

The Leveson Inquiry

Witness Statement for Part 1, Module 3

FIRST WITNESS STATEMENT OF TOM WATSON MP

I, **TOM WATSON MP** of the House of Commons, London, SW1A 0AA, **WILL SAY** as follows:

1. Who you are and a brief summary of your career history.

I am Tom Watson, Member of Parliament for West Bromwich East since 2001. I am currently a member of the DCMS Select Committee. I stood down as a Cabinet Office minister in 2009. Prior to this I was a Government whip since 2007, a Defence Minister in 2006 and a junior whip in 2004.

Your pursuit of issues relating to the culture, practices and ethics of the press

2. The Inquiry has noted that you have taken an active role in pursuing a number of issues relating to evidence or allegations of conduct by and relating to the press contrary to the public interest, including issues raised by the Daniel Morgan murder, and hacking claims at News of the World, and in criticising the influence of the Murdochs more generally. How did your interest in these matters come about? To what extent was it linked to your personal experiences (see below) and what were the other factors which influenced you?

I resigned as a minister in June 2009, after the pressure on my young family became too much. The maelstrom of media attention during the Damian McBride saga in 2009 was emotionally and physically draining. Political families deal with the stress of media intrusion in different ways. I have talked to many MPs who share the view that families usually suffer in silence, with a sense of isolation. Our experience of aggressive intrusion is outlined in answers to questions below.

After resigning as a minister, I considered standing down from Parliament at the general election 2010 but felt I should do something productive as a backbencher before making the final decision. Away from the crucible of Ministerial office and in particular, Downing Street, the Select Committee system is the best way to contribute to long term policy making in Parliament. So I stood for election to the DCMS Select Committee. Shortly after joining the Committee, in July 2009, the Guardian broke the story of the Taylor payment and the Chairman re-opened the Committee's inquiry into press standards.

The pursuit of the hacking scandal is only related to my personal experiences in this sense: I would not have been on the DCMS Select Committee if my wife had not asked me to stand down as a Minister because of damaging untruths published in a number of national newspapers and unwarranted media intrusion into our family life.

I became interested in the Morgan case for two reasons. Firstly, a whistle blower showed me evidence relating to the investigation of the case in the spring of 2011. Secondly, I met Alastair Morgan. The first investigation of the Daniel Morgan murder was undermined by police corruption. The Morgan family struggled to get their concerns heard in the media and government. Successive ministers have ignored their plea for an inquiry. Like many others in this saga, they have suffered more than they deserve. I'm convinced that the only way they will get closure for the loss of a loved one, is for an independent inquiry into the whole affair.

I became interested in the phone hacking issue after the first evidence session as a member of the Committee. I didn't believe that Colin Myler, Tom Crone, Stuart Kuttner told the Committee the whole truth. They were evasive in the way they answered questions and opted for a defence of dumb insolence. Their behaviour prompted me to dig

more deeply into the case; first by making personal contact with lawyers working on civil cases, then by talking to victims about their experience.

3. How did you go about investigating and raising the profile of these subjects? Which avenues have you explored in your pursuit of the underlying facts?

Key to exposing the scandal has been the testimony of whistleblowers. They helped in various ways, from providing hard evidence of journalists colluding with known criminals to suggesting lines of inquiry to take.

One (confidential) source in particular helped establish a number of key facts, including:

- i. The association between and the private investigator, Amongst the evidence, which is held by the Metropolitan police, it showed:

[Redacted]

ii. A second whistleblower helped me understand the IT infrastructure of News Group Newspapers Ltd. He read in the Independent on Sunday that I had reported the company to the Information Commissioner for potential breaches of Schedule 7 and 8 of the Data Protection Act (See attached letter to the ICO, 18/11/10). He rang to tell me:

- a. The company would not have archived their records in Mumbai, India as was suggested in the perjury trial of Tommy Sheridan.
- b. He incorrectly suggested that the data was stored in London by the Iron Mountain data storage company.
- c. That the company used two servers – one for the news teams, one for executives. The executive server was more secure in order to protect financial information.

[Redacted]

I still do not know the accuracy of this information. At the time it gave rise to a belief that if the police were intent on getting to the facts of the hacking cover up, they would be able to find the evidence.

[Redacted]

iii. A third whistleblower gave me detailed allegations about the use of covert listening devices at the company headquarters in Wapping, shortly before the Milly Dowler story was revealed by the Guardian.

[Redacted]

As well as the questions I have raised in Parliament, I have also corresponded with Ministers and Civil Servants to raise concerns. I've also used the Freedom of Information Act to help

establish links between police, politicians, civil servants and employees of News International.

I have also been contacted by a number of MPs who have experiences of intimidating behaviour by news organisations. I have summarised some of their concerns below and I am aware that others have similar stories to tell, but are not prepared to do so publicly.

