

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

Witness: Mark Maberly

Statement No: 1

Exhibits Referred to:

Date Statement Made: 30th September 2011

In the matter of Judicial Review Proceedings:

THE QUEEN
on the application of

- (1) CHRIS BRYANT MP
- (2) BRIAN PADDICK
- (3) LORD PRESCOTT
- (4) HJK
- (5) BEN JACKSON

Claimants

- and -

THE COMMISSIONER OF POLICE OF THE METROPOLIS

Defendant

Witness: Mark Maberly

Occupation: Police Officer

Address: c/o New Scotland Yard

I believe the facts stated in this witness statement are true

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1. I have served as a Police Officer within the Metropolitan Police Service (MPS) for 23 years. In my professional role I have been exposed to a wide range of policing experience that would include uniform local policing, public order and criminal investigation of both a proactive and

SIGNED

DATED

30/09/11

1

106

an investigative nature. In my roles I have represented the MPS both nationally and internationally whilst dealing with incidents of serious crime.

2. I joined the MPS in 1988 and spent my first five years as a uniform constable on Borough. In 1993 I joined the Territorial Support Group (TSG), working in both uniform and plain clothes. During this posting I became a surveillance trained officer and also completed courses to become an authorised firearms officer. In 1997 I joined the SCD11 Surveillance Command as a dedicated surveillance officer which included work around terrorism, organised crime networks, kidnap and other serious crime. In 1999 I was promoted to Sergeant and transferred to a uniform role on Borough. In 2000 I transferred into the Criminal Investigation Department (CID) joining the Borough Crime Squad. In 2003 I completed the Initial Management of Serious Crime Course at the Crime Academy. After this I was posted to a variety of roles within the CID including the Sapphire Unit, dealing with rape and serious sexual offences, and the Critical Incident Team where I dealt with serious assaults, suspicious deaths and other high profile investigations. In 2004 I qualified to be an Inspector but made the conscious decision to develop in the Detective Sergeant role. In March 2006 I transferred to Anti-Terrorist Branch (SO13), which later became the Counter Terrorism Command (SO15). In this role and throughout this period I was involved in both the reactive and proactive investigations of terrorist and domestic extremism matters. It was during

SIGNED .

DATED30/09/11.....

2

107

this time, at the end of April 2006, when I was appointed as the Case Officer for Operation Caryatid, the original voicemail interception investigation, which came to SO15 as their remit also included responsibility for security issues concerning members of the Royal Household. In October 2008 I applied for and was promoted to the rank of Detective Inspector. I passed a competitive process to remain in the Counter Terrorism Command and was placed in charge of a team of Detectives on one of the Investigation 'Pods'. In 2009 I attended the MPS Crime Academy and completed the Advanced CID Course. During this time I continued to be involved in a variety of 'terrorist' type proactive and reactive investigations, including the reactive investigation involving the kidnap and murder of a UK national abroad. In July 2009, and at the request of DCS Williams, I was involved setting up a system whereby the material from Operation Caryatid, the original voicemail interception investigation, could be placed on 'HOLMES' (Home Office Large Major Enquiry System). The intention was to load on all available material, through the copying of data and through the scanning of all paper exhibits. This would then provide a data base that could be indexed to allow a searchable and retrievable system providing assistance in responding to the growing requests for information that the MPS received. The process was given the reference of Operation Quantraine. In March 2010 I transferred to the role of Staff Officer to the Assistant Commissioner (AC) for Specialist Operations. My role included providing support to the AC in preparation of papers and for meetings in relation to their role and other strategic issues. In June 2010

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DATED 30/09/11

3

108

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I transferred to my current investigative role within the SCD8 Trident Command, dealing with firearms related crime for London. Between 2007 and 2011 I continued to act as a conduit in providing material to the Directorate of Legal Services from the original hacking investigation for ongoing civil cases and other requests from the public. I forwarded the results from a search of the HOLMES account as per the request, with any additional evidence of call data available to me, providing it to the allocated solicitor dealing with that request. These actions were over and above my normal day job.

