

R. Nixon
First

In the matter of the Leveson Inquiry, an Inquiry under the Inquiries Act
2005

FIRST WITNESS STATEMENT OF
ROSIE JANE NIXON

I, ROSIE JANE NIXON of Hello!, Wellington House, 69-71 Upper Ground,
London, SE1 9PQ WILL SAY as follows:-

1. Except where stated otherwise, the matters contained in this statement are within my own knowledge and belief and are described to best of my recollections.
2. I am Joint Editor of Hello!, a weekly magazine publication, sharing the position with my colleague Ruth Sullivan. I make this statement in response to the Notice under Section 21(2) of the Inquiries Act 2005 as contained in the letter addressed to myself and Ms Sullivan of 16 December 2011.

Introduction

3. I believe it would be of assistance, before addressing the specific points as set out in the letter of 16 December, to explain the nature of the magazine of which I am an editor.
4. Hello! is a weekly magazine published in the UK since 1988. It is sister magazine to Hola! a Spanish weekly magazine launched in 1944, both magazines being owned by Spanish company HOLA, S.L. which is an independently owned family business. So unlike the vast majority of UK magazines, Hello! is not part of a "stable", i.e. a portfolio of publications developed within a publishing house. There are currently 18 international editions of Hello! and Hola!, many of which are published under franchise agreements, however, I am not responsible for them.
5. Eduardo Sánchez Perez is CEO of HOLA, S.L. and also Editor-in-Chief of Hello!. In fact it was his late father Eduardo Sánchez Junco who founded Hello!. And his late grandfather Antonio Sánchez Gómez who founded Hola!
6. Whilst being a successful and well-regarded publication, with an ABC figure recording average total sales of 413,311 copies per week for the most recently audited period of January to June 2011, Hello! is a small operation relative to our competitors. Our team comprises nineteen employed journalists and sub-editors including myself (many of whom are employed on a part-time or job sharing basis) and there are approximately forty other employees; most of our journalists/subs have worked at Hello! for several years.
7. Regarding the chain of command, I am accountable to the CEO, and our journalists are accountable to myself and Ms Sullivan in terms of editorial governance. I speak with the CEO several times a day and he is always available to talk to me. These conversations cover editorial decisions such as exclusive deals with celebrities and the content of the weekly issue, as well as other business and staff issues.

8. Like any newspaper or magazine, Hello! has experienced legal issues in the past, but we have learnt from our mistakes and have done everything in our power to ensure they are not repeated. Furthermore, in recent years especially, the weekly magazine market has evolved substantially, and in terms of what our readers want and the material we provide them with, the reality is that Hello! is a unique publication.

Q 1 Of the Inquiry's letter: Who you are and a brief summary of your career in the media.

9. I have worked in editorial positions for national consumer women's magazines since 1999. In April 2008 I joined Hello! as Assistant Editor (Features) and in November 2010 I was made an Editor. Prior to working at Hello! I held senior editorial positions at magazines including Grazia where I was Executive Editor (Entertainment), Glamour in the position of Associate Editor, Red where my role was Celebrity Director and New Woman where I was Assistant Editor and Entertainment Director. In addition, for a period of time from 1996-1999, I was a Project Editor in respect of non-fiction children's books at Macdonald Young Books.

Q2: How you understand the system of corporate governance to work in practice at the magazine where you are employed with particular emphasis on systems to ensure lawful, professional and ethical conduct.

10. The culture that dictates our corporate governance emanates from our CEO and Editor-in-Chief, Eduardo Sanchez Perez. Hello! is a member of the Press Complaints Commission (PCC) and all journalists, including freelancers, are expected to adhere to the Press Complaints Commission's Editors' Code of Practice (PCC Code). There are no formal internal documents relating to corporate or editorial governance beyond the PCC Code. However, our guiding principles are to behave lawfully, ethically and professionally. Furthermore, Hello! is not a title which intends to offend its subjects or paint them in an unflattering light, and this philosophy has been impressed upon me verbally from

day one in the job by Eduardo, passing on the words of his late grandfather, who founded the company and famously said that each edition should promise a taste of "la spuma de la vida" (the froth of life). Hello! is not a publication which has a salacious agenda or exists to expose celebrity wrongdoing unless a subject is consenting. Indeed, Hello! has on occasions been criticised for our positive portrayal of personalities, but we are proud and protective of this unwritten philosophy.