Attached to this submission are the following:

1. Oral question to the Solicitor-General, Vera Baird asking her to satisfy herself that the CPS had not prosecuted cases based on phone hacking evidence (11/3/2010).
2. Letter to the Deputy Prime Minister claiming revelations made in the New York Times raised grounds for a judicial inquiry (02/9/2010)
3. Letter to Nick Clegg answered by Theresa May. She rejects calls for a judicial inquiry and an investigation by the IPCC. (8/9/10)
4. Letter to the PM [redacted] after claims were made on Channel 4 Dispatches [redacted] 4/10/10)
5. Written Parliamentary Questions to Home Office requesting that HM Inspectorate of Constabulary review the phone hacking investigation of 2006 (17/10/10)
6. Letter to Gus O'Donnell raising concern that legal fees paid by News International to Mr Andy Coulson may warrant a breach of the Special Advisers Code of Conduct (10/12/10)
7. Reply from Gus O'Donnell rejecting concerns and claiming the arrangement was cleared with the Cabinet Office (13/10/10)
8. Freedom of Information Request to the Cabinet Office regarding the approval to allow Andy Coulson to receive legal fee payments from News International. (20/12/10)
9. Reply from the ICO after a complaint about the failure of the Cabinet Office to answer the FoI request regarding the Coulson legal fees. The ICO gave the matter to an enforcement team. (29/9/10)
10. Reply from the Cabinet Office confirming that Mr Coulson was given oral advice that it was acceptable to take legal fees from News International. (4/8/10)
11. Letter to the DPP, Keir Starmer, raising concerns regarding the original investigation into phone hacking (6/11/11)

12. Letter to James Murdoch regarding the conduct of the company after the suspension of Ian Edmondson, raising the Eadie “blackmail” ruling in the Moseley case in relation to the claims of “zero tolerance to wrongdoing” at the company. (8/1/11)
13. Letter to John Yates pointing out that a whistleblower had identified a possible source of new evidence and offer to help further (18/1/2011)
14. Response to my letter from John Yates pointing to a new inquiry and informing me he was no longer responsible for the case (18/2/2011)
15. Letter to Jeremy Hunt requesting the BSkYB bid be considered using the broadcasting standards tests contained within the Enterprise Act of 2002. (24/1/11)
16. Letter from Jeremy Hunt rejecting the request (8/2/11)
17. Letter to Keir Starmer raising concerns that there was a conspiracy to pervert the course of justice at News of the World (25/1/11)
18. Response from Keir Starmer (26/1/11)
19. Oral question to the PM requesting an outside force investigate phone hacking (26/1/11)
20. Letter to Sue Akers regarding data storage and the letter to John Yates of 18th January. (21/2/11)
21. Timely and helpful response from Sue Akers (28/2/11)
22. Letter from ICO raising “concerns about certain aspects of evidence submitted to the courts” in relation to the Tommy Sheridan perjury trial. (6/6/11)
23. Complaint to Sue Akers regarding Rebekah Brooks admission that police officers were paid for information. (2/3/11)
24. Oral question to Jeremy Hunt regarding Ofcom and broadcasting standards (3/3/11)
25. Jeremy Hunt’s apology to the House of Commons following a point of order raised with the Speaker that the media were informed of his decision on BskyB before Parliament (3/3/11)
26. Written question to the Home Secretary asking for her knowledge that serving detectives had been put under covert surveillance by private investigators working for national newspapers (7/3/11)
27. Written question to Home Secretary asking what funding was available to police officers using public funds in defamation cases (7/3/11)
28. Written question to the Home Secretary requesting she asks the Metropolitan police to brief her on the number of MPs who appear in the Mulcaire files - the minister declined (7/3/11)

29. Letter to Home Secretary raising concerns about allegations made by the BBC's Panorama programme that a former Intelligence Officer was a victim of computer hacking. (22/3/11)
30. Response from Theresa May (24/5/11)
31. Evidence session of John Yates to the DCMS Select Committee (24/3/11)
32. Freedom of Information Request reply from CPS regarding Ken McDonald and hospitality (12/3/11)
33. Letter from CPS confirming files have been lost regarding McDonald's hospitality (12/5/11)
34. Letter to Sue Akers regarding a possible case of prosecution of a corporate body in relation to the Taylor payments (15/4/11)
35. Reply from Sue Akers (19/4/11)
36. Letter to Jeremy Hunt regarding the BSkYB bid and the "undertakings in lieu" decision (19/4/11)
37. Letter to members of the MPA regarding hospitality registers at the MPS and entries by John Yates (28/4/11). The policy of the Met at the time was to redact the name of the organisation offering hospitality.
38. Follow-up letter to John Yates from the DCMS Select Committee chairman, John Whittingdale (28/3/11)
39. Reply from John Yates (13/4/11) confirming he first met Chris Bryant in 2004 following a complaint by Mr Bryant
40. Letter from the MPA confirming the MPS management board had changed its policy to redact the names of organisations offering hospitality (23/5/11)
41. Letter to Home Office Minister James Brokenshire requesting he considers amending the Regulation of Investigatory Powers Act 2000 to clarify the definition of unlawful interception of a voicemail message.
42. Reply from James Brokenshire rejecting my suggestion (16/5/11)
43. Letter to Jeremy Hunt regarding BskyB take over and criminal trials (10/5/11)
44. Reply from Jeremy Hunt (17/5/11)
45. Oral question to the Prime Minister requesting a judicial inquiry (11/5/11)
46. Freedom Of Information Request to MPS regarding Andy Hayman's dinner with News of the World on 25th April 2006. (18/5/11)
47. Letter to Sue Akers (with copy to the Home Secretary) regarding allegations from a whistleblower that evidence was being destroyed at News International. (14/6/11)

