

H J Whittow
16 September 2011
1st
Exhibit: "HJW1"

IN THE MATTER OF THE LEVESON INQUIRY

WITNESS STATEMENT OF HUGH JOHN WHITTOW

I, **HUGH JOHN WHITTOW**, of Express Newspapers, The Northern & Shell Building, Number 10 Lower Thames Street, London, EC3R 6EN, **WILL SAY AS FOLLOWS:**

- A. I am the editor of The Daily Express Newspaper. I make this statement in response to a request of the Leveson Inquiry (the "Inquiry") pursuant to a letter dated 8 August 2011. A copy of this letter can be found at pages 1-4 of Exhibit "HJW1".
- B. I confirm that all matters in this statement are true and, unless I specify to the contrary, are based upon my own knowledge and a review of the relevant documents. Where matters are not within my own knowledge, I state the source and believe the same to be true.
- C. There is now produced and shown to me a paginated bundle of documents marked as Exhibit "HJW1". References to documents in this witness statement are references to documents in that exhibit.
- D. For convenience, I have reproduced as subheadings the questions asked of me in the 8 August letter.

Question 1: Who you are and a brief summary of your career history in the media.

1. I started work in the media industry as a reporter and have worked for various newspapers throughout my career. Before moving to London, I worked for the Western Telegraph and the South Wales Echo. I have also worked for the Evening News and joined the Daily Star in the late 1970s. In the mid 1980s I joined The Sun. I later returned to the Daily Star to become a Deputy Editor. At the same time, I was also the launch editor for the Daily Star Sunday. I moved to the Daily Express approximately 18 months later and in February 2011, I was promoted to Editor of the Daily Express.

Question 2: How you understand the system of corporate governance to work in practice at the newspaper where you are employed with particular emphasis on systems to ensure lawful, professional and ethical conduct.

2. I have been asked to comment on the system of corporate governance which we employ at the Daily Express. We have a command structure that is always in place which ensures that each member of staff works in a professional and ethical manner. Every department takes the lead from the editor and the deputy editor. The work system at the Daily Express resembles that of a family tree. We have various heads of department such as the News Editor, Picture Editor, Sports Editor, City Editor And Fashion Editor who are in turn responsible for all the staff in their department. We then have the deputy Editors and reporters. The reporters report back to the editors who are responsible for them. My Managing Editor and I then oversee everyone.

Question 3: What your role is 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.

3. In order to help explain my role in corporate governance and how we work at the Daily Express, I will give an example of my usual daily routine. At 10:30am I meet with the comment and features editors. We decide on the comment story and deal with who the columnists will be. The comment editor presents the stories to me and I then decide what we will print in the newspaper. The same process happens with the features editor who will present various stories to me in order to decide which ones to use. Normally,

there are about two features in the Monday to Wednesday newspapers, about three features in the Thursday and Friday papers and then around four in the newspaper on Saturday.

4. At around 11:15am I have a news conference with my Deputy Editor and all the other Department editors. They all inform me as to what they have on the 'menu' for the newspapers for the following day. It is in this meeting that I get an update on each of the editors' news.
5. At around 12pm the editors then go and collect all the information needed for the stories. I check their progress and also check if there are problems with any other staff hourly throughout the day.
6. At around 1pm I have another meeting with my Deputy Editor, the Picture Editor and the Night Editor. I then pass everything to the Night Editor who has the job of planning every page including the headlines and the lay-out of each story and picture. At this point, I can identify if any lines of enquiries need to be followed up and I would liaise with the night editor throughout the afternoon.
7. There is a meeting at around 4pm to check whether our original plans for the newspaper have worked. The final decisions are made as to what will be printed on every page of the paper. In the meantime, the comments editor and features editor show me what they have produced and I check it all through.
8. At around 5.30pm I then decide on the front page story, the headlines and relevant pictures. The front page is the only page I really do myself. The rest is with the night editors of which there are about three or four. The night editors can delegate work to the sub-editors but the night editors are essentially responsible for 'top and tailing' the stories before the newspaper is ready. Most of the newspaper will have been completed by about 8.30pm. If there is anything controversial I will then talk with the lawyers and any other member of staff that I think necessary. If the story is accurate, I then make a decision as to whether or not the story should be printed. If it is not accurate I will not use the story.