11. There is a constant dialogue between the editors and the team to ensure the content of the magazine is in line with the PCC Code and the Hello! philosophy. If we have any legal concerns we speak with our lawyers. Sometimes stories are rejected if they feel intrusive or unfair, even if falling within the PCC Code.
 12. In our small team, we only employ and retain experienced journalists who have good reputations with proven track records in accuracy and honesty and who have built strong, trusting relationships externally with celebrities, their agents and other industry sources. Each journalist will already be aware of the requirements of the PCC Code when they join us (in addition to having an understanding of media law and regulations) and the PCC Code is referred to within the team on a regular basis and displayed in the editorial office. Additionally, PCC email updates are sent around to staff internally so that the team are aware of developments and adjudications at the earliest opportunity. We also meet with the PCC and our lawyers to discuss developments and/or adjudications, which helps to inform us as to how the Code and/or law is being applied.
 13. Behaving ethically is central to my role as editor of Hello!, my profession as a journalist and to me personally as an individual. To enforce ethical conduct we adhere to the PCC Code and there is a constant dialogue between the editors and the team.
- Q3: What is your role in ensuring that the corporate governance documents and all relevant policies are adhered to in practice. If**

you do not consider yourself to be responsible for this, please tell us who you consider to hold that responsibility.

14. The responsibility for ensuring that the company's policies are observed and that professional standards are upheld rests with myself and Ms Sullivan. However all major decisions are made with reference to the editor-in-chief and CEO Eduardo Sanchez Perez. As we are such a small, close-knit team, Ms Sullivan and I very much have an 'open door policy' as editors so we may ensure the PCC Code as well as the ethical philosophy of the magazine as described above are adhered to in practice. There is a constant dialogue between the editors and journalists on the magazine content. We sit in an open plan office - I am in the midst of the features and news team, Ms Sullivan is in the midst of the sub-editors team – and we have a continual dialogue about every single feature or news story in the issue and all of our journalists are encouraged to be open in such discussions. Any concerns from members of the team can be raised at any time, but particularly during our daily editorial conferences, which are attended by the senior journalists working on the edition as well as the Chief Sub who attends to ensure that such information is relayed to the other sub-editors. In the daily conference meeting, our picture editor Freddie Sloan will show the photos of the day – both photos from agencies and our own commissioned photo-shoots – and we discuss the stories of the day in the newspapers, the status of current interview requests, and we talk about the subject matter of articles to be included in the new edition. Any potential issues with regard to the PCC Code are also raised at this time. If necessary we call or email the PCC for guidance. Typically, our Director of News Thomas Whitaker does this and relays the result to Ms Sullivan or me. In most cases we allocate the journalist to the story during conference, and they will then handle liaising with the personality or their representative, keeping me and Ms Sullivan informed. I often take on this role myself, if I am best placed to deal with the personality or their representative. There is very much a team

ethos at Hello! and I have confidence in the team and their ability, professionalism and ethical behaviour.

Q4. Whether the documents and policies referred to above are adhered to in practice, to the best of your knowledge.

15. I believe these policies and the PCC Code are adhered to in practice as we operate with absolute transparency. We do not have a blame culture. Our office is a supportive rather than competitive environment. We are careful about the content which we consider publishing and seek legal advice where necessary. We do have a good track record; for example, I understand that in the last thirteen years we have received eight PCC Complaints, of which three were rejected, two were resolved amicably and three were upheld. There have been no complaints within the last five years.

Q5: 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.

16. We are of course aware of the phone hacking scandal but our internal practices have not needed to change as a result. Though we do seek to reveal new and interesting information about the personalities we feature, the methods by which we obtain information are not covert and have certainly never involved phone hacking, "door-stepping" or surreptitious surveillance.