48. Letter to Jeremy Hunt asking him to publish the News Corp share register (21/5/11)
49. Letter of complaint to Stephen House, Chief Constable Strathclyde police regarding the evidence of News International executives in the Sheridan trial. (21/6/11)
50. Transcript of Urgent Question to Jeremy Hunt regarding the BskyB bid (30/6/11)
51. Point of Order regarding the hacking of Milly Dowler's phone (4/7/11)
52. Freedom of Information request reply from CPS regarding the date the MPS first contacted the CPS about the phone hacking investigation. (4/7/11)
53. Note obtained using the Freedom of Information Act, from Chief Executive of the CPS, Richard Foster, in December 2004 outlining the department's position on the acceptance of hospitality. "When in doubt, decline".
54. Revised note, obtained under the Freedom of Information Act, from Peter Lewis of the CPS regarding hospitality, 5th December 2005.
55. Ken McDonald entries in the hospitality register
56. Letter to James Murdoch asking what measures he intended to put in place to protect information held by the newspaper and subsidiary companies (8/7/11)
57. Letter to Sue Akers regarding allegations of evidence destruction (8/7/11)
58. Oral question to Jeremy Hunt raising Operation Abelard and John Yates (11/7/11)
59. Oral question to the PM requesting he allows Lord Justice Leveson access to information held by the intelligence services
60. Letter to the American Ambassador following a tip-off from a regular anonymous caller claiming to be an investigator for HMRC (25/7/11)

**4. In your view, what are the results of your investigations to date?
Are you surprised by the results? What conclusions have you drawn?**

The investigation points to a complete failure of basic levels of corporate governance at News International. At time of writing this submission, the company have still not submitted audited accounts to Companies House, for example.

When Rupert Murdoch gave the impression he had little knowledge of Mr Justice Eady's "blackmail" ruling in the Moseley case at his recent testimony to the Inquiry, he did so having been questioned about it in front of a Parliamentary Committee in July 2011 and after a letter was sent to his son, James, to raise concerns that the company position of "zero

tolerance” had been transgressed in the case of Mr Thurlbeck. I know of no other company chief executive who would not have made it his or her immediate business to get to the facts of a case had they been questioned about it in Parliament.

It is hard not to draw the conclusion that ultimately, this scandal was allowed to play out because of the failure of politicians to act in the public interest. Unlike newspaper groups, News International behaved like the ultimate floating voter, but with menace. This helped create a zero-sum political game, where narrow personal or party interests took precedence over anything else.

Their corporate culture is brutal and absolutist. Their cartoon tabloid world of heroes and villains gradually turned into real life at the top echelons of the democratic process. Everyone is either for them or against them. And everyone against them is the enemy, so morally low as to have no moral rights whatsoever.

That's how they treated the political class, and it's how the political class behaved. The more terrified we were of their contempt for us, the more we craved and courted their approval.

It is hard not to conclude that the politicians who choose not to moderate their thinking in this way, generally lose out in the political stakes. I cite current examples Kenneth Clarke, Vince Cable and Chris Huhne, to illustrate a point. In the case of Huhne, his forthcoming criminal case has been brought about because, as I understand it, the Crown Prosecution Service were voluntarily handed emails by the Sunday Times. Whatever the rights and wrongs of this, I merely pose the question, how many journalists think it is right to betray a source in this way? It may be that the forces of justice would have obtained the emails using legal remedy, but it seems highly unusual that a media group would give up their source without a fight.

You only have to look at the lengths News International has gone to protect the private information held in the mind of the convicted private investigator, Glenn Mulcaire to see how News International's position is inconsistent.

I also think that the company have not yet come clean about what other forms or illegal information gathering were commissioned.

It probably doesn't have to be said but for completeness, I will: The Press Complaints Commission has utterly failed. It has lost the confidence of newspaper readers, a number of proprietors and certainly the people who have had their privacy invaded. The current attempts to revitalise the institution should not be allowed to succeed. The body needs replacing not resuscitating. Only an independent regulator with powers similar to the Information Commissioner can do the job with credibility now.

It is clear to me that politicians have proved themselves incapable, over many years, of exercising quasi-judicial powers objectively when it comes to media takeovers. The decision should go to an independent regulator.

In the end, this scandal is about political failure. Successive Prime Ministers from Margaret Thatcher to David Cameron must share in the responsibility for allowing executives at News International, and other media groups, to believe they had become unaccountable. The private emails and texts between the three most recent Prime Ministers and senior executives of media groups, may reveal a very different relationship, one not seen by the public. (I am assuming that emails and texts do not exist between Margaret Thatcher and John Major).

