from pursuing claims against the company. [REDACTED]  
[REDACTED], as it makes reference to where I am living and where I am now working. The report indicates that I had been under surveillance. I shall call this report Surveillance Report 1, for clarity.

10. I showed Surveillance Report 1 to my close family members, and to a limited few in order to ascertain its origin. As two other lawyers were also the mentioned in Surveillance Report 1, I made them aware of its existence. I concluded that Surveillance Report 1 may not have been prepared by NGN; Surveillance Report 1 made references to a strategy at NGN to put pressure on the lawyers involved in hacking cases by using private and intrusive information. I thought that it would be appropriate to go directly to the new senior management at News International responsible for the handling these issues and ask them for their view on it. The reason why I did not approach Tom Crone, News International's former in-house lawyer, is set out below.
11. As a litigator, I generally try to remain on civil terms with my opponents. In my view it is often beneficial to my client that I remain on reasonable terms with his/her opponent even if the client cannot. By virtue of my work against NGN I knew and was on reasonable terms with Tom Crone. I had spoken with him over the years, and in particular, after I became a partner and ran my own caseload, we had been in direct communication in respect of the Max Clifford and Sky Andrew's phone hacking cases. Usually, it would be Tom Crone to whom I would go to in the first instance about any issues that arose about a client. I would even go so far as to say that following Max Clifford's settlement, we were friendly enough to sort many matters out with a simply mobile telephone call or quick email or text, often at evenings or weekends. This worked very well for clients who appreciated the speed in which issues could be directly dealt with. I valued this relationship with Tom Crone and it made the running of my practice efficient. I understood that it was relatively

unusual for a claimant lawyer to have such easy and direct contact with Tom Crone. In November 2010, Tom Crone very suddenly stopped speaking to me at all. I did not understand what had happened at that point. Obviously I had no idea that during the time when we spoke regularly about cases he had placed me under surveillance.

12. Shortly before I had obtained Surveillance Report 1, on or around 12 May 2011, I attended the launch of Sky News anchor, Kay Burley's, novel. At the book launch, I met Daisy Dunlop who at the time worked with Simon Greenberg, the Director of Corporate Affairs at News International. Simon Greenberg had been taken on to handle the phone hacking scandal. Daisy had introduced herself to me and we had a conversation the upshot of which was that we agreed it would be a good idea to open the lines of communication between us. The following day she emailed me suggesting that we get together with Simon Greenberg and talk about the various issues that the litigation had raised. As always, I was very willing to explore such options and accepted.
13. Before that meeting could take place, I obtained Surveillance Report 1. I called Daisy and said that that I wanted to see Simon Greenberg as soon as possible. I told her what it was about. A meeting was arranged immediately and I went to his office in Wapping. At the meeting I showed Simon Greenberg Surveillance Report 1. Simon told me that he was shocked, but that he did not think the report had been commissioned by anyone at News International or its subsidiaries. Part of the Surveillance Report 1 mentioned Simon himself, his colleague William Lewis, and others at News International. I should add that the part of the Report that mentioned Simon was about the fact that he had been taken on and his professional background. It did not implicate him in the scandal, but did refer to him in terms of his appointment to sort the scandal out. He said that he would find out what, if any, role News International/NGN had in commissioning the Report. I allowed him to take a copy of the documents except the parts which concerned specific information about the private life of myself and other lawyers. He assured me that the investigation would be conducted sensitively and the documents would remain

secure. I have since had no reason to doubt his sincerity and that his assurances were met.