Q6: Where the responsibility for checking sources of information (including the method by which the information was obtained) lies: from reporter to sub-editor to editor, and how this is done in practice (with examples to add clarity).

17. At Hello! sources of information fall into the following categories: personalities themselves, their representatives or entourages, people with first-hand knowledge and our trusted journalists. The editors are ultimately accountable for ensuring the veracity and accuracy of information and appropriateness of sources. However, each article is subjected to a rigorous and careful examination by a number of different individuals on the team so that we may feel wholly confident on publication.
18. In the first instance, our journalists take responsibility for compiling a story and checking that their information is correct. Our journalists rely on sources whom they have known and trusted for a number of years and who have a proven track record in accuracy and honesty. The same applies to the freelance journalists we engage. Sources are discussed with the editors internally and our journalists are encouraged to be completely transparent in such discussions. We expect openness about sources and our journalists comply with this expectation. Once the editors are happy with the submitted copy, it is subject to further checks by our sub-editing department, with a view to accuracy and any legal issues. If the story involves new information about a personality it is put to their representative for comment or verification. If the story is denied then it is not published. But of course we do always try to ensure personalities give us the unvarnished truth.
19. Generally, our internal journalists write the stories in Hello! and they have their own areas of expertise, for example one journalist focuses upon Hollywood-related content whereas another focuses on royal content and another on television stars or even particular television shows. I too occasionally undertake interviews with personalities for the magazine if I feel best placed to do so. This means there is little internal rivalry for content, which might otherwise cause additional pressures upon journalists.
20. I would like to add that only a small number of articles in Hello! are generated from information from sources that are not the personalities

themselves, or their representatives speaking to our journalists on their behalf. In fact, personalities and their representatives often rely on us to 'set the record straight' or 'right the wrongs' written about them in other publications. While we do not routinely give copy approval, we do occasionally allow personalities to check the quotes we intend to publish, for the purposes of accuracy. Our good access to celebrities is critical in sourcing content for the magazine and it is therefore of great importance for us to cultivate relationships of trust.

21. Hello! sells very well when we feature the most important occasions in a personality's life, like their wedding. In order to gain this kind of exclusive access it is absolutely essential that there is mutual trust. For example, we recently featured the wedding of Sir Richard Branson's daughter Holly on page one of the magazine, plus 35 pages inside, with another 17 pages in the following edition. I negotiated this deal and wrote the accompanying interview with the couple. The exclusive access to the wedding, which was held on Sir Richard's private hideaway, Necker Island, was achieved both through Hello! making a charitable donation on behalf of the couple, but also because of their trust in me personally and in Hello!'s reputation to present such an intensely personal occasion in a respectful, accurate and stylish manner.
22. When we are considering the publication of photos from photo agencies, we consider the privacy rights of the personality within them. Where we have any concerns, we typically make enquiries of the photo agency or individual as to the circumstances in which the photos were taken and we seek to obtain certain assurances. We also request to see the entire photo set so we may be fully appraised as to the circumstances and surroundings. Any doubt is generally resolved through speaking with the PCC or the personality's representative. In any event, there are certain types of photos which we are typically wary of publishing, such as grainy photos or those that appear to have been taken through a window and photos that might be deemed unflattering to a personality.

23. As Hello! is a weekly not a daily publication we are under different pressures to daily newspapers and we have more time to liaise with personalities themselves, their representatives, the PCC and/or our lawyers with regard to checking information. But of course we have much tighter deadlines than monthly magazines.

24. Some examples of how we check sources of information:

(i) In April 2011 a trusted source informed one of our journalists that Kate Middleton had had a make-up lesson in the run-up to the royal wedding and was going to be doing her own make-up on her big day. Whilst we trusted the source, we approached the press office at Clarence House, with whom we have a very good relationship, for confirmation, as we typically do. They confirmed the exclusive story for us.

(ii) The Middleton sisters - The Duchess of Cambridge and her younger sister, Pippa - are of considerable interest to Hello! readers and street photographs of both of them are regularly offered to our picture desk. We have however taken a decision not to publish unauthorised pictures of either woman if they are not at a public engagement, without first checking with either the press office at Clarence House or the Middleton sisters' lawyers. If they ask us not to use the photos we are being offered, for whatever reason, our policy is simply not to use them.