We are all to blame. Being one of the few who finally fought back doesn't excuse my years of complicity any more than I damn anybody else's. The true measure of care for our democracy is in the integrity of the response we fashion now. Last summer the government commissioned this inquiry, and the police began seriously and independently to investigate News International's crimes for the first time. But our country can only recover if measures are put in place - so shatteringly lacking as they have been proved to be - to see that it cannot recur. More than anything, that means a strong, independent press regulator, and a completely independent regulator of media ownership.

Your Personal Experience

The Inquiry wishes to ask you a number of specific questions about your personal experience of the press.

5. It is well known that in 2006 you signed a letter in which you made clear that in your view Tony Blair, the then Prime Minister, should resign. You then resigned as a Minister, and wrote a resignation letter explaining that you could not withdraw your opposition to his remaining in power. In a speech to the annual GMB conference in June 2011 you explained what happened thereafter:

“I was told then that Rebekah Brooks, then the editor of the Sun, now the Chief Executive of News International, would never forgive me for what I did to her Tony. They said she would pursue me for the rest of my life. She did, they have. I can tell you from personal experience it's not very nice. And when you're faced with that daily fear, you really only have two choices. Give in and get out, or give as good as you get”.

Could you please tell the Inquiry how you came to believe that Mrs Brooks had taken this position? How reliable was your source of information? Do you have any personal knowledge that Mrs Brooks held this position?

There are a number of sources that helped me to form this view.

The first is George Pascoe-Watson former political editor of the Sun, who in the early hours of the morning in the Midland Hotel, Manchester during the Labour Party conference in 2005 told me that “Rebekah will never forgive you for what you did to her Tony”. He went on to say that Rupert Murdoch never forgets.

During the Damian McBride affair in 2008, I was libelled by the Sun. On 13th April under the headline “mad dog was trained to maul” which was illustrated with a cartoon, the Sun’s Trevor Kavanagh alleged I was amongst the “motley crew” who dreamed up “grisly lies” about David Cameron and George Osborne. On the 14th April the Sun published an article entitled “Two Dinners Tom is behind this sick plot”. The article, written by Fergus Shanahan alleged I was behind the plot to smear Conservatives by spreading obscene lies about them.

Other offensive, though not libellous articles were written that week creating a feverish speculation about my political future. Michael Dugher, then press spokesperson at Number 10 told me that a Sun journalist had explained he knew the stories he was writing about me were “bollocks” but the editor was making him do it. News Group Newspapers apologised in open court on 20th October 2009.

In late autumn 2009, Stewart Wood, then an adviser at Number 10 recounted to me a conversation he had with Tessa Jowell who told him that Brooks had talked about me in a disparaging way. When Mr Wood told me this, I took it as a warning to behave with caution as a member of the DCMS Select Committee inquiry that year.

Ian Kirby, the former Political Editor of the News of the World told me that Rebekah Brooks felt I was a ringleader of the MPs who were investigating phone hacking during 2009. He said she was furious with the course the inquiry was taking.

On 9th August 2011 Nick Robinson, the Political Editor of the BBC told me on that at the News International party at the Labour Party conference in 2009 Rebekah Brooks said to him “*what am I going to do about this Tom Watson*”. He said that he vividly remembered the incident because it was unusual for a powerful media executive to be concerned with a backbench MP. He said later in the evening, she returned to him to raise the issue for a

second time. Mr Robinson told me he raised the conversation with a couple of people as being an unusual thing for her to say.

In an interview in 2011, Neville Thurlbeck the former Chief Reporter of News of the World told me:

"She didn't like you at all. She took an absolute pathological dislike to you. She saw you as the person that was really threatening. She tried to smear you as being mad. She was briefing. She was saying to Blair: 'We've got to call this man off, he's mad'.

6. **As stated above, you are quoted as saying: “*She did, they have. I can tell you from personal experience it’s not very nice*”. The Inquiry would be grateful if you could set out, in detail, the experiences you have faced since 2006, which you attribute to the fact that Mrs Brooks held this position against you.**

During the week after the McBride affair, the following happened:

1. A neighbour discovered three people on my property whilst I was away. He told me there were two men and a woman, one carrying camera equipment. They had climbed a locked six foot high gate. One of them was in our garage rustling through paper, the other going through bin bags. I do not know who these people were

2. Mrs Brooks texted people close to the Prime Minister telling them I had to be sacked.

7. **In late 2011, Linklaters (acting for News Corporation) confirmed to Parliament that you had been placed under surveillance by News of the World for a period of one week in 2009. Do you consider this to have been part of the ‘campaign’ against you? What do you believe its purpose to have been?**

I think this exercise is one of the most alarming aspects of the affair. The idea that a company could attempt to smear all 12 members of a parliamentary committee is shocking. In the edition of New Statesman published on 4th May 2012, Neville Thurlbeck says:

“And the public now knows that at the height of the scandal, News of the World reporters were despatched to spy round the clock on the members of the Culture, Media and Sport Select Committee.