9. With regards to our policies and practices, staff have access with a copy of the Editors' Code of Practice [page 5]. They also have access to a staff handbook, which gives guidance on issues of defamation, contempt of court and privacy [pages 6-34]. There is nothing written down in a manual of any sort which explains the internal editorial practices. This is something which has evolved over time. All the staff know what they can and cannot do. Everything goes through the lawyers' hands anyway so there is always that safeguard. I also check throughout the day on all the stories and pictures that are being printed. In terms of information that is provided to us, I verify the sources all the time. As I have been a reporter and a news editor in my career, I understand every level and every problem. Nowadays, most stories come from news agencies or our own reporters. I can always identify where stories have come from. If they are exclusives then we will always check where it has come from and whether it is accurate.
10. In terms of who has responsibility in the newspaper, our various heads of department are responsible for all those within their department. If they have any problems they come to me or my deputy but I can obviously get involved on my own volition. It is a fast paced environment so you have to move with it. I never leave work before around 9pm and I only do once I have checked that everything is fine in the office. When the headlines come in at around 11pm from the other newspapers I check to see if there are any stories that we are not reporting. I can then make a decision as to whether or not to include them.
11. The heads of department are also responsible for guiding any new recruits and freelance reporters through the newspaper's practices and policies which I have described above.
12. The Managing Editor's department deals with the administration side of the newspaper. This includes reporters' expense claims. If there are any large or unusual claims, I will discuss these with the managing editor and, in extreme cases, the Group Editorial Director.

Question 4: Whether the documents and policies referred to above are adhered to in practice, to the best of your knowledge.

13. I believe that our policies and practices are always adhered to. There are no documents involved as such, but we have tried and tested systems that work. Although we are not signed up to the PCC code anymore, we still always abide by the rules and the Editor's Code of Practice. We are supported by our legal department and we also have night-shift lawyers who monitor and ensure that all practices are observed.
14. In January 2011, The Daily Express withdrew from the PCC. The main reason for leaving the PCC was because we felt that the organisation was no longer resolving the disputes as they did when it was first established. At one time, if people went to the PCC, it was on the understanding that they would not take any legal action following the PCC's decision. However, complainants started to use PCC's decisions to support legal claims. This was a decision made by the directors. Instead of the PCC, the company has established a committee which comprises all of the Editors, the Legal Department and the Group Editorial Director to deal with any complaints.

Question 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.

15. Since the phone hacking media interest, or even prior to that point, our practices have not changed. There is no reason to change them as the Daily Express has always acted appropriately and responsibly. For many years we have discussed our practices and methods with the various heads of departments who gather the news and the pictures. They have always assured us that there are no problems with our stories. As an editor I have obviously become more conscious recently but we have always maintained good practice. When I was Deputy Editor, the Editor and I always checked to ensure that there was no bad practice and we were always assured that there was none.

Question 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).

16. I have been asked who is responsible for checking the sources of information and the method by which the information is obtained. It is the News Desk, the Pictures Desk and the reporters of the Daily Express who have responsibility for verifying the sources of information for their stories. The reporters then tell the News Editor whether the story is valid or not. It will then be up to the News Editor to decide if the story is worth pursuing. If there are any legal problems that arise, the News Editor will talk to the Legal Department and to me. In the daily 4pm meeting that I mentioned in paragraph 6, I would always spot if there were any odd stories and make my own enquiries.

Question 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).

17. With regards to the extent that I am aware of the sources of information which make up the central sources, I always know how the story has been sourced. In the 11.15am conference that we have each day, every story is given a name. I therefore know exactly if it has come from a staff reporter or a news agency. The news agencies we use are reliable and I will always know if anything suspicious about the source of information needs to be checked. The only occasions where I am not fully aware of the sources for the central stories are when I am absent from the office. In these situations, my deputy would be aware of the sources in my absence.

Question 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.

18. I believe that ethics play a big role in the Daily Express and in print media. I abide by strong moral values. I always want everything correct and proper and encourage my staff to follow this principle. We all adhere to the Editors Code of Practice. We behave and act responsibly and never cut corners.

Question 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).

19. As Editor of the Daily Express there is always a commercial pressure for the newspaper to be profitable. However, I have never had any financial or commercial pressure from the proprietor of the newspaper or anyone else which affected what decisions I make as to what stories are published. My aim is to make the Daily Express a responsible newspaper. I am in charge and I make the decisions about what is printed in the newspaper each day. I have a very good relationship with the proprietor. My motivation is for the paper to be successful, viable, the best-selling and the best product for our readership.

Question 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).

20. There are no financial incentives for me from the proprietor to print exclusive stories. There are no bonuses or rewards for doing so. There is no link to my salary and the number of papers that are sold.

