

Statement made on behalf of: The Commissioner of Police of the Metropolis .

Witness: Sue Akers

Statement No: 1

Exhibits Referred to: None

Date Statement Made: 11 November 2011

The Leveson Inquiry into the Culture Practices and Ethics of the Press

Witness: Sue Akers

Occupation: Deputy Assistant Commissioner

Address: c/o New Scotland Yard

I believe the facts stated in this witness statement are true

Signed...

1. I joined the Metropolitan Police Service (MPS) in 1976 and have spent the vast majority of my career as a detective serving at police stations all over London. Specialist postings have included the Serious and Organised Crime Group on a variety of squads, child protection and homicide investigation at Detective Inspector, Detective Chief Inspector and Detective Superintendent ranks. I also trained as a hostage negotiator.

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2. From 2001 until 2004 I was the Borough Commander for Barnet before attending the Strategic Command Course and being promoted to the rank of Commander in 2005.

3. My first posting as a chief officer was as the Commander of the Directorate of Professional Standards. This role had a wide ranging responsibility including anti-corruption investigations, public complaints and internal investigations, misconduct issues and civil claims against the MPS. I was heavily involved in building effective working relationships with the newly constituted Independent Police Complaints Commission.

4. I returned to the business of specialist crime in 2007 and held the post of Commander for Organised Crime and Criminal Networks. This role involved, among other things, responsibility for gun crime in London - both Flying Squad and Trident-, kidnaps and tackling organised criminal networks.

5. I was awarded the Queen's Police Medal for services to policing in the 2007 Queen's Birthday Honours.

6. On being promoted to Deputy Assistant Commissioner in 2009 I widened my specialist crime remit and led the MPS response to all serious and organised crime, adding homicide, serious sexual offences, child abuse, economic and e-crime to my previous posting's responsibilities. Delivery

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of forensics, intelligence, covert assets and specialist training to support the operational response, also fell within my area of business.

7. In addition to my general responsibilities as deputy to the Assistant Commissioner, Specialist Crime, I have led several of the highest profile MPS investigations including: -

- Allegations of complicity into the torture of detained suspects by British officials;
- Allegations of phone hacking - Operation Weeting;
- Allegations that the police accepted payments for supplying information to newspapers - Operation Elveden;
- Allegations that private investigators hacked into computers for private information on behalf of journalists - Operation Tuleta.

Since June 2011, due to the size and complexities of these enquiries, I have been largely dedicated to their oversight.

8. This statement is made in relation to my role as Head of Operations Weeting, Elveden and Tuleta. I am ultimately the person in charge of these investigations and I report to the Deputy Commissioner.

9. My role within Operation Weeting is to set the parameters and strategy for the investigation and to have ultimate operational oversight. It is also

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my responsibility to ensure that the investigation is conducted in a rigorous, efficient and robust manner, to ensure that work is prioritised, that appropriate resources, including detectives and police staff with the right mix of skills, are deployed to this major inquiry.

10. Operation Weeting commenced on 26 January 2011. It followed on from two previous MPS enquiries into phone hacking, these being Operation Caryatid from 2006 to 2007 and Operation Varec in 2010.
11. Operation Caryatid led to the prosecution of Glenn Mulcaire, private investigator and Clive Goodman, the Royal Correspondent for News of the World. Both pleaded guilty to counts of voicemail interception and an overarching count of conspiracy to intercept communications. On 26 January 2007 both were sentenced to terms of imprisonment.
12. Operation Varec was commenced in order to review claims made in the New York Times newspaper on 1 September 2010 that Andy Coulson had in fact known more about phone hacking than he had admitted publicly. This investigation led to a number of persons being interviewed under caution but no prosecutions were forthcoming.
13. On 26 January 2011 a new police investigation, Operation Weeting was announced in light of significant new information being provided to the

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MPS by News International relating to allegations of phone hacking at the News of the World in 2005/2006.

14. Operation Caryatid and Operation Varec had been undertaken by the Counter Terrorism Command in Specialist Operations. However, in view of their workload in early 2011 and the continuing severe terrorism threat level, it was decided that it would not be appropriate to divert that unit from its core business and responsibilities. Accordingly, I was appointed to lead the new investigation from within the Specialist Crime Directorate.

15. Operation Weeting is actively undertaking a robust and thorough investigation. Numerous lines of enquiry arising from material seized are currently being pursued. The main two strands being considered are:

- (i) the identification of potential victims; and
- (ii) a criminal investigation, which I have publicly stated will follow the evidence trail to its conclusion.