“The objective was to find as much embarrassing sleaze on as many members as possible in order to blackmail them into backing off from its highly probing inquiry into the phone hacking scandal.

“It was a plan hatched not by the News of the World but by several executives at News International – up the corridor in ‘Deepcarpetland’ as the area staffed by managers and pen pushers was euphemistically called.

“And it failed because the reporters dithered and procrastinated. It wasn’t journalism, it was corporate espionage. Ten days later, the plot was hastily cancelled.”

I was followed by Private Investigator Derek Webb. Recent disclosure from the company shows that the covert surveillance was commissioned by Mazher Mahmood with someone called “Conrad” acting as an accomplice. Mahmood made untrue and damaging claims in internal emails with the subject heading “labour sex scandal”. He claimed I was having an affair with a devout Muslim woman. It goes without saying that the allegation alone would have caused immense damage to the reputation of the woman concerned.

During a 2011 interview Thurlbeck told me that the NoW journalists were each allocated two committee members to investigate. Despite Thurlbeck’s claims that journalists “procrastinated until the plot was hastily cancelled” I believe Mahmood was allocated to me during that period in September 2009. He was prepared to believe erroneous gossip, no

matter how spurious, and go to extraordinary lengths to try to prove it because as Thurlbeck has confirmed, executives in News International had commissioned the covert surveillance.

In an email exchange between Ian Edmondson and James Mellor, Mahmood refers to me as “*close lackey of Gordon Brown (ex-whip, anti-Blair etc)*” alluding to a wider political reason for targeting me.

During his evidence to the DCMS Select Committee, James Murdoch said of the surveillance:

"I am aware of the case of surveilling Mr Watson, and again I think under the circumstances I apologise unreservedly for that"

"It is not something that I would condone, it is not something I had knowledge of, and it is not something I think that has a place in the way that we operate."

"I think it's important to note that certain surveillance of prominent figures in investigative journalism and things like that is acceptable, but in this case it is absolutely not acceptable."

As far as I know, Mr Murdoch has not exercised the “*zero tolerance to wrongdoing*” policy in the case of Mr Mahmood taking part in and exercise that he deems to be “*absolutely not acceptable*” and having no “*place in the way we [News Corp] operate*”.

Separate to the surveillance, the MPS have informed me that my name appears in the database created as part of Operation Tuleta. I am still not aware what precise information is held by them but they haven’t ruled out computer hacking.

8. During the GMB speech, you seemed to suggest that you had decided to “*give as good as you [got]*”. The Inquiry would be grateful if you could set out what course of conduct or actions you decided to take as a result. What has been their effect?

Before the 2010 General election I made the decision that I was going to get to the facts of the scandal whatever the consequences. My working assumption was that the company would discredit me in the minds of the public to such an extent that I would be unelectable. The

decision to pursue the company was therefore made in the knowledge that this would end my political career.

9. To the best of your knowledge, is your experience at the hands of the media atypical? Please provide any relevant examples.

As is apparent from information about the civil actions and information provided by Sue Akers, numerous MPs were targeted by Glenn Mulcaire.

In a debate on 9th September 2010 (Hansard col 485), I made the point that MPs were afraid of the newspapers. Simon Hughes MP made a similar point in the same debate. I was struck by how many colleagues, from both sides of the House, approached me after the debate to say that they felt intimidated by tabloid newspaper industry that had the capacity to humiliate them in the eyes of the public.

I think my experience may be an extreme example of a pattern of behaviour displayed by the papers in the Murdoch stable,

By way of example, I have spoken to Martin Salter, formerly MP for Reading West. He has provided me with the following information to use in this statement (and is willing to give evidence himself if the Inquiry requires):

“1. 2000 NoW Sarah’s Law Campaign and the Police National Computer

As editor of News of the World Rebekah Brooks aggressively pursued a campaign to have the details of all people on the sex offenders register made public. She wrote to all MPs in the latter half of 2000 demanding that we publicly back her campaign. Along with a number of my colleagues, and almost all relevant professional opinion, I considered their Sarah’s Law campaign to be dangerous and irresponsible. It later led to an attack on the home of a paediatrician and incited other acts of intimidation. I wrote back to Brooks and told her that I would not be supporting her inflammatory campaign because I agreed with the police, children’s charities and social workers who warned that kids would be at greater risk if released sex offenders were driven underground and away from supervision in the

community. I told her that in my view she should abandon her campaign and apologise for the problems it had already caused. It now seems this made me a target for special attention.

A particularly unpleasant piece appeared in the NoW on September 24 which 'named and shamed' those MPs who refused to support their Sarah's Law campaign, with an accompanying rogues gallery of unflattering photographs. The implication was that we were the paedophile's friends. As it happened my local papers gave me plenty of opportunity to explain my reasons and the issue fairly quickly subsided and did not influence the outcome of the general election the following year. Although the police called my constituency office in 2003 to tell me that an unsuccessful attempt had been made to access Police National Computer (PNC) information, I thought no more about until I was contacted by the Guardian last year.

