

M Townsend
16 September 2011
1st
Exhibit: "MT1"

IN THE MATTER OF THE LEVESON INQUIRY

WITNESS STATEMENT OF MARTIN TOWNSEND

I, **MARTIN TOWNSEND**, 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 Sunday 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 "MT1".
- 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 "MT1". 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 in 1979 and have worked for various newspapers throughout my career. In 1994 I joined the Mail on Sunday and in 1999 I moved to OK! Magazine where I was appointed editor. In 2001 I was appointed editor of the Sunday 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 Sunday Express. As editor, all editorial decisions go through me. If I have a problem or a query with something then I will discuss the matter with Paul Ashford, the Group Editorial Director. If I am still not satisfied, then the matter will be passed to the legal department.
3. To give the Inquiry an illustration of how the stories are decided upon for the newspapers, I summarise below the usual weekly schedule. Every Tuesday morning I meet with the news and features teams for an hour each. During those meetings we go through ideas from the weekend and so far in the week for potential news stories. From that we draw up a news list which identifies where there might be a story. We decide on what stories should be looked into further and which will not run. The meetings are attended by all the editorial staff, all the writers, and all the news reporters (save for our political editor who I meet later in the week).
4. Every Wednesday, Thursday, Friday and Saturday we have a news meeting. We discuss how the stories are developing and any new stories which should be added. It is at this stage that the veracity of the stories tends to become apparent. If a story is denied and we cannot find any support then it is removed from the list.
5. At the Friday meeting we prepare a flat plan of the paper which sets out where each story will sit. The finishing touches are done every Saturday but things keep changing in the newspaper right up to the print deadline of the third edition.

6. As soon as a reasonable copy is ready I review it. If there is anything which appears to be problematic I discuss this with the Legal Department. There are usually a couple of pieces a week which are passed to legal for their advice.
7. As the Editor I want to know the source of every main story but in particular those stories with a negative or hard aspect to them. I will not accept a news editor keeping the source of a story from me and in such cases a story will not run. I have learnt that sometimes when stories appear too good to be true then usually the source is making them up or exaggerating them. And again, such stories will not run.
8. With regard to our practices and policies, we all follow the Editor's Code of Practice, which I believe provides a good basis of what is acceptable and what is not [page 5]. This is available to all reporters and it comes in pocket size. Staff have access to an internal company handbook, which has guidance on, amongst other things, legal and ethical issues, [pages 6-34]. In the end, the decision to run a story is a judgment call which I make having verified the source and where necessary, having obtained legal advice.
9. The newspaper withdrew from the PCC in January 2011. This was a decision taken by the directors because it was considered that the PCC was no longer fit for purpose. Instead of the PCC, the company has established a Committee which comprises all of the Editors, the Group Editorial Director and the Legal Department to deal with any complaints relating to the company's publications. The Committee sits on an ad hoc basis.
10. The newspaper does not have a formal policy regarding the training of new recruits. All new recruits attend a thorough interview process at which we are able to ascertain whether they are suitable to work on the newspaper. Due to the relative size of my team, people are able to quickly learn on the job how we operate as a newspaper and get guidance from the more senior members of the team.

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.

11. As I have explained in detailed above, my role in corporate governance is to ensure that everyone is aware of their responsibilities and this is dealt with in our daily meetings.

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

12. I believe that our policies and practices are always adhered to. Nothing to the contrary has been brought to my attention.

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.

13. Since the phone hacking media interest, or even prior to that point, our practices have not changed.

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).

14. The News Desk, the Picture Desk and the reporters of the Sunday Express have responsibility for verifying the sources of information for their stories. The reporters then tell the News Editor who will raise any problems with the legal department and then I will have final responsibility. For instance, we had a story that up to 1,200 patients had made legal claims against their family doctors for negligence last year. Because there were no official figures available we calculated a number from a Sunday Express survey of medical negligence lawyers.

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).

15. With regards to the extent that I am aware of the sources of information which make up the central sources, I am fully aware of how the story has been sourced. In the daily meeting each story is discussed and the source of the story will also be fully disclosed; I require the name of the source and an assurance that if the story runs and there is a problem that the source will stand up in court. Without that information, the story will not be published. I believe that an editor should be aware of the sources of the central stories. The only time that I am not fully aware of the sources for the central stories is if I am absent from the office, in which case my Deputy Editor will know the sources.

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.

16. I believe that ethics play an important role in print media. I believe that the Editors Code of Practice is good at indicating to reporters where the lines are. For example, whilst a story on cluster suicides may be of interest to our readers I will not run this type of story because it is recognised that it could encourage others to copy the suicides. This is also true of stories which relate to a person's state of health which cannot be verified and where the story involves the identity of children.

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).

17. As Editor of the Sunday Express, I am aware of the commercial pressures on the paper and I try and make sure that we sell as many papers as possible. We achieve this by knowing our readers and what they are interested in. Besides that kind of commercial pressure, I have never had any financial or commercial pressure from the proprietor of the newspaper or anyone else.

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).

18. I receive no financial incentives to print exclusive stories.

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).

19. To the best of my knowledge, I am not aware of the newspaper using or paying private detectives in order to source stories or information. I am aware that the newspaper has used search agencies to obtain mobile telephone numbers and addresses in the past. The number or address would have been used to verify a story, to check facts or to get a reaction to a story. I do not know how much the search agencies were paid but I believe they were small sums.

20. I am not aware of any payments made by the newspaper in connection with police, public officials (apart from politicians who write columns for the newspaper), mobile phone companies or any others with access to the same information and there were certainly never substantial one-off payments or regular payments to the police. That practice has never been pursued at the Sunday Express. I have encouraged reporters to build relationships with the police in order to be the first to get a tip but that information is then fed back into the system where it has to be verified and go through the usual checks.

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.

21. I was not involved in paying for or having any contact with private investigators.

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).

22. I am not aware of any written protocol relating to the use of private investigators.

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.

23. I am not aware of any written protocol relating to the use of private investigators.

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.

24. I am not aware of any situation where standard practice was not followed.

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.

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.

25. For convenience I deal with these two questions together. With regards to any protocols or policies in operation in relation to expenses or remuneration paid to other external sources of information, the Sunday 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 in the newspaper's accounting system. We often pay for third parties stories or tips. In relation to stories these usually come from agencies and a fee will be agreed if the story is printed. If we buy a tip a reporter will still have to do all the groundwork for the story and so the news editor will probably pay only £50-£100 to the tipster if the story is used.

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.

26. 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 take into account the ethical factors. For instance, we had a story about a woman who had befriended an imprisoned terrorist. We took the decision not to publish the story because we did not want her to face the possibility of a revenge attack by victims of the terrorist. In another example, we were told that a sportsperson was suffering from cancer. The individual involved confirmed the illness but asked us not to publish, so we did not
27. I do not believe that a story should be published at all costs. If you know that it is going to wreck somebody's life and no other papers have the story then I might take the decision not to publish.

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.

28. 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.

STATEMENT OF TRUTH

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

MARTIN TOWNSEND

Dated: 16 September 2011