3. I make this statement purely for the purposes of the claim for Judicial Review and therefore limit it to the issues raised within these proceedings. This statement is therefore not a full and detailed account of the extent of my involvement in all the subsequent investigations related to the original Operation Caryatid. In writing this statement I have where possible refreshed my memory from the contents of e-mails, case papers and other documents available to me to provide the best possible recollection of events. This statement is made on the basis that neither I nor others involved in the original voicemail interception investigation have received any indication or service of a regulation 15 notice in respect of our conduct.

4. In terms of my personal record I have no criminal or discipline matters recorded against me. My annual appraisal report has always been of the highest standard and I have received numerous letters of

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DATED 30/09/11.....

4

109

appreciation originating from individual members of the public and police associated agencies in acknowledgement of my professional service. Over the course of my career I have personally received a number of Commendations in the following areas: a) Borough Commander's Commendation for arresting a violent male unlawfully at large, b) Borough Commander's Commendation for courage and professionalism for arresting a male armed with a knife c) 2 x Borough Commendation's for outstanding leadership and detective ability and d) Assistant Commissioner Commendation for professionalism and detective ability.

5. Towards the end of April 2006 I was appointed the Case Officer for Operation Caryatid following a request by DSU Williams (now DCS Williams) that additional support be given to the Operation. My role as a case officer within the investigation was to supervise the actions of the team and give direction in line with the SIO / IO's strategy. Given there was only myself and DC Robert Green (now DS Robert Green) conducting the majority of the investigative enquiries, mine was very much a hands on role, which involved carrying out the investigation strategy from the SIO, Phil Williams and the IO, Keith Surtees. I would report directly to these officers on a regular basis to update them as to the progress with the investigation.

6. At the time I was also assisting when required in other Counter Terrorism investigations that were taking place within the

SIGNED ...

DATED30/09/11.....

5

110

Command in addition to covering other core roles on a rota basis e.g. such as UK Call Out and SO15 'Reserve' duties. UK Call Out duties consisted of a week long 24/7 response to terrorist type incidents or matters affecting National Security. The 'Reserve' is the first point of contact for anyone wishing to speak to SO15. Open 24/7, the unit has access to several databases to enable fast-time intelligence checks and monitor incidents that may be relevant to the Command. The 'Reserve' also provides advice to other MPS units on matters of national security, manages the Anti-Terrorist Hotline, and coordinates the deployment of SO15 officers in emergency incidents. It was envisaged that I manage my time between these competing roles. There were a large number of live operations within the Counter Terrorism Command (SO13) during 2005 /2006. It was often a case of being reactive to the competing demands of the various operations and prioritising the most high risk operations where there was the possibility of loss to life.

7. At the outset of the operation I was briefed by DCI Keith Surtees (now DCS Surtees) concerning the covert nature of the operation as it involved members of the Royal Household who suspected their phones were being unlawfully targeted. It was explained to me that, given the highly sensitive and covert nature of the operation, there was a need to restrict the details of the investigation to a small number of people. I was informed that there was ongoing liaison with the members of the Royal Household and that Kevin Southworth and Phil Williams had begun to explore the evidential requirements needed to bring a successful

SIGNED

DATED 30/09/11

6

111

prosecution. It was recognised early on that significant cooperation with the mobile telephone companies would be a crucial factor in identifying how the voicemails were being listened to and who the suspects were. My role was to be the point of contact with the phone companies and to develop the existing relationship with them.

8. On 3rd May 2006, DCI Surtees and I attended a meeting with Colin Weeks from Vodafone, where we discussed the nature of what was believed to be taking place and the options available to us. It was established at the meeting that Vodafone had a secure VIP area where certain customer's phone accounts were held. It would need to be established if all members of the Royal Household were within this area. It was also explained to us that within the Vodafone systems was a type of software called "Vampire", which might provide assistance in capturing data and establishing the details of who was attempting to access the voicemails of members of the Royal Household. I was informed that a similar briefing had taken place with a representative from O2.

9. In early May DC Green and I began submitting applications for specialist service telephone data pursuant to the Regulation of Investigatory Powers Act 2000 (RIPA) in order to obtain the suspects' incoming and outgoing call data for a defined period of time. This continued on from the earlier preliminary checks completed at the request of DI Southworth (now DCI Southworth). This process required

SIGNED ...