Question 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).

21. I have no knowledge of ever using a private investigator at the Daily Express. If one has been used then nobody has sought my permission to do so. I have become more aware of this issue in the last 4 to 5 years and I have always insisted that I am informed as to

what is going on. I do not know the name of or know of any records of any private investigators being used. I always ask on a regular basis if we are behaving ourselves and I am always reassured that we are. As it has never been flagged up then I assume we have never used one. I have though recently discovered that some reporters have used the services of search agencies. I am informed by the News Editors that these services are used in order to ascertain quickly the address or telephone number of a source or potential source. I am assured that the search agencies operate within the confines of the law.

22. I do not know of any payments made in connection with police informers, public officials, mobile phone companies or any others with access to the same information. The news editor also confirmed to me that there has never been any such involvement. Payments of that sort are not made at the Daily Express. In this industry, it is sometimes the case that we entertain people by way of buying a drink or a meal but this is a reciprocal arrangement.
23. For completeness, the newspaper prints columns from time to time written by political figures, some of whom are Members of Parliament.

Question 12: What your role was in instructing, paying or having any other contact with such private investigators and/or other external providers of information.

24. I have no role whatsoever in paying for or having any contact with private investigators. I have never at any stage of my career been involved in actually making the payments. It is up to the heads of the departments to pay providers for their pictures and stories. Of course if there were to be anything abnormal then it has to come to me and the managing editor for clearance.

Question 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).

Question 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.

Question 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.

25. For convenience, I answer questions 13, 14 and 15 together. As mentioned in paragraph 21, I have no knowledge of whether any private investigators or other external providers of information have been used and therefore do not know of any policy or protocol that would be followed. I therefore do not know of any decision to depart from any policy in that respect. There is no written policy regarding external providers of information or informants.

Question 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.

26. With regards to any protocols or policies in operation in relation to expenses or remuneration paid to other external sources of information, the Daily Express never authorises any cash payments to our contacts and sources. Any payments made are done through the official channels and it will all be recorded on the payment books. The News Editor sits with the Cost Controller each morning and they decide how much to pay the source of the information being used. Most days the vast majority of articles come from the official news agencies. However, as I said, everything is logged in the books and it would only be in unusual circumstances that the Daily Express would make any cash payments.

Question 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.

27. If we commission a news agency for the job then they will be paid a fee for it. In terms of using other external sources, as I have mentioned, we might meet with them and buy them a coffee whilst they tell us their story, but the majority of the time it does not work that way. Exclusives can be brought in through our staff, via news agencies, or from a member of public. The Cost Controller has sheets of information relating to each story, containing the name of the story and the names, addresses and details of where the story has come from. This is all signed off each day so that we know exactly how much each newspaper has cost us to produce. There are very tight controls for all our stories and all our pictures so if we pay for anything then it will all be recorded in the payment books. With regards to pictures, it is more likely that we are asked to pay more for a picture than for a story.

Question 18: In respect of editorial decisions you have made to publish stories, the factors you have taken into account in balance the private interests of individuals (including the fact that information may have been obtained from paid sources in the circumstances outlined under question 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.

28. I have been asked what factors I take into account in balancing the private interest of individuals against the public interest when publishing stories. When making editorial decisions, I always consider that the story has to be accurate and in the public interest. I would never use a story if I thought that it was inaccurate or if there were any legal problems. If I think that something or somebody needs to be exposed then I would use the information but only within the law.

Question 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.

29. I have never, and to the best of my knowledge, the newspaper has never, used or commissioned anyone who used 'computer hacking' in order to source stories, or for any other reason.

Question 20: If you cannot answer these questions, or take the view that they could be more fully answered by someone else, you must nonetheless provide answers to the extent that you can, and to the extent that you cannot you must provide the Inquiry as soon as possible with names of those who would be able to assist us further.

30. The only names that I can think of that may be able to provide some assistance to the Inquiry are Greg Swift, the news editor of the Daily Express, and Ian Parrott, the managing editor of the newspaper. Ian Parrott informs me each week whether we are on or off budget and whether any payments need to be discussed. As I have already mentioned, I have never been presented with any evidence of unusual payments at the Daily Express.

STATEMENT OF TRUTH

I believe that the facts stated in this Witness Statement are true.

HUGH JOHN WHITTOW

Dated: 16 September 2011

H J Whittow
16 September 2011
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Exhibit: "HW1"

IN THE MATTER OF THE LEVESON INQUIRY

WITNESS STATEMENT OF
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