The illegal attempts to access the PNC were all commissioned by a private detective called GLEN LAWSON, trading as ABBEY INVESTIGATIONS and based in Newcastle upon Tyne. I understand he has thus far refused to reveal his clients but I believe that because of the timing further investigation will eventually show that he was acting for the News of the World. The Guardian reported the affair as follows on 11th July 2011.

Guardian 11.7.11

In 2003, Devon and Cornwall police discovered that one of their junior officers was providing information from the police national computer to a network of private investigators. The Guardian has established that one of these investigators, Glen Lawson of Abbey Investigations in Newcastle upon Tyne, used this contact to commission a search of police records for information about [redacted] on 16 November 2000. Lawson also commissioned searches related to two other Labour MPs, [redacted] and Martin Salter.

Lawson made these searches on behalf of journalists, a previously unreported court hearing was told. Transcripts obtained by the Guardian show that the search on Martin Salter was made at a time when the News of the World, then edited by Brooks, was attacking him for

refusing to support the paper's notorious "Sarah's law" campaign to name paedophiles. Lawson currently refuses to name the journalists who commissioned him.

An attempt to prosecute this network was blocked by a West Country judge, Paul Darlow, who ruled it would be a misuse of public money to pursue the case. However, Devon and Cornwall police contacted Brown's office to warn him that he had been a victim, as they also did with his two Labour colleagues

2. 2004 Impersonation and harassment

After a turbulent relationship with her local party my neighbouring MP Jane Griffiths was eventually deselected on 22nd February 2004. The following Sunday she gave an angry interview to the Mail on Sunday and tried to smear me and others in a series of wholly false and ridiculous allegations. My solicitors Bindmans managed to have my name removed from some of the more lurid allegations that she made but my name still appeared in the article and implications could have been drawn. It seems the NoW then decided to embark on a 'fishing expedition' a week or so later and sought to re-run the story by trying to doorstep and photograph me at my home. I had moved house that year and I assume I was still on the electoral register at my old address as they went to the wrong house. The reporter, Ryan Sabey, was verbally abusive to my former neighbours when they refused to pass on my new address and informed them that he had ways of finding out without their help. Within half an hour he had arrived at my new house. I avoided going home until very late that night.

A few days later a seemingly separate incident occurred. I received a duplicate utilities bill and after calling the company to find out why I had been sent one, was told that we had called to request one. No such call had been made and it did not surprise me that the call had been made to the company at precisely the same time that Mr Sabey had been looking for my new address. It was apparent to me that he, or someone acting for him, impersonated me or my wife to the utility company in order to get my new address by requesting that they send out a duplicate bill for the last quarter. This process must have enabled him to ascertain the new address over the phone as he and his photographer were at my new house within 30 minutes.

I knew perfectly well that the NoW would simply repeat the Griffiths allegations to me and try and write a denial story based around a photograph and a doorstep interview. I ignored

upwards of 20 calls and pager messages from Sabey that afternoon and early evening. I did call him later in the week and he confirmed my suspicions but by then his news editor had him working on other 'stories' and appeared to have lost interest.

I have subsequently been told by officers at operation Weeting that they have records of a number of calls to my mobile phone from NI offices of which I have no recollection. I am currently gathering information about my activities over this period to try to ascertain if these were legitimate calls or an attempt to illegally access my voicemails.

In my view, the way in which the press treat politicians goes way beyond what is acceptable in the public interest and has the effect of putting extreme pressure on politicians who are involved in campaigning which is unpopular, either because it affects the newspapers' own interests or counters their political views. In fact I was not inhibited from carrying out my duties, but I can understand easily how some can be."

I have also spoken to another MP, who has explained to me the effect of a leak of information which he considers was designed to smear him. His views are set out in a confidential annex as the information is subject to confidentiality restrictions.

10. What evidence do you have more generally that politicians act, or are inhibited from acting, in the public interest on the basis of how their actions are likely to be represented in the press, or because they are concerned about how they personally will be represented in the press? Is this evidence limited or amplified in relation to particular parts of the press? How do you consider that the public interest may be affected as a result?

The examples above show attempts to inhibit people acting in the public interest. While they were not successful, I am aware of the stories of other MPs who have felt inhibited from acting in the public interest, although those individuals are obviously not prepared to make their names public. These issues are rarely aired in public yet there are occasions where, in my view, Parliament has clearly failed to act in the public interest.

I can think of two examples where I felt ministers failed to make adequate reform in the public interest because they were either personally inhibited, or more likely prohibited by their bosses who were inhibited. One is an example made under the coalition government, the other, from the Labour government.

1. The Protection of Freedoms Bill

On 17th May 2001 I moved amendments to the Bill that were rejected by both frontbenches. There was clear evidence of persistent criminal breaches of the Data Protection Act by private investigators working for newspapers. The Information Commissioner had voiced his concerns both privately and publicly over many years. His argument was that penalties contained in the Data Protection Act were not sufficient to deter private investigators from engaging in illegal information gathering. Yet neither of the three main parties represented on the Bill took the opportunity to amend the law. (See attached draft amendments to Bill).