DATED30/09/11.....

7

112

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an application setting out the necessary justifications for why this information was needed. It would then be referred to an independent Superintendent who would assess the merits of the application before it could be implemented. Given this level of oversight, each individual application had to be specifically tailored to the individual's phone number it related to. This process would have to be repeated for each individual phone number we needed the call data on. Throughout the investigation DC Green and I made a number of applications for phone data and this predominantly centred on the 9 identified numbers that Goodman and Mulcaire were identified as using. Some of these applications were rejected on the basis of relevance, so it was always the case that each individual application must be properly supported by evidence. Some of the Call Service Providers such as T-Mobile and 3 Network were unable to provide the information required because their systems were not able to process them for technical reasons or because of the effect that it would have, from a cost and resources perspective.

10. On 9th May 2006 I was passed an email by Keith Surtees that included an O2 customer service recording of a man calling himself Paul Williams who was attempting to reset PIN numbers for voicemail accounts via their customer services department. This was the first tangible indication that there was potentially another suspect involved in a sophisticated and organised interception of voice messages with knowledge of the systems and procedures used.

SIGNED ...

DATED

30/09/11.....

8

113

MOD200004212

11. As the case officer, I was responsible for liaising directly with Chris Martin at O2 and Lindsay Hudson at Vodafone. From the beginning of my involvement I remained in regular contact with these representatives from Vodafone and O2. There was also an understanding from the outset that the information which was being provided by the phone companies would only be used for the purposes of the criminal investigation as the phone companies were concerned to protect the identities and interests of their customers.
12. Through liaison with the phone companies it was agreed to carry out a set assessment period on the phone accounts of Jamie Lowther-Pinkerton (JLP) and Helen Asprey (HA). This would concentrate on the activity on their phone but in particular their respective voicemail accounts. Through identifying and then requesting telephone call data from the suspects' phones for these periods we would seek to establish whether they had been involved in possible interception, marrying the timings and call duration together. Right from out outset it was evident that if we were to bring a successful prosecution, then we would be reliant on the phone companies to provide us with this information. At the same time, we were attempting to establish with the phone companies whether or not they had the technical capability to be able to provide us with the information required.

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DATED 30/09/11

9

114

13. Arrangements were made with Vodafone, JLP's service provider, to closely monitor and save the 'harvested' Vampire data from JLP's account. The Vampire Data System was primarily a diagnostic tool that assisted in identifying faults on the network. Whilst doing so it specifically recorded background information regarding the status of the voicemail account messages. By combining the Vampire data and other call data it was possible to pinpoint the exact timings of when JLP or other identifiable telephone numbers were calling into the unique voicemail number. This was crucial evidence as the data could also demonstrate whether or not the customers had accessed their own voicemail prior to or after this unlawful activity. The analogy of the unopened envelope was used to demonstrate the need to capture the suspects ringing the voicemails prior to them being listened to by the intended recipients, a requirement for a S1 RIPA offence as advised by the CPS. Although O2 had a different systems it too attempted to take regular 'snapshots' of HA's voicemail account in order to produce similar corroborating evidence.

14. In addition to the assessment period by the phone companies from 11th May to 30th May, JLP and HA were asked to retrieve and listen to their voicemails messages at specific times of the day and then note the results. For example, noting an automated recording stating 'you have one old message' for a message not previously listened to would act as a prompt for further investigation as it indicated someone else had done so.

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DATED30/09/11.....

10

115

15. The initial focus of the investigation was centred on the Royal Household and therefore all the meetings with the phone companies were firstly to ensure the safety of these individuals and secondly ensure the capture of whatever available evidential data was available.

16. In terms of my individual involvement with the phone companies the cooperation with them was largely very constructive and helpful. Both companies were attempting to improve their security and we worked closely with them to ensure that this happened. O2 insisted on an immediate introduction of security measures, and this in time would prove to limit the results when we came to assess future access to Helen Asprey's voicemail account (see email from Chris Martin of 31st May 2006).