IDENTIFICATION OF POTENTIAL VICTIMS

16. On my appointment I decided that a fresh approach towards informing victims and potential victims should be adopted.

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17. Documents seized in 2006 by Operation Caryatid included Mulcaire's notebooks which run to some 11,000 pages. The number of potentially identifiable persons who are contained within the documents seized (and who therefore may be victims) where names (a surname and at least an initial) are noted is 5,795. The quality of the data referring to these individuals varies greatly from a simple mention on one page to entries on multiple pages covering extensive enquiries into a potential victim and those associated with them. It has also been established that the person being "targeted" by Mulcaire, may not always have been the person identified in the document, as often the hacking was directed at associates of the true target with a view to finding information about the true target. Accordingly, this figure is very likely to be revised as further analysis of the documents continues and as more and more potential victims are interviewed.
18. The range of the persons contained within those documents is extensive and not only include politicians, members of the Royal Household, high profile figures such as sports personalities and actors, but also victims of crime, other journalists (e.g. from the News of the World itself) and police officers, including very senior officers such as a previous MPS Commissioner. It is a general matter of concern and legitimate public interest as to how Mulcaire obtained these details and this is a strand that is under active investigation.

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- 19. Operation Weeting is working closely with all the phone service providers to identify individuals who are contained within the documentation we hold.

- 20. Part of my team are also currently making contact with everyone whose personal details they can identify from within the documents seized in 2006. This is a major task and is taking a significant amount of time and resources. In some cases, contact is made on the initiative of my team, when they are able to discern contact details from the material; sometimes the contact is made at the initiative of the individual, when they make contact with the team to ask if their details appear in the material.

- 21. To date some 1,800 individuals have been contacted to inform them as to whether their details appear in any of the documents seized. Of these, approximately 600 do appear in the documents and have been spoken to, notified and given the opportunity to see the document(s) that contain their details. My team have been responsible for identifying, initiating and then contacting 400 of these individuals. The remaining 200 made the initial enquiry to my team to ask if their details appeared in the material. Some of these individuals have provided statements to police to assist with the criminal investigation and any subsequent prosecution. It will take the police a significant period of time to make contact with all of the remainder. Many of these individuals have informed police that they do not want their details or names to be released into the public

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domain and we are striving to protect the rights of these individuals and their confidentiality.

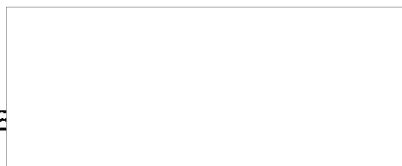
CRIMINAL INVESTIGATION

- 22. In relation to Operation Weeting, 13 suspects have to date been arrested. The offences currently being considered include conspiracy unlawfully to intercept voicemails contrary to s.1(1) Criminal Law Act 1977 and the illegal interception of communications contrary to s.1 RIPA 2000. The 13 suspects have been released by police on pre-charge bail and most are due to return to the police station in March 2012 and all are likely to be re-interviewed. It is impossible to anticipate what significant evidence the police may need to question them about in due course.

- 23. Operation Weeting is also currently assessing whether there may be evidence that some of the suspects engaged in similar phone hacking conduct while employed by other newspapers. This line of enquiry, however, is still at a relatively early stage.

- 24. Additional suspects are also still being identified and the investigation is still searching for and obtaining / seizing / acquiring / evaluating and assessing a substantial volume of new material.

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25. Our enquiries are ongoing and it is essential to recognise that the evidential significance of much of the material referred to below is not yet fully known. This has already become apparent on a number of occasions when we have come into possession of a document that on the face of it may appear to carry a clear meaning but which, upon further investigation, has turned out to be neither accurate, true or fair.
26. The following overview of the current police investigation is therefore only a snapshot picture and an incomplete picture at that, of the position as of the date of this statement.

MULCAIRE

27. Operation Weeting has to date established that there is evidence that a formal contractual relationship existed between the private investigator Glenn Mulcaire and the News of the World from 1 September 2001. This was remunerated at a weekly rate which in 2001 equated to an annual figure of £92,000. Additional payments were made for material which resulted in the publication of specific stories.
28. The contract was renewed on effectively an annual basis although at various times the name given to the party contracting with the News of the World was not recorded as 'Glenn Mulcaire'. From 2002 the basic remuneration being paid to Mulcaire increased to an annual figure of

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£104,988 plus bonuses. He continued to be paid weekly by the News of the World until 21 January 2007.

29. On 26 January 2007 Mulcaire was sentenced to 5 months' imprisonment. He was released from custody on 26 April 2007. On 23 February he informed the News of the World that he intended to commence unfair dismissal proceedings against them in an employment tribunal. The papers Mulcaire prepared for this purpose made reference to others in the newspaper being aware of his phone hacking activity.
30. Some of the current police suspects had a direct involvement in one or more of the renewals of Mulcaire's contract.
31. While information about Mulcaire's contractual relationship with the News of the World is in the public domain, the part played by current suspects in making these arrangements is not. Neither are the full details of his employment proceedings, although the fact of the proceedings were disclosed to the Culture and Media Select Committee and some details of this are disclosed on their website.
32. Mulcaire's own records indicate that the 'hacking' of mobile phones was central to his conduct. Although he may have used other methods of research, these appear to have been largely to support and facilitate this central activity. This is evidenced by:

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- (i) Mulcaire's written records. As stated in paragraph 17, there are approximately 11,000 pages of material of this nature, covering the period from January 2001 until August 2006. These consist of daily tasking sheets which incorporate general research and the result of hacking activity. Mulcaire's practice was to write the name of the person tasking him on each sheet. Nine potential suspects are so named.
- (ii) Emails he exchanged with key suspects employed by the News of the World. Some of these refer directly to the product of what can have only been hacking.
- (iii) Audio tape recordings of voicemails being hacked.
- (iv) Notes of hacked voicemail messages, plus one full transcript containing the content of a number of messages.
- (v) Telephone records evidencing hacking activity interspersed with telephone contact with those responsible for his tasking.

33. Although the existence of Mulcaire's named daily tasking sheets is in the public domain, the names of potential suspects and most victims as recorded by Mulcaire on these sheets are not.

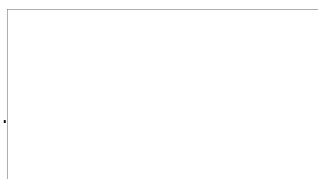
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34. The earliest identified incident of hacking by Mulcaire for which evidence has been recovered to date arises from his accessing the voicemail of Milly Dowler in April 2002. The evidence surrounding this is subject to the ongoing police investigation.
35. Numerous lines of enquiry arising from Mulcaire's material are currently being pursued some of which is considered to provide direct evidence of the knowledge and participation of suspects in his phone hacking activity. During the current investigation it has formed the basis for questions asked of suspects under caution during police interviews. Until all lines of enquiry have been completed it remains possible that other parts of the material, the significance of which is still being assessed, will form the basis for further questions in subsequent interviews.

GOODMAN

36. In March 2007 Clive Goodman sought to appeal the decision of the News of the World to dismiss him from his employment following his conviction in 2006 for phone hacking. Copies of his appeal documents were provided to the investigation by News International in June 2011. In these Goodman names some of the current suspects as having knowledge of his phone hacking activities and also claims that they also supported

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such activities. These documents are not currently in the public domain. Goodman's appeal was settled by his former employer in April 2007 at which time he was paid £140,000.

37. In June 2011 News International also provided the MPS with material which led to the establishment of Operation Elveden. This material was drawn in part from the files of Harbottle and Lewis, Solicitors, and consisted of emails exchanged during 2003 and 2005. The full content of these emails has not been released into the public domain and to do so at this stage would seriously interfere with the police investigation.

38. Other exhibits that have been seized from suspects following arrest in relation to both Operations Weeting and Elveden are also being examined for evidence of payments to police officers. These include both documentary exhibits and computer hard drives. Other electronic data has been requested from News International and is awaited.

OTHER LINES OF ENQUIRY RELATING TO PHONE HACKING

39. Since Operation Weeting commenced the investigation has obtained a vast quantity of other previously unexplored email data from a variety of sources.

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- (i) News International has an enormous quantity of material which is, or may be, relevant to our investigation. Some of this may be evidence in the event of prosecutions. The only options we have available to obtain that material, given it will largely comprise of journalistic material, is either for it to be produced voluntarily or produced pursuant to a court order. Given there are both legal and practical difficulties in obtaining such material, we have been left with little alternative but to obtain evidence from News International by voluntary production.

- (ii) News International has therefore been providing the investigation with categories of emails on request, subject to a filtering process which are set out in a voluntary disclosure agreement. Some of these contain evidence of the knowledge and participation of suspects in the phone hacking activities of Mulcaire. Such emails have formed the basis for further lines of enquiry by the police including leading to the identification of potential witnesses who are still to be interviewed. This email data has also formed the basis of questions to suspects during police interviews and has enabled the identification of further victims.

- (iii) The seizure of various items of property from the suspects following arrest has revealed other email activity that appears to support

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current lines of investigation. Some exhibits have revealed evidence of criminal conduct in addition to the suspected phone hacking.

- (iv) Detailed forensic work has been carried out by police hi-tech investigators, resulting in the identification of numerous potential sources of email data. One of these comprises the content of News International's main server prior to 2005, this being material that had previously been described by the company as being permanently deleted. As a result the investigation has last week begun the process of examining a database of 300,000,000 emails using key word searches. The volume of material necessarily means that this process will not be completed for some time.

40. I recognise that the previous investigation that led to the conviction of Mulcaire and Goodman, and more particularly the steps that they took thereafter, have been the subject of criticism. My team and I are committed to ensuring we carry out our investigations fully and thoroughly and to the best of our abilities in order to regain public trust and confidence. To that end my greatest concern is to ensure that nothing in this Inquiry prejudices or risks prejudicing the integrity of my investigations.

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