Though I moved the amendment I did not push them to a division because I was told that none of the three parties would support them. The amendments directly related to illicit information gathering. During the debate, I said:

“Let me give a little background to the other two new clauses. How do we deal with privacy intrusion? The new clauses come on the back of the Information Commissioner’s 2006 report entitled “What price privacy?”. The report detailed the unlawful trade in personal information. Those buying such information included insurance firms, lenders, creditors, criminals intent on fraud and national newspapers. All the press, including all newspapers, were particularly avid buyers of such information, some of which was gained through blagging, some through illicit connections and some through phone hacking.

It was subsequently discovered that such intrusions into personal privacy, particularly by the press, were widespread and continuing, despite the investigation and report by the Information Commissioner.

The commissioner believed that the practice would not stop until the penalties for breaking the law were made more serious: when the most severe penalty was a fine of only a few thousand pounds, there was little incentive for the police to pursue cases and little to stop those who were determined to gather personal information. The commissioner therefore tried to increase the penalty for an offence under section 55 of the Data Protection Act to a fine or six months’ imprisonment for a summary conviction and a fine or up to two years’ imprisonment for a conviction. His aim was

“not to send more people to prison but to discourage all who might be tempted to engage in this unlawful trade, whether as buyers or suppliers.”

Although the commissioner’s changes were considered by the then Labour Government, they were scrapped after strong lobbying by senior press figures such as Paul Dacre in 2007 and 2008. There is a rather obvious political point to make, which is easier for me to say as a Back Bencher: Ministers in both the present and the previous Administration have let down British citizens who have had their privacy invaded, by acquiescing to the demands of editors and proprietors. That is unacceptable. We should listen to the Information Commissioner. The Freedom Bill is an opportunity to clamp down on the unlawful trade in data, and new clauses 10 and 11 would deal with that.

New clause 10 would ensure that the unlawful trade in personal information is investigated and reported on regularly. It is not a big demand. No organisation is tasked with investigating or reporting on the unlawful trade in personal information—not Ofcom, not the Press Complaints Commission, not the Information Commissioner’s Office and not the police. As a result, there is almost no oversight of an area where there is strong evidence to suggest widespread wrongdoing. The Information Commissioner’s Office has not only expertise in that area, but experience of reporting on it, most notably in “What price privacy?” and “What price privacy now?”.

There are examples of related problems. The PCC has so far conducted two investigations into phone hacking and is engaged on a third. The first two investigations found no evidence of unlawful privacy intrusion beyond the actions of one rogue reporter, Clive Goodman, but we now know that that is not true and the unlawful intrusion went considerably further. The PCC does not have the resources or the remit to investigate that unlawful trade within the press, and it certainly does not have the remit to investigate it beyond the press. That is why we need to oblige the Information Commissioner to do so.

New clause 11 would discourage those who might be tempted to engage in the unlawful trade in personal information, whether as buyers or suppliers. Section 55 of the Data Protection Act 1998 makes it an offence to obtain, disclose or “procure the disclosure” of confidential personal information “knowingly or recklessly”, without the consent of the organisation holding the data. Currently, convictions under section 55 attract a penalty of only a small fine or a conditional discharge.

The Information Commissioner, Christopher Graham, told the Home Affairs Committee on 26 April that he was concerned about a company that had been making a great deal of money selling customer information. All the participants had been making £70,000 a year from the trade. A separate example, outlined in “What price privacy now?”, is that of Anthony Clifford, who ran a private investigation agency, MRS, which engaged in sophisticated and systematic blagging. He pleaded guilty to 16 section 55 offences, but received a penalty only of 150 hours of unpaid work. In terms of sentencing guidelines, the court treated the offences as equivalent to a single incident of dangerous driving where there was little or no risk of personal injury. In either of those cases, if the same amount of money had been obtained through false accounting—assuming an amount of between £20,000 and £100,000—those convicted would have been looking at two years in prison. As it is, they can only be fined.

It is a sensitive matter, but I think there are still private investigators who are illegally obtaining data in industrial quantities, and there is no deterrence in law to their activities. I am attempting to persuade the Minister that we can stop that if the Government accept the new clauses. I understand the sensitivity of these issues so I will not push him hard, but I urge him to use his customary good judgment and I ask him, as I ask my Front-Bench colleagues, to take the provisions away for consideration.

2 .Draft Damages-Based Agreements Regulations 2010, Tuesday 30th March

In a Statutory Instrument Committee the government tried to railroad through reforms that would only benefit newspaper groups and remove access to justice for many of ordinary citizens. The proposals had been mauled in the House of Lords but the government insisted on bringing the amendments for consideration by a committee in the Commons.

In very unusual circumstances, MPs from all three main parties defeated the minister’s proposals (defeats on the government hardly ever happen in SI committees). I felt very strongly at the time that the power of newspaper proprietors was subverting the process of adequate scrutiny of draft regulations.