17. On 12th May 2006 a Directed Surveillance Operation (DSA) was initiated on the properties of Clive Goodman and would run for a period of time to allow the evidence to be captured. The advice from the CPS clearly focussed on the issue of an interception being a message in the course of a transmission e.g. before it had been listened to by the intended recipient. However, there was also concern that a call from a particular number did not necessarily identify the person making the call. The rationale behind the authority was to build the evidential case against Goodman by ensuring we had evidence provided by the phone companies showing a number attributed to Goodman was intercepting

SIGNED ...

DATED

30/09/11

11

116

MOD200004215

voicemails, coupled with evidence showing who was present on the premises at the time. My understanding of the advice from the CPS was that this level of detail was needed to satisfy the offence under s.1 RIPA. This is precisely why I had been tasked to capture this evidence both from the phone companies and through surveillance obtained via a DSA.

18. On Monday 22nd May 2006 I received a response to an e-mail sent to Vodafone regarding potential access to JLP's voicemail. The response to this highlighted calls into his voicemail account from tel no' {redacted} 2228 (linked to Glen Mulcaire's office premises) and {redacted} 7275 (linked to Goodman's home address).

19. In May 2006 DC Green and I attended O2 offices located at the Arlington Business Park in Leeds. We met with Chris Martin, the O2 Security Operation Manager, who in turn introduced us to a member of staff who produced a disc containing six recorded calls to customer service personnel who featured when the same individual had called in to reset customer voicemail security PIN number to a default setting. Subsequently in September 2006 we were to return to O2 to take statements from the six customer service advisors. All these members of staff were given the opportunity to listen to the calls and requested to make a statement in relation to their content. In speaking to the customer service advisors it was clear that all had carried out voicemail PIN code resets believing the caller (Mulcaire) to be a member of staff

SIGNED ..

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DATED 20/09/11

12

117

MOD200004216

entitled to make that request. It was also apparent from the recordings that Mulcaire was familiar with company terminology and the passwords used, which were changed on a regular basis. Later examinations of the recordings were to reveal voicemail PIN resets on a number of occasions for both HA and Mr Paddy Harveson, Communications Secretary at Clarence House.

20. On 11th June 2006 Glen Mulcaire's details were added in a review of the Directed Surveillance Authority. The review detailed links identified from research into the numbers calling into the voicemail of members of the Royal Household. Research on the company GWM Ltd, a company registered to a home address linked to Mulcaire's parents, showed the same company name as renting premises at Capitol House in Sutton. The telephone number {redacted} 2228 was also registered to the same office in the name of Mr P Williams trading as GW.
21. On Friday 16th June 2006, I sent DC Green a list of outstanding actions to be completed whilst I was away from work on leave. I added to this a very basic draft and structure for CPS advice to be developed by DC Green. The report came at the end of the assessment period with the telephone companies. Highlighted in the draft was an intention to present the case in a way which was more reliant on telephone data. DCI Keith Surtees was also copied into this email.

SIGNED ...

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DATED 30/09/11.....

13

118

MOD200004217

22. On 10th July 2006 I received data from a billing request in relation to a P.J Williams at the Capital House business premises in Kimpton Road, Sutton. On examination this data contained calls to the unique voicemail numbers for JLP and HA amongst other members of the royal household. Other unique voicemail numbers contained within this data were to be identified later in the enquiry.
23. During the evidential gathering process, I had meetings, conversations and e-mail exchanges with Ms Carmen Dowd, Head of the Special Crime Division, regarding the progress of the investigation and potential offences under consideration. I was also present on 12th July 2006 during a meeting where Ms Dowd, and Ms Hudson from Vodafone, were taken to meet with Mr Bristow at his home address. This meeting was to enable Ms Dowd to understand the evidence that could be reliably obtained from the telephone systems to support a prosecution.
24. Around 26th July 2006, I became aware that Tessa Jowell's voicemail had been accessed by Mulcaire. The presence of a Cabinet Minister introduced a wider scope of those potentially targeted for voicemail interception. Through discussion with Keith Surtees I was informed of a decision to bring forward arrest plans for both Goodman and Mulcaire.
25. On Sunday 30th July 2006, I sent a request for advice from the CPS to Ms Carmen Dowd seeking clarification around issues of entry and search to premises identified in the investigation. In the report I raised

SIGNED

DATED 30/09/11

14

119

MOD200004218

concerns over the limits of S.8 warrants and Schedule 1 PACE orders in respect of journalistic material and requested advice in this area.