(iii) On December 20, The PCC forwarded a letter from lawyers for the royal family which reminded editors that the Queen's residence, Sandringham, is a private estate. The PCC's note coincided with the royal family spending Christmas there. The lawyer's letter said there would be an official photo-call at a Christmas Day church service attended by senior royals. A photograph taken after Christmas Day was later sent to Hello! and published by a national newspaper, showing the Queen on a horse on the estate. We were mindful of the PCC note and before publishing the photograph asked the press office at Buckingham Palace if they were happy with us using it. They

thanked us for checking with them and gave us their blessing for the photo to be published.

(iv) We are not only mindful of photographs of members of the royal family. An example to demonstrate how our checks apply not only to members of the royal family, but also to materials we are presented with concerning personalities, concerns a recent edition when we were considering the publication of a set of photographs of a personality on the beach. We firstly considered it with regard to the PCC Code. We then consulted the PCC to ascertain whether they had been informed of any notifications with regard to the photos, knowing that the personality had previously alerted the PCC about their privacy concerns following the appearance of almost identical photos in previous years. The PCC had received no notification of complaint in relation to the photos, but to be sure we nevertheless sought to seek consent from the personality's representative as well, who on this occasion informed us that they were monitoring the matter and that most of the photos were fine for us to use.

(v) Similarly, we recently featured a singer whom we interviewed and who spoke fondly of her children. We therefore wanted to use photos of her children to enhance the piece. Although her children had appeared on TV with her before, we were conscious of the grey area in relation to the publication of photos of children, so we therefore sought confirmation from her representative and clarified whether the children's faces should be pixelated. On this occasion they requested that they were. We aim to stay on good terms with celebrities and their representatives to limit the risks of complaint. Further, by staying on good terms with people, we find that they are more likely to cooperate with us in relation to feature requests.

(vi) As an example of how we are mindful of the provenance of photographs I was recently offered some private family photographs of Coleen Rooney and her son by a member of the public for publication in Hello!, for a payment. I became suspicious of the circumstances

around the photographs. I recorded my conversation with the caller and subsequently alerted the personality's representative. The photographs turned out to have been stolen. The matter was handed over to the police and two men are now awaiting sentencing, having pleaded guilty to stealing photographs and blackmail.

Q7: To what extent is an editor aware, and should be aware, of the sources of the information which make up central stories featured in your magazine each day (including the method by which information was obtained).

25. As editors of Hello! Ms Sullivan and I are aware of the sources of information which make up all the stories featured in our magazine each week, including the method by which the information was obtained. We make it our business to know, and again, because we are such a small team, this is relatively easy to enforce. I believe that a magazine editor should be aware of the sources their journalists are using if they are ultimately accountable for the content.

Q8: The extent to which ethics can and should play a role in the print media, and what you consider 'ethics' to mean in this context.

26. Behaving ethically – and by that I mean behaving in a manner that is honest, fair and decent – underpins the way in which I operate as an individual and as an editor. I believe that behaving ethically, whilst maintaining accuracy and impartiality, is intrinsic to the trust between Hello! magazine and its readers – and should be central to every publication in the print media. As the PCC Code states, members of the press have a duty to conduct themselves ethically by maintaining the highest professional standards.

27. As described before, ethics are of huge importance to Hello!, as our editorial philosophy is to present honest and respectful coverage of

personalities, and we rely on our relationships with the personalities we feature – those relationships are based on trust and transparency.

28. I should also add that I, and my fellow journalists at Hello!, are protective of our reputations as individuals and journalists and would not wish to do anything which might reflect adversely upon our professionalism.

Q9 & 10: The extent to which you, as an editor, felt any financial and/or commercial pressure from the proprietors of your magazine or anyone else, and whether any such pressure affected any of the decisions you made as editor. And the extent to which you, as an editor, had a financial incentive to print exclusive stories.