Extract from the debate:

My hon. Friend raised two central points. One was about the Jackson report. I think that everyone agrees that the cost of High Court litigation, including defamation and privacy

claims, is too high. The aim of the recommendations in Lord Justice Jackson's report on costs was to look at ways to reduce costs and preserve access to justice and a fair balance between the parties. The question that we must ask ourselves today is whether the Jackson test has been met. Will we drive down costs and give access to justice too?

I must say that the proposals would probably remove every one of my constituents from libel justice and probably mean that the libel courts would go back to the bad old days of being the preserve of just the rich and powerful. I cannot understand why the arbitrary decision to move from 100 per cent. to 10 per cent. was made so quickly. Why not 25, 50 or 75 per cent.? That came up in the House of Lords debate last week.

On both counts—driving down costs and access to justice—the proposal fails. The House of Lords Merits of Statutory Instruments Committee is made up of some very wise heads, and in bringing the matter to the attention of the Lords it said that the proposals may

“imperfectly achieve their policy objective”,

and also commented:

“We regret that insufficient time has been allowed to produce a solution based on more robust evidence or on which there is broad agreement”.

The second point that my hon. Friend discussed was the sense of urgency in the system, because some very famous cases brought by big corporations against hard-working and poor scientists are detaining the courts. Simon Singh, in particular, has been outrageously treated by the British Chiropractic Association for daring to suggest that chiropractic is a pseudo-science, or hokey medicine. He has been intimidated by that process, but as the hon. Member for North-West Norfolk said, he is defending himself using the CFA.

I am not sure whether I am required to make a declaration, but if not, this may be an explanation for colleagues: I have used the CFA to get justice in the libel courts and I am pretty convinced that, had the proposals before us been in place at the time, I would not have been able to obtain the justice I got without risking my entire financial livelihood, meagre though it is these days. Who would risk their children's and family's future in such circumstances?

I hope that those points will help to bring a sense of sobriety to the debate. There are other science cases that have been won under the existing system but would not have been taken under the system put forward by the proposals. There is a very famous case of a Danish professor called Henrik Thomsen, who was sued for defamation in London by three multi-billion dollar companies, which were part of the GE Healthcare group. The claim against him was in respect of a talk that he gave to 30 people at a conference in Oxford.

An article was published in the professor's name in a specialist magazine that was circulated to about 1,000 health care professionals in England. It was about a case concerning one of GE Healthcare's products, which was called Omniscan. It is a contrast agent that is injected to obtain enhanced images with MRI scans and it has been linked with a very rare but horrible disease. It is also the subject of litigation in the US. I do not think that Henrik Thomsen would have received justice if these proposals were in place, and I am very concerned about that.

So I hope that my hon. Friend the Minister will listen to some of the comments made by other colleagues in the Lords. Lord Thomas of Gresford has spent many years campaigning for libel reform, and he said last week:

"The solution that the Government have hit upon is utterly unthinking. It is not the recommendation of the Culture, Media and Sport Select Committee."

In other words, it is another recommendation. Lord Thomas went on to say of the 10 per cent. success fees:

"It makes it impossible for the ordinary citizen to protect his reputation or defend himself against unmeritorious claims."—[Official Report, House of Lords, 25 March 2010; Vol. 718, c. 1164.]

- 11. Are you, or have you ever been, aware of any understanding between any media interest and any political party or government to the effect that that political party or government would offer favourable treatment, in any sense, to that media interest in return for political support from it? If so, please provide all relevant details of your evidence for the existence of that understanding, and the extent to which in your view the public interest has been affected by it.**

I have no direct experience, nor knowledge of the offer of favourable treatment in return for political support. Yet I have never met a minister who didn't know the corporate aims of Rupert Murdoch. Labour was pledged to deal with cross media ownership prior to the election in 1997. This never happened. I refer the inquiry to the account of former MP and minister Chris Mullin, of the period August 1994 - 1998 published in his diaries. I have no reason to believe his experience is not a correct account of events. He describes the process leading to the decision of Murdoch to back Blair and reports the extent of the influence on the thinking of the Labour party, including the view that it was only worth moving against Murdoch's interests if a fatal blow could be struck. His view on hearing that Murdoch might back Blair was that this was *"solely as a means of protecting his assets if he thinks there is going to be a Labour victory. There is bound to be a lot of free lunching going on between now and the next election. I pray we don't fall for it, though I can't say I'm entirely confident"* (**Tuesday 9 August 1994**)

I hope that the information submitted shows that though media criminality was raised on many occasions in Parliament, the Executive failed to act. The PCC, the police, successive Prime Ministers, Ministers and other sections of the free press failed when it came to investigating wrongdoing at News International. Our democracy was undermined by a media organisation that got too powerful. The executives at the top of the company believed they had no predators.

Politicians failed to protect democracy, for reasons of weakness before the power of huge and ruthless media corporations which can always reoccur. Faced with such weakness, corporate greed spilled over into coercion and corruption, as it can again if given the same chance.

I believe that the facts stated in this witness statement are true.

Signed

Date