26. On Wednesday 2nd August 2006, I received an advice in an e-mail from Ms Carmen Dowd. Within the e-mail there was advice pertaining to the suitability of charges under consideration and the strength of some of the material obtained so far. There was also further advice in relation to the powers for search and seizure, particularly with regard restrictions of some legislation in respect of journalistic material.

27. On Thursday 3rd August 2006 I attended Clarence House and obtained statement from Mr Jamie Lowther-Pinkerton, Helen Asprey and Mr Paddy Harverson in which I detailed events regarding each of their personal phones. At the time of taking the statement, Mr Lowther-Pinkerton was employed as the Private Secretary to Princes William and Harry, Helen Asprey was the Personal Secretary to Princes William and Harry, whilst Mr Paddy Haverson was the Communications Secretary for HRH the Prince of Wales. These three were to provide the foundation for the initial charges under consideration; however, it was only in the case of Mr Lowther-Pinkerton that, by way of corroborating Vampire / other data, an interception could be confirmed as per the advice for the legal requirements for this S1 RIPA offence.

28. On or about 7th August 2006 a S8 PACE warrant was obtained from Horseferry Road Magistrates Court to assist in the searching of the

SIGNED .

DATED 30/09/11

15

120

MOD200004219

Newsdesk, the Telecommunications Department and the Accounts Department at the News Group offices in Wapping. In particular the following were sought; records relating to financial payments, the dates of payments, reason for payments, those authorising payments. Also plans / directories relating to the locations of phone extensions within the building.

29. On the morning of the 8th August 2006 I attended a confidential briefing at New Scotland Yard given to officers engaged in the arrest and search phase. A large number of officers had been warned to attend and were only informed of the purpose during the briefing provided by DCI Surtees.
30. Following the main briefing I met with the team leaders for each location where arrests and searches were to occur. Each of the team leaders was given a pack which included relevant paperwork, copies of the briefing and risk assessment. I did not take part in the arrest of the suspects, but remained in the operation room throughout the arrest phase.
31. Whilst coordinating events from an operations room I was aware that the arresting officers for Mr Clive Goodman had conveyed him to his place of employment at the News Group offices in Wapping in order to exercise a search under s18(5) of PACE and to execute a S8 PACE warrant as detailed above. Whilst they commenced this process I was

SIGNED

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DATED

30/08/11

16

informed that those officers attending the News Group offices were being obstructed and were involved in a tense stand off at the location. Upon consultation with DCI Surtees those officers at the News Group offices were directed to restrict the area of search to Mr Clive Goodman's desk area.

32. Post arrest and whilst some searches were continuing I attended Charing Cross Police Station, which is where Mr Goodman had been conveyed following the S18(5) PACE search at the News Group offices in Wapping. I then conducted the disclosure and interview process in the presence of his solicitor, Mr Henri Brandman. During this process some exhibits recovered from the venues linked to Mr Goodman were introduced. A team of officers were sifting through the items recovered from the various searches to assist in this. Mr Goodman was interviewed a number of times in the presence of his solicitor and gave no comment during the process. Due to the quantity of material found, an extension to the custody time limit was sought from and granted by a Superintendent to enable the matters to be explored as far as possible in the time allowed. At the conclusion of the interviewing process I submitted an MG3 to Ms Carmen Dowd regarding the brief facts of the case in respect of both Goodman and Mulcaire.

33. The MG3 was returned granting authority to charge for a) conspiracy to intercept calls and b) specified offences of interception contrary to S1 RIPA. Both Mulcaire and Goodman were charged with the relevant

SIGNED

DATED 30/09/11.....

17

127

MOD200004221

offences and released on bail to appear at Horseferry Road Magistrates Court.