29. As an editor I have not felt any financial or commercial pressure from Hello!'s proprietor or anyone else to compromise my observance of the PCC Code, the law or my personal ethical beliefs in editorial decision-making. My remuneration is not determined by exclusive stories or circulation figures.

30. Plainly, exclusive stories are of value to Hello! because they increase our sales. By 'exclusive stories' I am describing access to the major events in the lives of public figures (like their wedding day) and other photo-shoots and interviews with personalities as opposed to news driven stories – I am therefore not under pressure to print exclusive news stories in the way that some editors might be. However, part of the reasoning in making me an editor at Hello! was to try to improve circulation through bringing in exclusive photo-shoots and interviews. As with every magazine editor, I am under pressure to produce a publication that sells, but the content featured may or may not be "exclusive" – for example, many of the articles we publish about the Duke and Duchess of Cambridge are not exclusive. Furthermore, as Hello! is not a daily publication we are not competing in the same market place. The emphasis at Hello! is on producing content that is of

interest to our readership through building long-term relationships with personalities, rather than getting one-off 'scoops'.

Q11, 12, 13: Whether to best of your knowledge, your magazine used, paid or had any connection with private investigators in order to source stories of information and/or paid or received payments in kind for such information from the police, public officials or others with access to the same. And if so, what policy/protocol if any was used to facilitate such use of private investigators.

31. To the best of my knowledge, Hello! has neither used, had any connection with nor paid private investigators for information. The same applies to the police and public officials or others with access to the same. I can categorically confirm that this has not happened during my 14 months as an editor. As such we have never needed to have such policies or protocols in this regard.

Q14: Whether there are any situations in which neither the existing protocol/policy nor the practice were followed.

32. There were no such situations and therefore this point does not apply.

Q15 &16: The extent to which you are aware of protocols or policies operating at your magazine in relation to expenses or remuneration paid to external sources of information and the practice is relation to these payments.

33. There is no written policy with regard to expenses or remuneration paid to external sources, but as a matter of practice all articles and the information contained therein is produced either by in-house staff (who are paid by pay-roll) or external journalists, all of whom are required to invoice for work carried out in a transparent way. No source payments are made in cash.

34. In addition, as the Inquiry will be aware, Hello! sometimes commissions and pays personalities for interviews and photo-shoots most commonly in connection with exclusive access to private events such as weddings

or homes. All substantial payments are discussed and agreed with the CEO and again these payments are invoiced for in a transparent way, although all such fees are confidential.

35. Occasionally freelance journalists are used to provide background information or colour for news stories, for which they would receive payment. The in-house journalist who has commissioned the freelancer will discuss and agree the payment amount with Ms Sullivan or me. Payment will only be made after receiving their invoice.
36. As to expenses, we pay receipted expenses upon request when journalists and/or freelancers have incurred costs in connection with their work, such as lunch with a contact or a taxi home after a late night awards ceremony. Ms Sullivan or I check all expenses prior to them being paid and where the likely sum is larger than usual then it is usually pre-approved by us. I should add that all payments in and out are carefully scrutinised by our accounts department.

Q17: Anything else you consider will assist the Chairman.

37. As an editor of Hello! I welcome responsible journalism but I do on occasions find it difficult to make editorial decisions as to whether a photo or other content should be published – even with the benefit of legal advice and liaising with the PCC. Although this situation is fairly rare, it is largely due to the fact that privacy law is constantly evolving and extremely dependent on the specific facts in each instance, coupled with the fact that there is some inconsistency with personalities and their representatives using the PCC. Being acutely aware of the potentially substantial costs of litigation, we regularly err on the side of caution.
38. With this in mind, I think the media would benefit generally from clearer understanding of where the boundaries in the law and best practice

le, particularly in relation to the law of privacy. It would assist if the FCC (or its successor) was universally used by the media and widely used by subjects as a notifying tool regarding any concerns they may have, and if that body had the power to enforce its regulations.

- 39. in the light of points already made, it would be useful that a body exists to regulate the press that is authoritative and impartial, but not government controlled.

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

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Dated: 10th January 2012