14. During a meeting later that month with the Metropolitan Police Commission's Operation Weeting team, I mentioned Surveillance Report 1. They asked me to provide them with the documents. At this point, I was not convinced that it had anything to do with News International/NGN. I remain of that view in respect of Surveillance Report 1. I do not know who commissioned it. Evidence is extremely important. Surveillance Reports 2 and 3 (which I shall come to below) were commissioned by executives or lawyers working for News International/NGN, and this is supported by proper evidence.
15. In August 2011 I had another meeting at Wapping. By this time Simon Greenberg was working for News Corporation's Management and Standards Committee (MSC). He told me that he had found some relevant material in Tom Crone's office but it was not the same as the material that I had shown him. He did not show me the material. For clarity, I will call the materials found in Tom Crone's office Surveillance Report 2 [CHI pages 49-54 and 76-84]. I was surprised that anything of this nature would involve Tom Crone, or that Tom Crone would ever put me under surveillance. If he had any concerns about me, he could have raised them directly. Simon Greenberg assured me that having made the discovery he would be looking further into the matter. Tom Crone had left News International in July. Simon Greenberg said that he would have to deal with it appropriately. I understand that his/News International's investigation was at an early stage. He said that he would let me know as soon as possible what was happening.
16. On 21 July 2011 BBC Newsnight reported that I and other lawyers conducting phone hacking cases had been placed under surveillance. I was not the source of this story. I handed all I had, which was Surveillance Report 1, to the police on 22 July 2011. Another story about lawyers including me being targeted was published on the front page of the Independent on 3 September 2011.

17. Simon Greenberg spoke to me again in relation to this matter in September. In a telephone call, he explained that he, as a member of the MSC, had passed a file of papers to the police which related to his investigation into the surveillance of me. He said that he wanted to tell me himself given the fact that we had worked together to try and get to the bottom of this. This is the full file of papers in [CH1]. It contains Surveillance Report 1 and 2. This full file was provided to me in a meeting with the police on 3 November 2011. The documents contain the product of surveillance commissioned by NGN (who instructed Derek Webb) and Julian Pike of Farrer & Co on their behalf (who instructed a firm called Tectrix). When I read the entire file it seemed to me that Simon Greenberg had obtained the information from within his organisation, and also from Farrer & Co. Julian Pike of Farrer & Co was handling the phone hacking litigation for NGN.
18. The entire file contains emails and meeting notes between NGN and Farrer & Co. The documents contain comments on my private life and that of my family, for example, private information contained within an email from Julian Pike to a private investigator in May 2010, and further emails about the price of obtaining information relating to my children then aged 2 and 4 [CH1 42-48]. There can be no justification for this conduct. The motive was to attempt to discredit those solicitors who were conducting the phone hacking cases. The Reports were prepared in order to find a way of stopping us acting in these cases. News International has now admitted that this surveillance was "deeply inappropriate".
19. Within the last two weeks, Channel 4 have shown me further material they obtained from the private investigator, Derek Webb (instructed by NGN). This is what I describe as Surveillance Report 3. These documents show that I was under surveillance in March and April 2010. It appears to me that this surveillance may have been separate to the surveillance contained in the file the police handed to me on 3 November 2010. I have written to the Information Commissioner in relation to Surveillance Report 3 and am awaiting his response. This report identifies surveillance activities relating to a large number of people. From this report I note that an investigator been

tasked with uncovering private information about me and had travelled to Manchester where I was living. I am the only lawyer involved in phone hacking mentioned in this report. The timing of the Surveillance Report 3 is important. From March 2010 to the end of May 2010 the intensity of the litigation was increasing. In my view this organisation and its lawyers thought that they could still pursue a strategy that would contain their liability and deter others from pursuing them. I had many conversations with Tom Crone at that time. He was absolutely wedded to the defence that there was only one rogue journalist engaging in phone hacking. My correspondence with Julian Pike had ended when we had a telephone conversation in or around May 2010 when he said something like "I know what you are". I was not sure what he meant by that at all and I certainly did not know that he had put me under surveillance. I told my senior partner at JMW, Bill Jones, at the time. We decided it was best not to speak to Julian Pike on the telephone anymore, but to do everything in writing.

20. As a lawyer, my main concern is for my clients. As a mother, my main concern is for my children. The surveillance was, to use News International's words, deeply inappropriate. As a lawyer I have gained an insight into the experiences of my clients who have also been subject to surveillance or have been victims of phone hacking. However, to become a target is a very strange situation for a lawyer to find themselves in. I now know why some victims have said that they felt violated by this intrusion into their lives and the lives of those who are near and dear to them because that is how I feel.

**Statement of Truth**

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

DATED the 5 day of December 2011

SIGNED: .....