34. Post-charge I was able to see the vast quantity of material seized from the different venues. Going on pre-booked leave I was aware that IO Keith Surtees organised for this material to be viewed by a team of officers over the course of the following week.
35. Between the dates of 10th August and 28th August 2006 I was on annual leave outside the UK.
36. On my return from leave I was given access to a document that was a collation of the material assessed. The booklet was split into two: the first part was titled "Op Caryatid - List of those potentially compromised" and the second part was a summary of the audio and video exhibits that had been listened to / viewed. From recollection there were only two or three copies of this report. I am unable to remember the exact date, but in this period, I conveyed this document to Ms Carmen Dowd at the CPS offices for her examination. This document was then collected about a week later.
37. Also around this time DC Green and I were also involved in the examination of the list of those potentially compromised with a view to identifying who might fall within the category of "Royal Household, MP, Police and Military".

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DATED

30/09/11

18

123

MOD200004222

38. In addition to the document, I was informed of the decision to approach potential victims of voicemail interception who may be willing to support the Police in a prosecution. This decision had been made following a meeting with the CPS and counsel and addressed concerns that additional charges may be considered that would reflect the breadth of those targeted, whilst also alleviating phone industry concerns that no one phone company would be singled out especially when a vulnerability in the mobile phone systems as a whole had been detected.
39. On 29th August 2006 I received an e-mail from Lindsay Hudson at Vodafone which included an attached spreadsheet of calls made to 61 unique voicemail numbers (UVN's) by the Goodman home landline of [redacted] and the Mulcaire office landline of [redacted]. A large percentage of the names on the list were well known celebrities and public figures, whilst other appeared to be company names. I informed Keith Surtees of the contents.
40. On return from leave I was made aware that both DS Beadell from the National Terrorist Financial Investigation Unit (NTFIU) and Mr Louis Mably (Junior Counsel instructed by the CPS) had been involved in trying to recover relevant material held and available from News of the World through BCL Burton Copeland Solicitors. Details of cash payments paid to Mulcaire were provided. In a letter to DS Beadell on 31st August reference was made to a Schedule 1 PACE application by

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DATED

30/09/11

19

124

the officer and BCL Burton Copeland solicitors indicated that "my clients intend to provide such material as you or your colleagues might reasonably require from them in connection with your enquiries."

41. On 31st August I attended the offices of BCL Burton Copeland Solicitors. At the offices I met with Mr Ian Burton and Ms Natalie Greenaway who were representing Newsgroup Newspapers in this matter. During the meeting I made a number of requests for information. On 7th September 2006 I delivered a letter in confirmation of my requests. Amongst the requests made I asked "Who does Mulcaire report to?" and "Who else does he work for?" I also asked "Has he completed work for other editors / journalists at the News of the World?"
42. On 15th September 2006 I attended the offices of BCL Burton Copeland Solicitors and delivered a letter which contained further requests. Some of these pertained to items sought in the frustrated search of the News Group premises on 8th August 2006 (e.g. Items held on his computer and within a safe identified at the premises). Others related to lines of enquiry raised following examination of documents found during the various address searches.
43. I received replies to the letters dated 14th and 21st September 2006. From these subsequent replies from BCL, where only a small amount of material was forthcoming, I formed the impression that whilst stating they were willing to assist the reality was the opposite. The response to

SIGNED ...

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DATED 30/09/11

20

125

my request dated 14th September 2006 states at the end "We hope, however, that this careful response will satisfy you that you are now in possession of all relevant material to which you are entitled." The request for information made in person on the 31st August 2006 and followed up by letter appeared to have been ignored.

44. At the request of the IO, Keith Surtees I was involved in approaching other potential victims who could be added to the indictment and who could reflect the cross section of those targeted. Those victims were to come from the main three networks (O2, Vodafone and Orange) who were asked to provide any available call data in support.
45. Outside of this process and as part of the focus in presentation of the case I was aware of a CPS and Police desire to focus on data to prove the offence. This would therefore reduce the exposure of potential victims and negate the need to introduce material which could fuel salacious reporting.
46. On 1st September 2006 I met with Mr Max Clifford, the owner of a public relations consultancy. I obtained a statement from him regarding the use of his mobile phone. On 8th September 2006 I met with Skylet Andrew, the owner of a management and PR company. I took a statement from him regarding the use of his mobile phone. On 8th September 2006 I met with Ms Elle Macpherson, a model and businesswoman. I took a statement from her regarding the use of her

SIGNED ...

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DATED 30/09/11

21

126

mobile phone. On 19th September I met with Mr Gordon Taylor, Chief Executive of the Professional Footballers Association and took a statement from him detailing the use of his mobile phone. On 2nd October 2006 I met with Simon Hughes MP and took a statement from him regarding the use of his mobile phone. Whilst taking statements several of the people stated they had noticed irregularities with their phone. In most cases this irregularity had become evident whilst abroad when they were requested to insert a pin number to access a voicemail, not knowing it had been reset.

47. On 28th September 2006 I received an email from Keith Surtees which had been sent to him by Chris Martin from O2. The email provides the details of two potential victims, Mr Max Clifford and JR applicant HJK, who may be willing to assist Police in relation to the voicemail investigation.
48. Through searching my saved e-mails I have identified emails referring to the Judicial Review (JR) applicants HJK, John Prescott MP and his advisor Ms Joan Hammell in the September and October period of 2006. During this time I was aware of the victim strategy and had been tasked around identifying those at risk that were within a category of the Royal Household, MP's, Police and Military and where security concerns existed. In a reply from Chris Martin from O2 on 13th September 2006 it was declared that O2 held over 70 accounts in the name of John Prescott and none of these were included in the more

SIGNED ...

DATED 30/09/11.....

22

127

secure VIP accounts. To the best of my knowledge I have never been aware of any documents relating to the direct hacking of a phone voicemail account belonging to John Prescott MP, although I would agree that through my experience in this case the intended target is often targeted through the account of another where messages may be left.

49. During the preparation of case papers for the CPS, DC Robert Green was given the task of compiling the disclosure schedules. I was present at Counter Terrorism Command offices when junior counsel, Louis Mably, attended to view copies of exhibits and sign off the disclosure schedules for the prosecution. Prior to this and during the preparation I had discussed with and supervised DC Green whilst he carried out the process of completing the forms. I am happy that all relevant items in our possession at the time were made available for inspection by counsel.

50. On 23rd November 2006 a report was produced by the Directorate of Professional Standards which detailed the results of the examination of the computers and other storage media recovered during the original searches. The report would have been collected shortly after. Included within the report was a computerised address and phonebook of contacts including potential targets. The contents of the report were brought to the attention of the IO, Keith Surtees.

SIGNED ..

DATED 30/09/11

23

128

51. Following on from receipt of this report and in consultation with the SIO, DC Green and I met with an officer from the witness protection unit. There was concern that within the contents of the report were the details of persons who were given new identities as part of a witness protection programme. Those in the programme would include both witnesses and defendants to high profile serious crime. I provided the list for him to view and it quickly became apparent that contained within were names of interest to him. I provided him with a copy of the report to take away. I had no further contact with this officer about the report or the details contained within.
52. On the 28th November 2006 I received a reply to an MG3 in relation to a male called Mr Stephen Mills. Mr Mills was an associate of Mr Mulcaire who had access to the Kimpton road business premises and was also arrested in August. Although Mr Mills in interview indicated knowledge around the transcription of voicemails the CPS decision was that there was insufficient evidence and prospects of a successful prosecution regarding his actual involvement in an offence of interception. As a result he was released without further action.
53. On Wednesday 29th November 2006 I attended the Central Criminal Court where Mr Goodman and Mr Mulcaire pleaded guilty to an offence of conspiracy to intercept communications. In addition Mr Mulcaire pleaded to further offences in relation to intercepting the communications five of the individuals also named on the indictment.

SIGNED ...

DATED 30/09/11

24

129

54. On Friday 26th January 2007 I attended the Central Criminal Court. I was present when Mr Goodman and Mr Mulcaire were both sentenced.
55. Later in 2007 Keith Surtees and I met with representatives from the Information Commissioners and also from SOCA (Serious and Organised Crime Agency). My recollection is that the purpose of the meetings was around the proposed strengthening of legislation particularly in relation to the Computer Misuse Act and Data Protection Act. We were keen to assist in the dissemination of the methods used to unlawfully obtain private and sometimes sensitive information.

Mark Mulcaire

SIGNED ..

DATED 30/09/11

25

130